

PALMER LAKE, COLORADO

ORDINANCE NO. 6 OF 2008

**AN ORDINANCE VACATING A PORTION OF ALAMEDA AVENUE,
PALMER LAKE, COLORADO**

WHEREAS, THE TOWN OF PALMER LAKE HAS RECEIVED A REQUEST FROM THE OWNERS OF THE ADJACENT PROPERTY TO VACATE A PORTION OF ALAMEDA AVENUE, PALMER LAKE, EL PASO COUNTY, COLORADO; AND

WHEREAS, THE TOWN OF PALMER LAKE HAS REVIEWED THE PROPOSED APPLICATION AND DETERMINES THAT NO HARM WOULD ARISE TO ANY ADJOINING LAND OWNER; AND

WHEREAS THE TOWN OF PALMER LAKE HAD DETERMINED THAT CERTAIN UTILITY IMPROVEMENTS LIE WITHIN THE PROPOSED VACATION;

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

Section 1. The town of Palmer Lake vacates that portion of Alameda Avenue more fully described in attached Exhibit A reserving, however, a right of way or easement for utilities.

Section 2. 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 3. Publication. The Town Clerk shall certify to the passage of this ordinance and cause notice of its contents and passage to be published or posted. This ordinance shall become effective thirty (30) days after the date of publication.

PASSED AND ADOPTED THIS 9TH DAY OF OCTOBER, 2008.

JOHN CRESSMAN, MAYOR

ATTEST:

DELLA GRAY, TOWN CLERK

LEGAL DESCRIPTION FOR A PORTION OF ALAMEDA AVENUE, GLEN PARK, PALMER LAKE, COLORADO.

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M., BEING A PORTION OF ALAMEDA AVENUE LYING MAINLY BETWEEN BLOCKS 6 AND 7 IN "GLEN PARK", A SUBDIVISION RECORDED IN PLAT BOOK A AT PAGE 83 OF THE RECORDS OF EL PASO COUNTY, COLORADO AND FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY POINT OF CURVE IN LOT 1 OF SAID BLOCK 7, ALSO BEING A POINT ON THE SOUTHWESTERLY LINE OF SAID ALAMEDA AVENUE; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE SOUTHWESTERLY LINE OF SAID ALAMEDA AVENUE A DISTANCE OF 50 FEET, MORE OR LESS TO A POINT ON THE NORTHEASTERLY LINE OF SAID ALAMEDA AVENUE AND THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED HEREBY; THENCE SOUTHWESTERLY ALONG THE AFOREMENTIONED LINE 50 FEET MORE OR LESS TO THE AFOREMENTIONED POINT OF CURVE ON THE SOUTHWESTERLY LINE OF ALAMEDA AVENUE; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF ALAMEDA AVENUE A DISTANCE OF 319.72 FEET TO THE SOUTHEASTERLY LINE OF VIRGINIA AVENUE AS DESCRIBED IN INSTRUMENT RECORDED UNDER RECEPTION NUMBER 96127408 OF THE RECORDS OF EL PASO COUNTY, COLORADO; THENCE NORTHEASTERLY IN A STRAIGHT LINE A DISTANCE OF 100 FEET, MORE OR LESS TO A POINT OF TANGENCY ON THE WESTERLY CURVE OF LOT 8 IN BLOCK 6 OF SAID "GLEN PARK", SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF GRAND AVENUE; THENCE ALONG SAID CURVE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY TO A POINT OF TANGENT ALSO BEING ON THE NORTHEASTERLY LINE OF ALAMEDA AVENUE; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTLY LINE OF ALAMEDA AVENUE A DISTANCE OF 239 FEET, MORE OR LESS TO THE POINT OF BEGINNING OF SAID TRACT BEING DESCRIBED.

THIS LEGAL DESCRIPTION WAS WRITTEN FROM "UN-NOTED" BUT SCALED DISTANCES ON THE PLAT OF "GLEN PARK" ALSO, ONLY TWO POINTS FOUND IN THE FIELD WERE USED AS THE BASIS OF THIS LEGAL DESCRIPTION.

TOTAL SQUARE FEET: 14,820±
SOUTHWESTERLY PORTION: 7,657 ± SQ.FT. :
NORTHEASTERLY PORTION: 7,163 ± SQ.FT.