

ORDINANCE No. 322

TOWN OF RICO

AN ORDINANCE VACATING A PORTION OF NEWMAN STREET

WHEREAS, Ordinance No. 275 and C.R.S.A. 31-15-702(1)(a)(I) authorizes the Town to vacate rights-of-way;

WHEREAS, the Board of Trustees finds that the topography of a portion of Newman Street will not allow development of a street which meets the road design standards in Ordinance No. 275;

WHEREAS, the Board of Trustees finds the vacation of a portion of Newman Street will not deny right-of-way access to outlying properties which may be served by Commercial Street and the Glasgow Avenue - River Street extension road improvements;

WHEREAS, the Board of Trustees finds that Rico Renaissance, LLC., is the owner of land adjoining the Newman Street right-of-way on both side;

WHEREAS, the Board of Trustees finds that the vacation of a portion of Newman Street will promote the health, safety and general welfare of the Rico community; and,

WHEREAS, a copy of this Ordinance was published in full in the Dolores Star on the 1st day of August, 1996;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, the following:

SECTION 1. VACATION OF NEWMAN STREET

The portion of Newman Street between Block 11, Lot 20, and Block 39, Lot 1A not including a ten foot wide right-of-way on the south side of said Newman Street right-of-way, as is described in the plat attached to this Ordinance, is hereby vacated. The portion of Newman Street between Block 10, Lot 29, and Block 38, Lot 40 not

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including a ten foot wide right-of-way on the south side of said Newman Street right-of-way, as is described in the plat attached to this Ordinance, is hereby vacated.

SECTION 2: ZONING AND LOT DESIGNATION

The resulting 50 foot by 100 foot lots as described on the plat attached hereto are hereby included in the R Residential Zone District. The vacated portion of Newman Street on the West side of Glasgow Avenue shall be designated as Lot 20N, Block 11; and the vacated portion of Newman Street on the East side of Glasgow Avenue shall be designated as Lot 29N, Block 10.

SECTION 3. SAFETY CLAUSE

The passage of this Ordinance is necessary for the preservation of the public health, safety, morals, and welfare of the Town of Rico community.

SECTION 4. SEVERABILITY

If any provision of this ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

SECTION 5. PUBLICATION

Following adoption, the Town Clerk shall cause this Ordinance to be published in full in the Dolores Star in accordance with Ordinance No. 323 of the Town of Rico, Colorado.

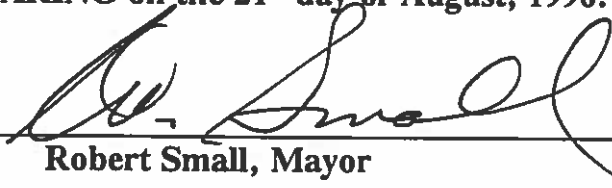
SECTION 6. RECORDING

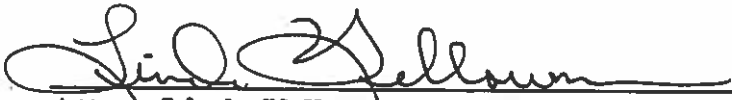
The Town Clerk shall cause a copy of this Ordinance to be recorded with the Dolores County Clerk and Recorder after final adoption.


INTRODUCED, READ, AND REFERRED TO A PUBLIC HEARING BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 24th day of July, 1996.

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READ, APPROVED AND ADOPTED AFTER CONDUCTING A PUBLIC HEARING on the 21st day of August, 1996.


By: Robert Small, Mayor


Attest: Linda Yellowman, Town Clerk


Approved as to Form: Eric James Heil, Esq.
Town Attorney

