

ORDINANCE

AN ORDINANCE VACATING A PORTION OF PAWNEE AVENUE AND FAIRMONT AVENUE RIGHTS-OF-WAY ADJACENT TO PROPERTY KNOWN AS 304 PAWNEE AVENUE AS PLATTED AS LOT 1, MEESE SUBDIVISION, IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO.

WHEREAS, an abutting owner requested and the Planning Commission recommended the vacation of a portion of the Pawnee Avenue and Fairmont Avenue rights-of-way, which is currently encumbered by failing retaining walls; and

WHEREAS, the City Council finds the subject portion of Pawnee Avenue and Fairmont Avenue rights-of-way is unnecessary and infeasible for future public access and will not deprive abutting property owners of adequate legal access.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: The portions of rights-of-way described and shown on the attached **Exhibit A** as “Parcel 1” and “Parcel 2” are hereby vacated.

Section 2: 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on first reading and ordered published this 6th day of June, 2017.

/s/ Donna Kast
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the June 20, 2017, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: June 8, 2017 (in full)
City's Official Website and City Hall

Passed on second reading and adopted by City Council this 20th day of June, 2017.

/s/ Nicole Nicoletta
Mayor, Nicole Nicoletta

Attest: /s/ Donna Kast
City Clerk, Donna Kast

Ordinance Published: June 22, 2017 (in full)
City's Official Website and City Hall