TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 26-XX

AN ORDINANCE VACATING THE USE, AS A PUBLIC RIGHT-OF-WAY, OF A PORTION OF A PUBLIC RIGHT-OF-WAY THAT CONSISTS OF A 14,863 SQ. FT. (0.34 ACRES) TRACT OF ALLEY RIGHT-OF-WAY ADJACENT TO PIONEER PARK, BLOCK B, FRISCO TOWNSITE, WHICH TRACT IS LEGALLY DESCRIBED AND DEPICTED IN "EXHIBIT A" TO THIS ORDINANCE.

WHEREAS, the Town of Frisco is the owner of the street right-of-way known as the alley right-of-way adjacent to Pioneer Park that is depicted on the following plats: (1) the Amended Frisco Townsite recorded at Reception No. 77585 in the Office of the Clerk and Recorder, Summit County, Colorado; and (2) the Frisco Park Filing No. 3 recorded at Reception No. 157490 in the Office of the Clerk and Recorder, Summit County, Colorado, referred to hereinafter as the "Pioneer Park Alley Parcel;" and

WHEREAS, the Pioneer Park Alley Parcel is legally described and depicted on Exhibit A hereto; and

WHEREAS, the Town Council finds that the Pioneer Park Alley Parcel has never been improved for public right-of-way purposes and that, because of its adjacency to Pioneer Park, has been treated by the Town and users of the park as a part of the park; and

WHEREAS, the Frisco Town Council finds that the vacation of use as a public right-of-way of the Pioneer Park Alley Parcel, for use as a public park in connection with the park improvements at Pioneer Park, Block B, Frisco Townsite, is in the public interest and constitutes an overriding public interest that favors the vacation, and

WHEREAS, the Frisco Town Council finds that the Pioneer Park Alley Parcel is not necessary for public use as a roadway and that no land adjoining the Pioneer Park Alley Parcel is left without an established public road connecting such land with another established public road.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

Section 1. The Town, subject to the conditions set forth in Sections 2 and 3 below, and subject to the reservation of a utility easement set forth in Section 3 below, hereby vacates use of the Pioneer Park Alley Parcel as a public right-of-way, retains all right, title and interest therein, and dedicates its use to park and recreation purposes as part of the adjacent Pioneer Park.

Section 2. This Ordinance shall not cause the Pioneer Park Alley Parcel to be vacated for use as public right of way until this Ordinance is filed by the Town Clerk for recording in the Office of the Summit County Clerk and Recorder.

Section 3. The Town hereby reserves to Xcel Energy, its successors and assigns, an easement for gas line purposes and improvements, through and under the 10-foot portion of the Pioneer Park Alley Parcel extending five (5) feet on either side of the gas line existing as of the effective date of this Ordinance.

Section 4. Severability. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby.

Section 5. Effective Date. This ordinance shall take effect pursuant to the Home Rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING ORDERED THIS 8th DAY OF DECEMBER 2026.

INTRODUCED, PASSED ON SECOND READING AND PUBLICATION AND POSTING ORDERED THIS ____ DAY OF _____ 2026.

TOWN OF FRISCO, COLORADO

_____
Frederick J. Ihnken, Mayor

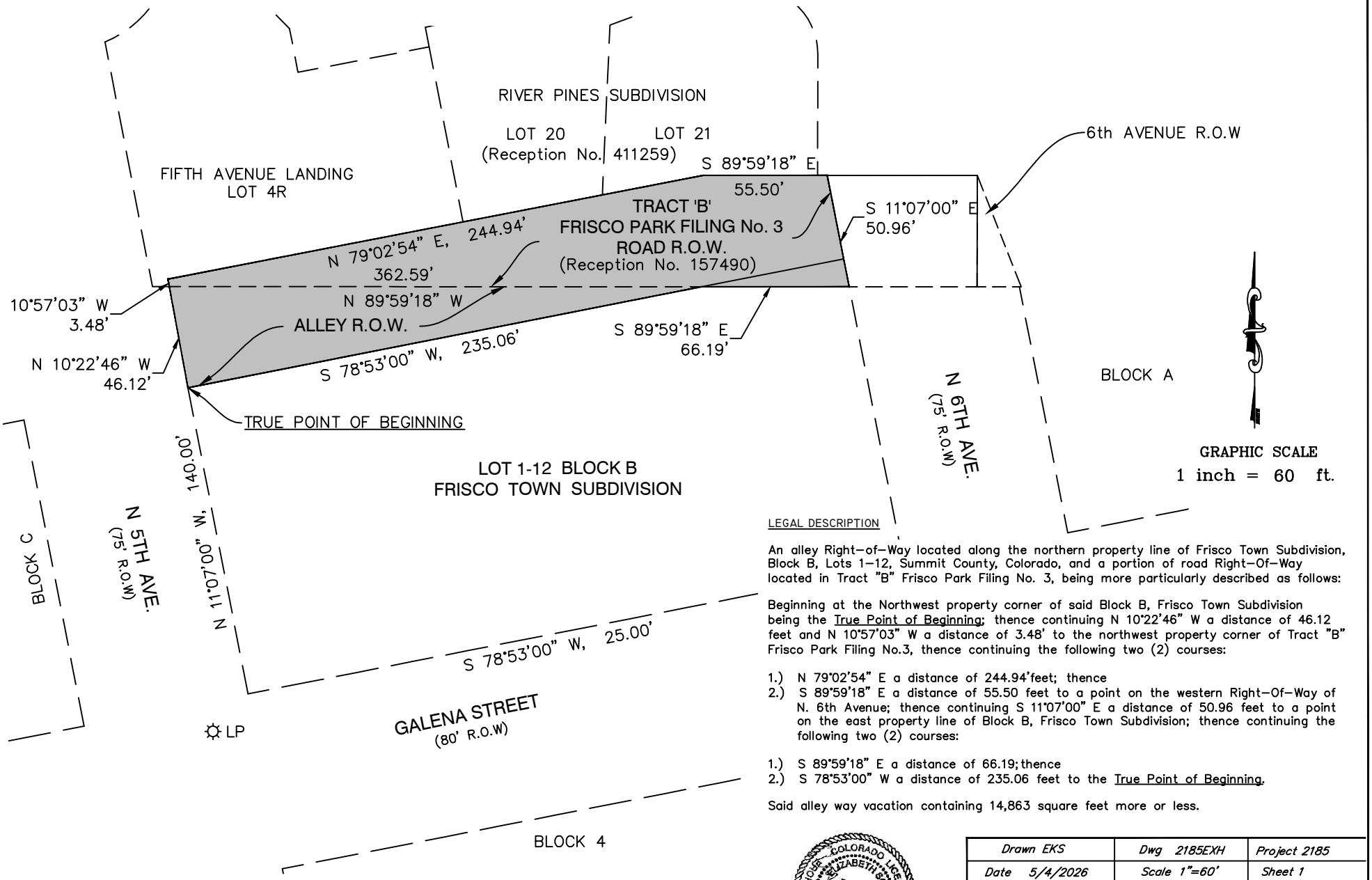
Attest:

_____
Stacey Campbell, Town Clerk

EXHIBIT A

Legal description and depiction of Pioneer Park Alley Parcel to be vacated

EXHIBIT
RIGHT-OF- WAY VACATION
TOWN OF FRISCO, SUMMIT COUNTY, COLORADO



LEGAL DESCRIPTION

An alley Right–of–Way located along the northern property line of Frisco Town Subdivision, Block B, Lots 1–12, Summit County, Colorado, and a portion of road Right–Of–Way located in Tract "B" Frisco Park Filing No. 3, being more particularly described as follows:

Beginning at the Northwest property corner of said Block B, Frisco Town Subdivision being the True Point of Beginning; thence continuing N 10°22'46" W a distance of 46.12 feet and N 10°57'03" W a distance of 3.48' to the northwest property corner of Tract "B" Frisco Park Filing No.3, thence continuing the following two (2) courses:

1.) N 79°02'54" E a distance of 244.94'feet; thence
2.) S 89°59'18" E a distance of 55.50 feet to a point on the western Right–Of–Way of N. 6th Avenue; thence continuing S 11°07'00" E a distance of 50.96 feet to a point on the east property line of Block B, Frisco Town Subdivision; thence continuing the following two (2) courses:

1.) S 89°59'18" E a distance of 66.19; thence
2.) S 78°53'00" W a distance of 235.06 feet to the True Point of Beginning.

Said alley way vacation containing 14,863 square feet more or less.

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR ELIZABETH SCHMIDT 37047

Drawn EKS	Dwg 2185EXH	Project 2185
Date 5/4/2026	Scale 1"=60'	Sheet 1

SCHMIDT
LAND SURVEYING, INC.
P.O. Box 5761
FRISCO, CO 80443 970–409–9963

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.