

**PALMER LAKE, COLORADO**

**ORDINANCE NO. 10-2020**

**AN ORDINANCE VACATING A RIGHT OF WAY WITHIN THE TOWN OF  
PALMER LAKE SOUTH OF BLOCK 14, LOTS 17-20  
TO ALLOW ACCESS FROM EPWORTH**

**WHEREAS**, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

**WHEREAS**, the Town received an application for Vacation of a street, right of way or easement;

**WHEREAS**, C.R.S. §43-1-301 *et seq.* permits a municipality, by ordinance, to vacate any roadway or easement or part thereof located within the corporate limits of said municipality;

**WHEREAS**, the portion of the Right of Way located within the Town's corporate limits has not been utilized by the public as and it is not anticipated the right of way will be utilized by the Town for the foreseeable future;

**WHEREAS**, the Planning Commission held a duly noticed public hearing on July 15, 2020 and recommended approval of the vacation request;

**WHEREAS**, the Board of Trustees held a duly noticed public hearing on July 23, 2020 and approved the vacation of the right of way via passing of Resolution No. 11-2020 with the condition that the property owner eliminates all interior lot lines to reduce the property from three parcels to one parcel for one residence; and

**WHEREAS**, the Board of Trustees, finds it in the best interest of the citizens of the Town of Palmer Lake to vacate the portion of the right of way within the Town's corporate limits.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE AS FOLLOWS:**

1. The Board of Trustees hereby vacates, renounces and disclaims an approximate the right of way north of the Town of Palmer Lake's property, schedule number 7108101001, more particularly described in Exhibit A, attached hereto. Upon the recording of this Ordinance and Exhibit, title to the vacated right of way as described in Exhibit A shall vest to the proper owner of the abutting lands, pursuant to C.R.S. §43-2-302.

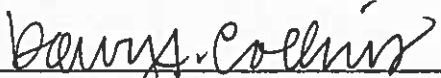
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.


3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

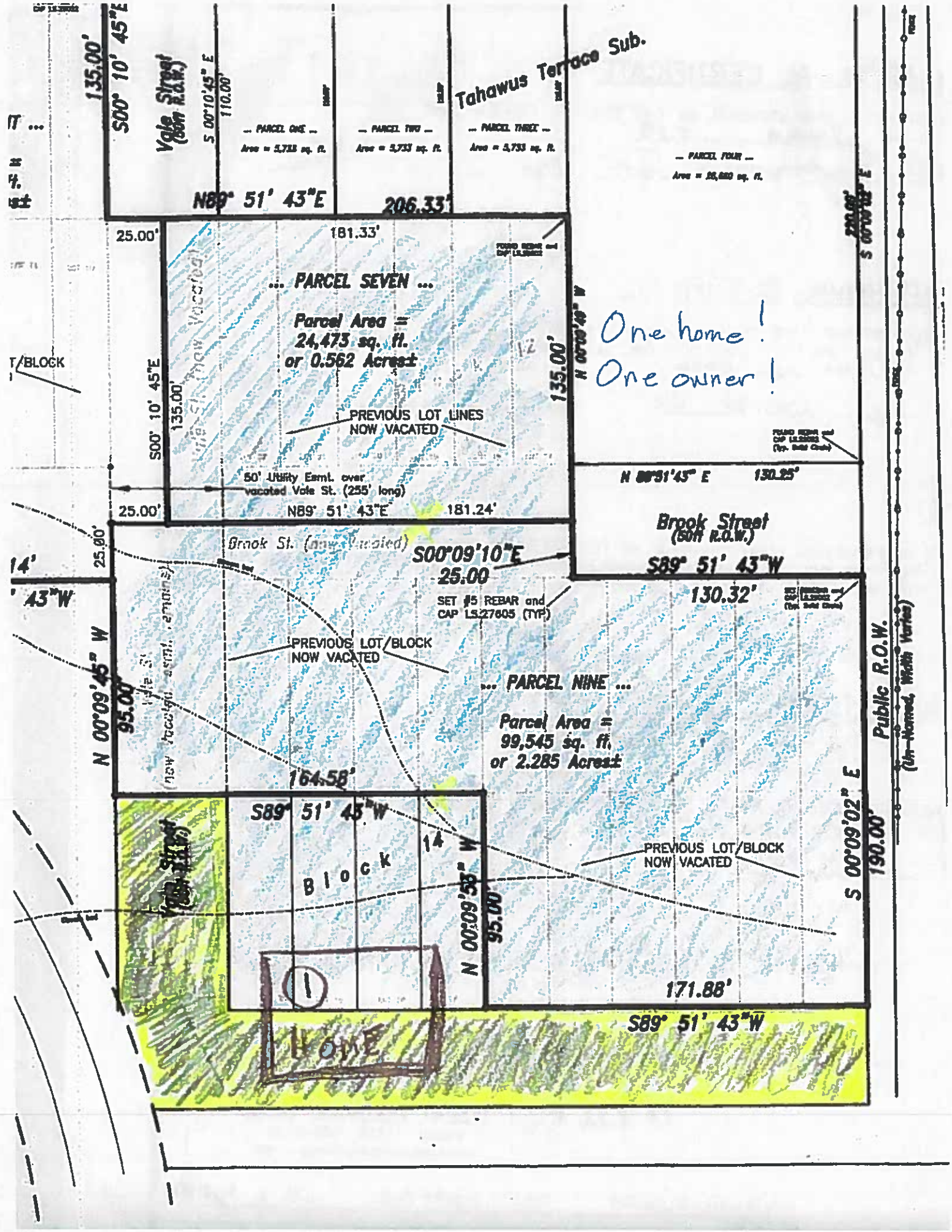
**INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 13<sup>TH</sup> DAY OF AUGUST, 2020.**

ATTEST:

TOWN OF PALMER LAKE, COLORADO

  
\_\_\_\_\_  
Dawn A. Collins  
Town Clerk/Deputy Administrator

BY:   
\_\_\_\_\_  
Mark Schuler  
Mayor Pro Tem



-- PARCEL ONE --  
Area = 5,733 sq. ft.

-- PARCEL TWO --  
Area = 5,733 sq. ft.

-- PARCEL THREE --  
Area = 5,733 sq. ft.

-- PARCEL FOUR --  
Area = 22,880 sq. ft.

... PARCEL SEVEN ...  
Parcel Area =  
24,473 sq. ft.  
or 0.562 Acres±

... PARCEL NINE ...  
Parcel Area =  
99,545 sq. ft.  
or 2.285 Acres±

One home!  
One owner!

①  
HOME

135.00'  
S00°10'45"E

Vole Street  
(60ft R.O.W.)

S 00°10'45" E  
110.00'

Tahawus Terrace Sub.

N89°51'43"E

206.33'

25.00'

181.33'

S00°10'45"E  
135.00'

135.00'

25.00'

181.24'

N 89°51'45" E 130.25'

Brook Street  
(60ft R.O.W.)

S89°51'43"W

S00°09'10"E  
25.00'

130.32'

14' 43"W

N 00°09'45" W  
95.00'

PREVIOUS LOT/BLOCK  
NOW VACATED

... PARCEL NINE ...

Parcel Area =  
99,545 sq. ft.  
or 2.285 Acres±

164.58'

S89°51'45"W

PREVIOUS LOT/BLOCK  
NOW VACATED

S 00°09'02" E  
190.00'

Public R.O.W.  
(Un-Homed, Width Varies)

N 00°09'58" W  
95.00'

171.88'

S89°51'43"W