

## ORDINANCE 326

### AN ORDINANCE DECLARING A PUBLIC STREET

WHEREAS, the Town Board has determined that it owns a certain parcel of real property within the city limits as described below, and

WHEREAS, the Town Board has determined that the parcel should be used as a public street and has access to the State Highway 149, and

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

SECTION 1. The parcel of property owned by the City of Creede is described generally as follows: Beginning at a point from which the east quarter corner of Section 36, T 39N, R1W, N.M.P.M. bears east 80 feet; thence south along the east boundary of Block 35, City of Creede to the southeast corner of Block 39; thence east 40 feet, thence north, parallel to the east line of said Section 36 to a point intersecting the extension eastward of the south side of Eleventh Street, which is parallel to the north line of Block 35; thence east northeasterly continuing along the said extension of Eleventh Street to its intersection with the right of way of Colorado State Highway 149; thence northwest along the right of way of Colorado State Highway 149 approximately 150 feet to the point where the north side of the highway access of the State Department of Transportation intersects State Highway 149; thence southwest perpendicular to State Highway 149 to the intersection with the east line of Block 32; thence southeast parallel to the east line of Block 32 and block 35 to a point 27.81 feet north of the southeast corner of Lot 1, Block 35; thence south to the point of beginning.

SECTION 2. The above described property is declared to be a public street for access for travel and for utility installation as may be permitted by the Town.

SECTION 3. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance 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.

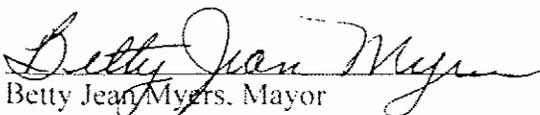
SECTION 4. NECESSITY. It is hereby declared that this Ordinance is necessary to the immediate preservation of the public peace, health, and safety, and shall take effect and be enforced from and after its final adoption.

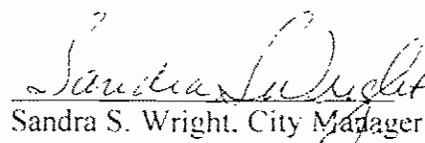
SECTION 5. CODIFICATION This Ordinance shall be codified into the Municipal Code. Any changes in numbering of paragraphs, sections, or subparagraphs shall not change the validity of any part of the Ordinance. The word "Ordinance" may be changed to "Title", "Section," "Subsection", or "Code" as necessary.

Introduced, read in full, and adopted, approved and signed this 7<sup>th</sup> day of January, 2002.

CITY OF CREEDE

ATTEST:

  
Betty Jean Myers, Mayor

  
Sandra S. Wright, City Manager