

**TOWN OF NEDERLAND  
Boulder County, Colorado**

**RESOLUTION 2015-18**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF NEDERLAND  
GRANTING A REVOCABLE ENCROACHMENT PERMIT FOR A PORTION OF  
EAST 1<sup>ST</sup> STREET ADJACENT TO AND NEAR 4 E. 1<sup>ST</sup> STREET, NEDERLAND,  
COLORADO**

**WHEREAS**, C.R.S. § 31-15-702 authorizes the Town of Nederland (“Town”) to manage and regulate the use and occupation of lands dedicated to the public use as rights-of-way; and

**WHEREAS**, it has come to the Town Board of Trustees’ (“Board”) attention that certain improvements currently encroach into and over the public right-of-way known as East First Street, as further described herein; and

**WHEREAS**, the Board finds and determines that such encroachment is not currently harmful or disruptive to the public’s use of the right-of-way for public use and travelling purposes; and

**WHEREAS**, the Board further finds that such encroachment could, in the future, be detrimental to and inconsistent with the public use of East First Street; and

**WHEREAS**, the Board therefore determines that it is necessary and desirable to formalize an arrangement under which the current encroachments are permitted while maintaining the Town’s ability to require that such encroachments be removed in the future; and

**WHEREAS**, the Board therefore desires to approve the revocable encroachment permit under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF  
THE TOWN OF NEDERLAND, COLORADO:**

Section 1. The Board of Trustees hereby grants and approves a revocable encroachment permit to the owners of those encroaching improvements illustrated on **Exhibit A**, attached hereto and incorporated herein by this reference, to occupy a certain portion of the public right-of-way known as East 1<sup>st</sup> Street within the Town of Nederland, County of Boulder, State of Colorado. This encroachment permit may be revoked by the Town at any time and for any reason by Resolution of the Board of Trustees.

Section 2. After approval and execution, the Town Clerk is directed to record this Resolution and its Exhibits in the real property records of the Boulder County Clerk and Recorder’s Office. The Town Administrator and Town Clerk are further authorized to execute any and all instruments necessary to effectuate the intent of this Resolution.

Section 3. This Resolution shall take effect immediately upon adoption.

RESOLVED, APPROVED and ADOPTED this 15<sup>th</sup> day of September, 2015.

TOWN OF NEDERLAND

By: \_\_\_\_\_

Joe Gierlach, Mayor

ATTEST:

\_\_\_\_\_  
LauraJane Baur, Town Clerk



**EXHIBIT A**  
**(ILLUSTRATIVE PLAT, SHOWING ENCROACHMENT)**

