

ORDINANCE NO. 319

AN ORDINANCE TO REPEAL ORDINANCE NO. 26 REGARDING GRANTING SPECIFIC ACCESS FOR THE DENVER & RIO GRANDE RAILROAD COMPANY.

WHEREAS, Ordinance No. 26 was passed December 5, 1892, and;

WHEREAS, Ordinance No. 26 was written for the specific purpose of granting the Denver & Rio Grande Railroad Company access to a 30 x 200 foot area located on the east side of the then railroad depot for a platform, track and wagon approach, and;

WHEREAS, The platform was dismantled more than thirty years ago, and wagons are no longer allowed within the City of Creede without special permit, and;

WHEREAS, The Denver & Rio Grande Railroad Company has not operated a train in the City of Creede for more than thirty years, and;

WHEREAS, The land indicated in Ordinance No. 26 was sold by the Colorado State Land Board to a private party on August 17, 1965. Said private party then subsequently re-sold to another private party on August 1, 1989 and is now part of the property occupied by the Creede Historical Society, and;

WHEREAS, The City of Creede has no ownership interest in the land referenced by Ordinance No. 26.

WHEREAS, Ordinance No. 26 has no present effect due to the above stated reasons, and;

THEREFORE, BE IT ORDAINED by the City Board of the City of Creede:

SECTION 1.

1. That Ordinance No. 26 is hereby repealed and is no longer in effect.

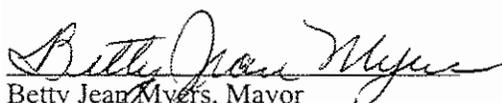
SECTION 2. If any provision of this Ordinance or the application thereof to any person or circumstances is held to be invalid or unconstitutional, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and to this end the provisions of this Ordinance are declared to be severable.

SECTION 3. The Board finds that for the protection of the public that it is necessary to repeal this 1892 outdated ordinance; that it is hereby declared that this Ordinance is necessary to the immediate preservation of the public peace, health, and safety, and shall take effect and be enforced upon adoption.

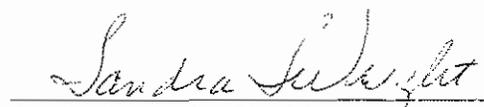
SECTION 4. This Ordinance shall be codified into the Municipal Code. Any changes in numbering of paragraphs, sections or subparagraphs shall not change the validity of any part of the Ordinance. The word "Ordinance" may be changed to "Title", "Section", "Subsection", or "Code" as necessary.

Introduced, read in full, and adopted, approved and signed this 5 day of March 2001.

CITY OF CREEDE

  
Betty Jean Myers, Mayor

ATTEST:

  
Sandra S. Wright, City Manager/Clerk