

RICO ORDINANCE NO. 2011-5

AN ORDINANCE OF THE TOWN OF RICO, COLORADO VACATING A PORTION OF EDER STREET BETWEEN BLOCKS 34 AND 36 IN THE WEST RICO SUBDIVISION AND AUTHORIZING THE TOWN OF RICO TO DEED THE VACATED PORTIONS OF RIGHT-OF-WAY TO ADJACENT LOT OWNERS AS SET FORTH HEREIN

WHEREAS, Rico Land Use Code, Section 482, and Colorado Revised Statutes, Section 43-2-301 establish the procedures and standards for the vacation of Town streets; and

WHEREAS, the Rico Planning Commission conducted a public hearing on July 26, 2011 and recommended approval of the vacation of ten feet of Eder Street between blocks 34 and 36 to comport with the West Rico re-plat and to address existing encroachments; and

WHEREAS, the Board of Trustees finds that vacation of ten feet of Eder Street (five feet on either side) is in the best interest of the citizens of the Town of Rico; and

WHEREAS, the Board of Trustees further declares that such vacation meets the requirements of Rico Land Use Code, Section 482, and Colorado Revised Statutes, Section 43-2-301, *et. seq.*; and

WHEREAS, the Board of Trustees authorizes the Town of Rico to quitclaim deed the five foot strips of vacated right-of-way as set forth herein to adjacent lot owners pursuant to Colorado Revised Statutes, Section 43-2-301, *et. seq.*, in order to address encroachments and to facilitate the West Rico re-plat.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO AS FOLLOWS:

SECTION 1.

Ten feet of Eder Street between Blocks 34 and 36 in the West Rico Subdivision is hereby vacated, consisting of five feet on either side.

The vacated portion of Eder Street shall be included in the Residential Zone District, and the Town's Street Map shall be amended to reflect this vacation.

SECTION 2.

Title to the vacated portions of Eder Street shall vest in the owners of adjacent lots as follows: Lots 20 and 21, Block 36; Lots 1 and 40, Block 34.

These lots shall now include the vacated portions of Eder Street.

The Town shall quitclaim the vacated portions of Eder Street to adjacent lot owners as set forth herein.

SECTION 3.

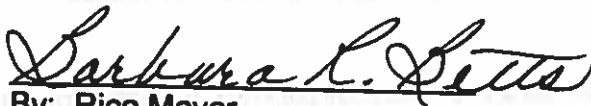
This Ordinance shall be posted and published in accordance with the Rico Land Use Code and Rico Town Charter.

SECTION 4.

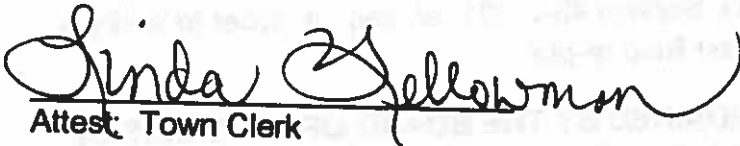
This Ordinance shall be recorded in the Office of the Dolores County Clerk and Recorder.

INTRODUCED, READ, APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO ON THIS 17 DAY OF AUGUST, 2011.

READ AND APPROVED ON SECOND READING BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO FOLLOWING A PUBLIC HEARING ON THIS 21 DAY OF SEPTEMBER, 2011.



By: Rico Mayor



Attest: Town Clerk