

**PALMER LAKE, COLORADO**

**ORDINANCE NO. 10 OF 2017**

**AN ORDINANCE VACATING A PORTION OF LARGO AVENUE BETWEEN ROSITA AVENUE AND VERANO AVENUE, PALMER LAKE, COLORADO**

WHEREAS, PURSUANT TO SECTION 43-2-303, C.R.S., THE TOWN HAS THE AUTHORITY TO VACATE ANY ROADWAY WITHIN ITS JURISDICTION BY ORDINANCE; AND

THE TOWN OF PALMER LAKE HAS RECEIVED A REQUEST FROM AN OWNER OF PROPERTY ON BOTH SIDES OF THE PLATTED LARGO AVENUE BETWEEN ROSITA AVENUE AND VERANO AVENUE TO VACATE THAT PORTION LARGO AVENUE, PALMER LAKE, COLORADO; AND

THE TOWN HAS DETERMINED THAT IF THE RIGHT OF WAY SOUGHT TO BE VACATED HAS NEVER BEEN USED AS PUBLIC RIGHT OF WAY AND IS NOT NEEDED OR DESIRED FOR PUBLIC RIGHT OF WAY PURPOSES NOW DUE TO THE SLOPE OF THE PLATTED ROADWAY; AND

WHEREAS, THE VACATION EFFECTED HEREBY WILL NOT RESULT IN LEAVING ANY LAND ADJOINING SAID ROADWAYS WITHOUT AN ESTABLISHED PUBLIC ROAD OR PRIVATE ACCESS EASEMENT CONNECTING SAID LAND WITH ANOTHER ESTABLISHED PUBLIC ROAD; AND

WHEREAS THE TOWN OF PALMER LAKE HAD DETERMINED THAT NO SIGNIFICANT PUBLIC IMPROVEMENTS LIE WITHIN THE PROPOSED VACATED RIGHT OF WAY.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. Pursuant to applicable state statute as shown on Attachment A, the Town of Palmer Lake hereby vacates:

- a. A portion of the Northwest Quarter of Section 8, Township 11 South, Range 67 West of the 6<sup>th</sup> P.M. town of Palmer Lake, County of El Paso, State of Colorado

Section 2. Pursuant to state statute, upon the effective date of this Ordinance, the title to the property vacated hereby shall vest one half to each of the adjoining property owners at the centerline of each of the two vacated roadways.

Section 4. Severability. It is hereby declared to be the intention of the Board of Trustees of the Town of Palmer Lake that the sentences, clauses and phrases of this ordinance are severable, and if any sentence, clause or phrase of this ordinance be declared unconstitutional or invalid by the valid judgment or decree of Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sentences, clauses or phrases of this ordinance since the same would have been enacted by the Board of Trustees without the incorporation of any unconstitutional or invalid sentence, clause or phrase.

Section 5. Publication. The Town Clerk shall certify to the passage of this ordinance and cause notice of its contents and passage to be published by title only. This ordinance shall become effective thirty (30) days after the date of publication. PASSED AND ADOPTED THIS 8<sup>th</sup> DAY OF JUNE, 2017 by a vote of 1 for and 0 against.



  
JOHN CRESSMAN, MAYOR

ATTEST:

  
TARA BERRETH, TOWN CLERK

I hereby certify that the above Ordinance was adopted by the Board of Trustees of the Town of Palmer Lake at its meeting of June 8, 2017, and ordered published by title only by The Gazette newspaper on June 12, 2017.

  
Tara Berreth, Town Clerk



**AFFIDAVIT OF PUBLICATION**

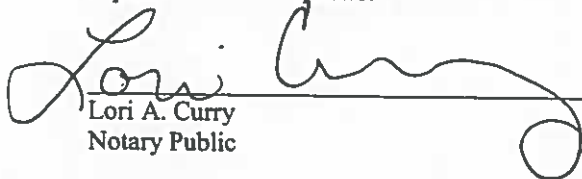
STATE OF COLORADO  
COUNTY OF EL PASO

I, Mary Heifner, being first duly sworn, deposes and says that she is the Legal Sales Representative of THE COLORADO SPRINGS GAZETTE, LLC., a corporation, the publishers of a daily public newspaper, which is printed and published daily in whole at the city of Colorado Springs in the County of El Paso, and the State of Colorado, and which is called The Gazette; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper 1 time(s) to wit, July 25, 2017

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

  
\_\_\_\_\_  
Mary Heifner  
Legal Sales Representative

Subscribed and sworn to me this July 25, 2017, at said City of Colorado Springs, El Paso County, Colorado. My commission expires October 24, 2020.

  
\_\_\_\_\_  
Lori A. Curry  
Notary Public

The Gazette

<b>PALMER LAKE, COLORADO ORDINANCE NO. 10 OF 2017</b> AN ORDINANCE VACATING A PORTION OF LARGO AVENUE BETWEEN ROSITA AVENUE AND VERANO AVENUE, PALMER LAKE, COLORADO
<b>PALMER LAKE, COLORADO ORDINANCE NO. 11 OF 2017</b> AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF ADDITIONAL LICENSES FOR ALL MARIJUANA FACILITIES AND DECLARING AN EMERGENCY
<b>PALMER LAKE, COLORADO ORDINANCE NO. 12 OF 2017</b> AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE CONCERNING FIRE PROTECTION; MAKING IT UNLAWFUL TO DISPOSE OF POTENTIAL FIRE-CAUSING MATERIAL AND IMPOSING THE PENALTY FOR VIOLATIONS
<b>PALMER LAKE, COLORADO ORDINANCE NO. 14 OF 2017</b> AN ORDINANCE APPROVING THE VACATION AND REPLAT OF LOTS LOCATED AT 512 AND 534 GLEN AVENUE AND ADJUSTING LOT LINES IN THE BLAKE SUBDIVISION FILING TWO.
<b>PALMER LAKE, COLORADO ORDINANCE NO. 13 OF 2017</b> AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE AMENDING THE TOWN OF PALMER LAKE MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 14.17 CONCERNING THE DESIGN, CONSTRUCTION AND INSTALLATION OF LIGHTING TO PROTECT THE NIGHT SKY AND MINIMIZE IMPACTS ON ADJACENT PROPERTY OWNERS, AND SETTING THE PENALTY FOR VIOLATIONS THEREOF, AND AMENDING SECTION 17.72.030 CONCERNING THE POWERS OF THE BOARD OF ADJUSTMENT Published in CS Gazette July 25, 2017

**LORI CURRY  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20164040549  
MY COMMISSION EXPIRES 10/24/2020**

**AFFIDAVIT OF PUBLICATION**

STATE OF COLORADO  
COUNTY OF EL PASO

*Ord 10*

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Palmer Lake,  
Colorado  
Ordinance 10, 2017  
An Ordinance Vacating a Portion of Largo Avenue Between Rosita Avenue and Verano Avenue, Palmer Lake, Colorado.  
Published in CS Gazette June 12, 2017

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*Mary Heifner*

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Legal Sales Representative

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*Lori A. Curry*

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