

PALMER LAKE, COLORADO

ORDINANCE NO. 15-2020

AN ORDINANCE REPEALING ORDINANCE 10-2020 AND THE VACATION OF A RIGHT OF WAY WITHIN THE TOWN OF PALMER LAKE SOUTH OF BLOCK 14, LOTS 17-20

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 adopted Ordinance 10-2020 upon the express condition of the elimination of the interior lot lines of Parcels Seven, Parcel Nine, and Block 14, as referenced by Exhibit A to Ordinance 10-2020, and no such lot line elimination has taken place.

WHEREAS, the Board of Trustees finds it in the best interest of the citizens of the Town of Palmer Lake to repeal the ordinance vacating 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 repeals Ordinance 10-2020. The right of way north of the Town of Palmer Lake's property, schedule number 7108101001, more particularly described in Exhibit A, attached hereto is not vacated and Title to said right of way remains with the Town of Palmer Lake.

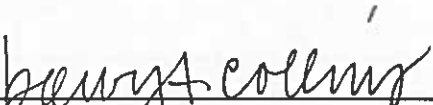
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares 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 22ND DAY OF OCTOBER, 2020.

ATTEST:

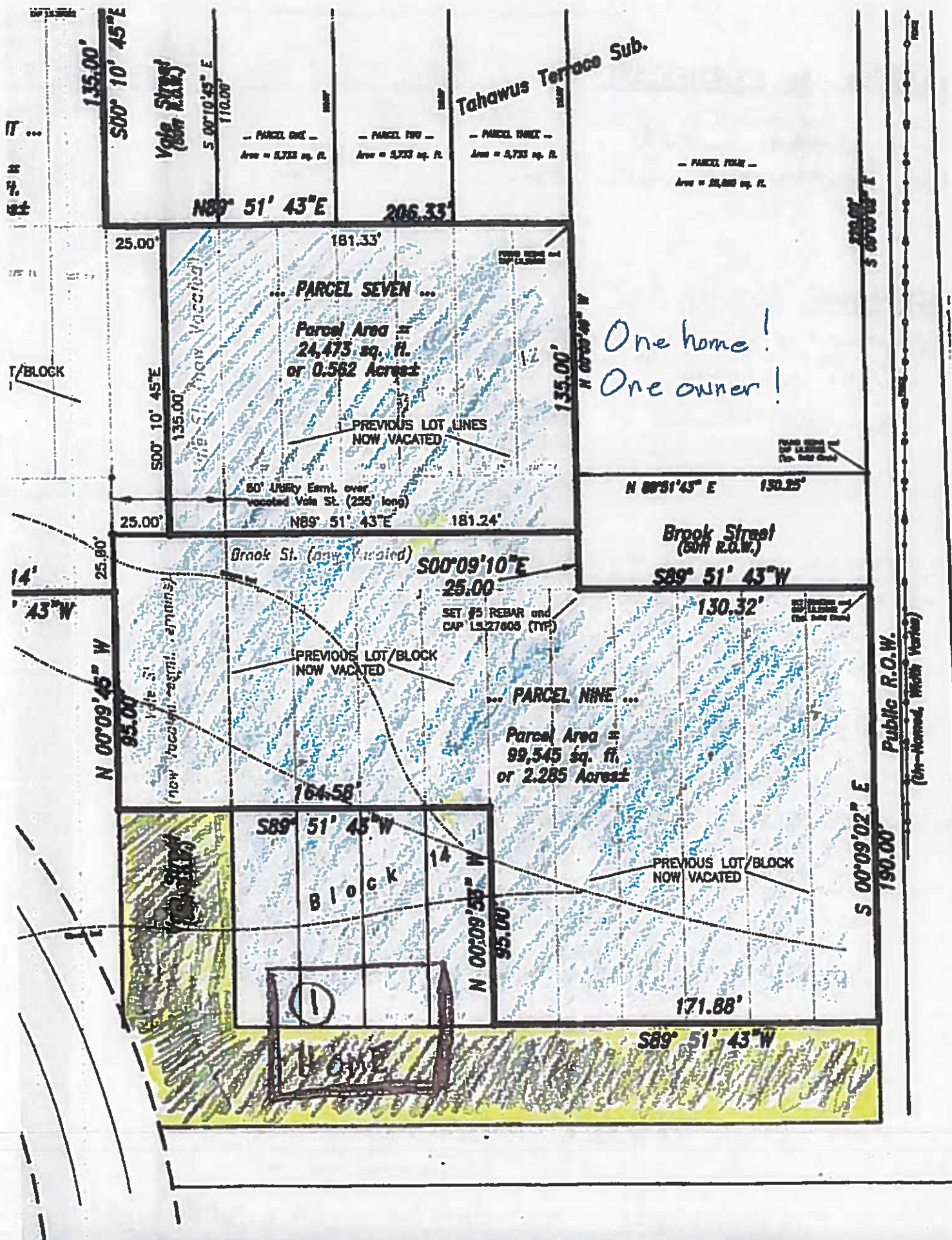
TOWN OF PALMER LAKE, COLORADO



Dawn A. Collins
Town Administrator / Clerk

BY: 

John Cressman
Mayor



135.00'
S00° 10' 45"E

Vole Street
(50ft R.O.W.)

S 00° 10' 45" E
110.00'

--- PARCEL ONE ---
Area = 2,733 sq. ft.

--- PARCEL TWO ---
Area = 2,733 sq. ft.

--- PARCEL THREE ---
Area = 2,733 sq. ft.

--- PARCEL FOUR ---
Area = 25,888 sq. ft.

Tahawus Terrace Sub.

N89° 51' 43"E 206.33'

25.00' 181.33'

... **PARCEL SEVEN** ...

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

PREVIOUS LOT LINES
NOW VACATED

50' Utility Easmt. over
vacated Vole St. (255' long)

S00° 10' 45"E 135.00'

135.00' N 00° 09' 10" W

One home!
One owner!

N 00° 09' 10" E 130.25'

Brook Street
(50ft R.O.W.)

S89° 51' 43"W

25.00' 181.24'

Brook St. (now vacated)

S00° 09' 10" E 25.00'

SET #5 REBAR and
CAP 1327805 (TYP)

PREVIOUS LOT/BLOCK
NOW VACATED

... **PARCEL NINE** ...

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

PREVIOUS LOT/BLOCK
NOW VACATED

164.58'

N 00° 09' 45" W 95.00'

130.32'

14' 25.80' 43"W

N 00° 09' 45" W 95.00'

Public R.O.W.
(Un-Assemed, With Verles)

S89° 51' 43"W 14'

Block

N 00° 09' 45" W 95.00'

171.88'



S89° 51' 43"W

S 00° 09' 02" E 190.00'