

ORDINANCE NO. 332

AN ORDINANCE REZONING LOTS IN SOUTH CREEDE

WHEREAS, the City of Creede Planning Commission has reviewed and recommended the following zoning changes to the Board of Trustees of the City of Creede, a Colorado town, and

WHEREAS, the Town Board has determined that the criteria for making the zoning change have been met and that the change is in the best interests of the City of Creede, and

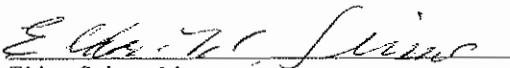
WHEREAS, the Creede Zoning ordinance requires in Part III, Section 1; that upon passage of the ordinance on the first reading the City shall cause the property to be posted and no sooner than fifteen days after publication in the Official City Newspaper a Public Hearing will be set, and

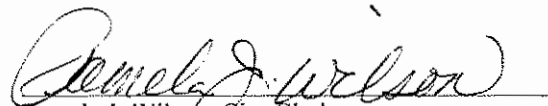
WHEREAS, the Town Board has determined that individual notice should be sent to residents of the Silver Moon Mobil Home Park in addition to the adjacent property owners and the local newspaper.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, THAT:

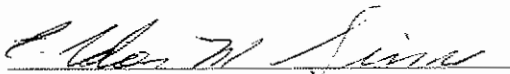
- Section 1. That a public hearing shall be held at the Town Hall on Aug 27, 2004 to accept input from the public concerning the zoning change.
- Section 2. That notice of the hearing will be published in the Mineral County Miner and notices will be posted on the property as well as in the normal public posting places.
- Section 3. The property owner, or authorized representative, will provide the names and addresses of all adjoining property owners for service of process to the City of Creede.
- Section 4. This ordinance shall take effect upon the final approval by the Board of Trustees.
- Section 5. The following described property within the city limits shall be rezoned from R-M(p) to B2 at the time provided above. See Attachment "A" and "B".

PASSED, APPROVED AND ADOPTED ON THIS FIRST READING AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE CITY OF CREEDE ON July, 13, 2004.


Eldon Seime, Mayor


Pamela J. Wilson, City Clerk

This ordinance having been published and a public hearing held at least 15 days thereafter, the same has been approved on second reading on August 27, 2004.


Eldon Seime, Mayor


Pamela J. Wilson, City Clerk

Attachment A

PROPERTY DESCRIPTION:

NINE PARCELS OF LAND LOCATED IN SOUTH CREEDE IN SECTION 36, TOWNSHIP 42 NORTH, RANGE 1 WEST, N.M.P.M., MINERAL COUNTY, COLORADO, SAID PARCELS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

THE EASTERLY PORTION OF LOT 22, WHICH IS 21 FEET WIDE ALONG THE NORTHERLY LINE AND 14 FEET WIDE ALONG THE SOUTHERLY LINE, AND LOTS 23, 24, 25 AND 26, ALL IN BLOCK 25.

PARCEL 2:

THAT VACATED PORTION OF EIGHT STREET LOCATED WESTERLY OF LA GARITA AVENUE AND EASTERLY OF A LINE PROJECTED FROM THE SOUTHWEST CORNER OF THE EASTERLY 14 FEET OF LOT 22, BLOCK 25 TO NORTHWEST CORNER OF THE EASTERLY 4 FEET OF LOT 5, BLOCK 30 SAVE AND EXCEPT THE SOUTHERLY 21 FEET OF THE EASTERLY 75 FEET OF THAT PORTION OF SAID EIGHTH STREET HEREINABOVE DESCRIBED.

PARCEL 3:

BLOCK 28, SAVE AND EXCEPT THE NORTHERLY 72 FEET OF LOTS 1, 2, AND 3 THEREOF.

PARCEL 4:

THAT VACATED PORTION OF NINTH STREET BOUNDED ON THE EASTERLY SIDE BY LA GARITA AVENUE, AND ON THE WESTERLY SIDE BY A LINE PROJECTED FROM THE SOUTHWEST CORNER OF THE EASTERLY 14 FEET OF LOT 22, BLOCK 25 TO THE NORTHWEST CORNER OF THE EASTERLY 4 FEET OF LOT 5, BLOCK 30, SAVE AND EXCEPT THAT CERTAIN TRIANGLE OF LAND BOUNDED ON THE WESTERLY SIDE BY THE SOUTHWEST PROJECTION OF THE WESTERLY LINE OF LOT 3, BLOCK 28 AND BOUNDED ON THE SOUTHERLY SIDE BY AN EASTERLY - WESTERLY LINE WHICH IS PARALLEL TO 72 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID BLOCK 28.

PARCEL 5:

THAT PORTION OF TRACT 51, AS DESCRIBED IN PATENT NO. 7322 ON PAGE 2 OF THE LIST OF CERTIFICATES OF PURCHASE - STATE LANDS, PREPARED BY THE COLORADO STATE BOARD OF LAND COMMISSIONERS, DATED APRIL 30, 1986, BOUNDED ON THE WESTERLY SIDE BY A LINE PROJECTED FROM THE SOUTHWEST CORNER OF THE EASTERLY 14 FEET OF LOT 22, BLOCK 25 TO THE NORTHWEST CORNER OF THE EASTERLY 4 FEET OF LOT 5, BLOCK 30, BOUNDED ON THE SOUTHERLY SIDE BY THE EASTERLY PROJECTION OF THE NORTHERLY ALLEY LINE OF BLOCK 32 AND ON THE EASTERLY SIDE BY A LINE PROJECTED FROM THE NORTHEAST CORNER OF BLOCK 28 TO A POINT 96 FEET EASTERLY OF THE NORTHEAST CORNER OF SAID ALLEY ON THE EASTERLY PROJECTION OF ITS NORTHERLY LINE.

PARCEL 6:

THAT PORTION OF BLOCK 30, INCLUDING THE VACATED ALLEY THEREOF, WHICH IS LOCATED EASTERLY OF A LINE PROJECTED FROM THE EASTERLY 4 FEET OF LOT 5 THROUGH THE NORTHWEST CORNER OF THE EASTERLY 4 FEET OF LOT 18 AND THENCE RUNNING TO THE SOUTHWEST CORNER OF THE EASTERLY 7 FEET OF SAID LOT 18.

PARCEL 7:

THAT VACATED PORTION OF TENTH STREET LOCATED WESTERLY OF LA GARITA AVENUE AND EASTERLY OF A LINE PROJECTED FROM THE SOUTHWEST CORNER OF THE EASTERLY 7 FEET OF LOT 18, BLOCK 30 TO THE NORTHWEST CORNER OF THE EASTERLY 9 FEET OF LOT 9, BLOCK 32.

PARCEL 8:

THAT PORTION OF THE NORTHERLY HALF OF BLOCK 32 LOCATED EASTERLY OF A LINE PROJECTED FROM THE NORTHWEST CORNER OF THE EASTERLY 9 FEET OF LOT 9 TO THE SOUTHWEST CORNER OF THE EASTERLY 12 FEET OF SAID LOT 9.

PARCEL 9:

THAT VACATED PORTION OF LA GARITA AVENUE BOUNDED ON THE WESTERLY SIDE BY THE EASTERLY LINE, AND ITS NORTHERLY PROJECTION, OF THE NORTHERLY HALF OF BLOCK 32, BOUNDED ON THE NORTHEASTERLY SIDE BY THE SOUTHWESTERLY LINE OF TRACT 51 AND BOUNDED ON THE SOUTHERLY SIDE BY THE EASTERLY PROJECTION OF THE NORTHERLY ALLEY LINE OF SAID BLOCK 32.

ALL LOCATED IN THAT PART OF THE CITY OF CREEDE KNOWN AND PLATTED AS SOUTH CREEDE, MINERAL COUNTY, COLORADO.

TOTAL ACREAGE = 2.98 ACRES

EXHIBIT "A" – to Creede Ordinance 332
PROPERTY DESCRIPTION:

A tract of land located in section 36, Township 42 North, Range 1 West, N.M.P.M., Town of Creede, Mineral County, Colorado, said tract being more particularly described as follows:
Beginning at the northeasterly corner of Lot 26, Block 25, South Creede, Colorado, whence the Southeast corner of said Section 36 (BLM brass cap) bears S 06°05'33"E, 3702.17 feet;
Thence S 14°37'30"E, 100.00 feet along the easterly line of said Lot 26 to the southeasterly corner of said Lot 26;
Thence N 75°22'30"E, 100.00 feet along the southerly line of Lots 27, 28, 29 and 30 of said Block 25 to the southeasterly corner of said Lot 30 and to the westerly right of way of La Garita Avenue;
Thence S 14°37'30"E, 29.00 feet along the said westerly right of way;
Thence S 75°22'30"W, 75.00 feet along a line parallel to the northerly line of Block 28 of said South Creede to a point 21.00 feet northerly of Lot 3 of said Block 28;
Thence S 14°37'30"W, 93.00 feet along the westerly line of said Lot 3 to a point of intersection of the westerly line of said Lot 3 and the southerly line of the northerly 72.00 feet of said Lot 3.
Thence N 75°22'30"E, 75.00 feet along the southerly line of the northerly 72.00 feet of Lots 3, 2 and 1 of said Block 28 to the said westerly right of way;
Thence S 14°37'30"E, 88.70 feet along the said westerly right of way;
Thence along the arc of a non-tangent curve to the right and along the said westerly right of way, said curve having a delta angle of 09°41'35", a radius of 470.00 feet, a length of 79.51 feet, and a long chord that bears S 50°38'08"E, 79.42 feet;
Thence S 26°21'06"E, 242.60 feet along the said westerly right of way and along a line projected southeasterly from the northeasterly corner of said Block 28 to a point that is N 75°22'30"E, 96.00 feet from the northeasterly corner of the Alley of Block 32 of said South Creede;
Thence S 75°22'30"W, 308.00 feet along a line that is the easterly projection of the northerly line of the said Alley and along the northerly line of said Alley to a point on the south line of Lot 9 of said Block 32 that is 12.00 feet westerly of the southeasterly corner of said Lot 9;
Thence N 12°54'24"W, 100.04 feet to a point on the northerly line of said Lot 9 that is 9.00 feet westerly of the northeasterly corner of said Lot 9;
Thence N 12°20'04"W, 50.04 feet to a point on the southerly line of Lot 18 of Block 30 of said South Creede that is 7.00 feet westerly of the southeasterly corner of said Lot 18;
Thence N 12°54'24"W, 100.04 feet to a point on the northerly line of said Lot 18 that is 4.00 feet westerly of the northeasterly corner of said Lot 18;
Thence N 14°37'30"W, 91.43 feet along a line that is 4.00 feet westerly of the easterly line of Lot 5 of said Block 30 to a point on the northerly line of said Lot 5;
Thence N 17°58'15"W, 171.34 feet to a point on the southerly line of Lot 22 of said Block 25 that is 14.00 westerly of the southeasterly corner of said Lot 22; of said Block 25 that is 14.00 feet westerly of the southeasterly corner of said Lot 22;
Thence N 18°37'45"W, 100.24 feet to a point on the northerly line of said Lot 22 that is 21.00 feet westerly of the northeasterly corner of said Lot 22;
Thence N 75°22'30"E, 121.00 feet along the northerly line of Lots 22, 23, 24, 25 and 26 of said Block 25 to a point of beginning.
Containing 2.98 acres, more or less.

SURVEYOR'S STATEMENT:

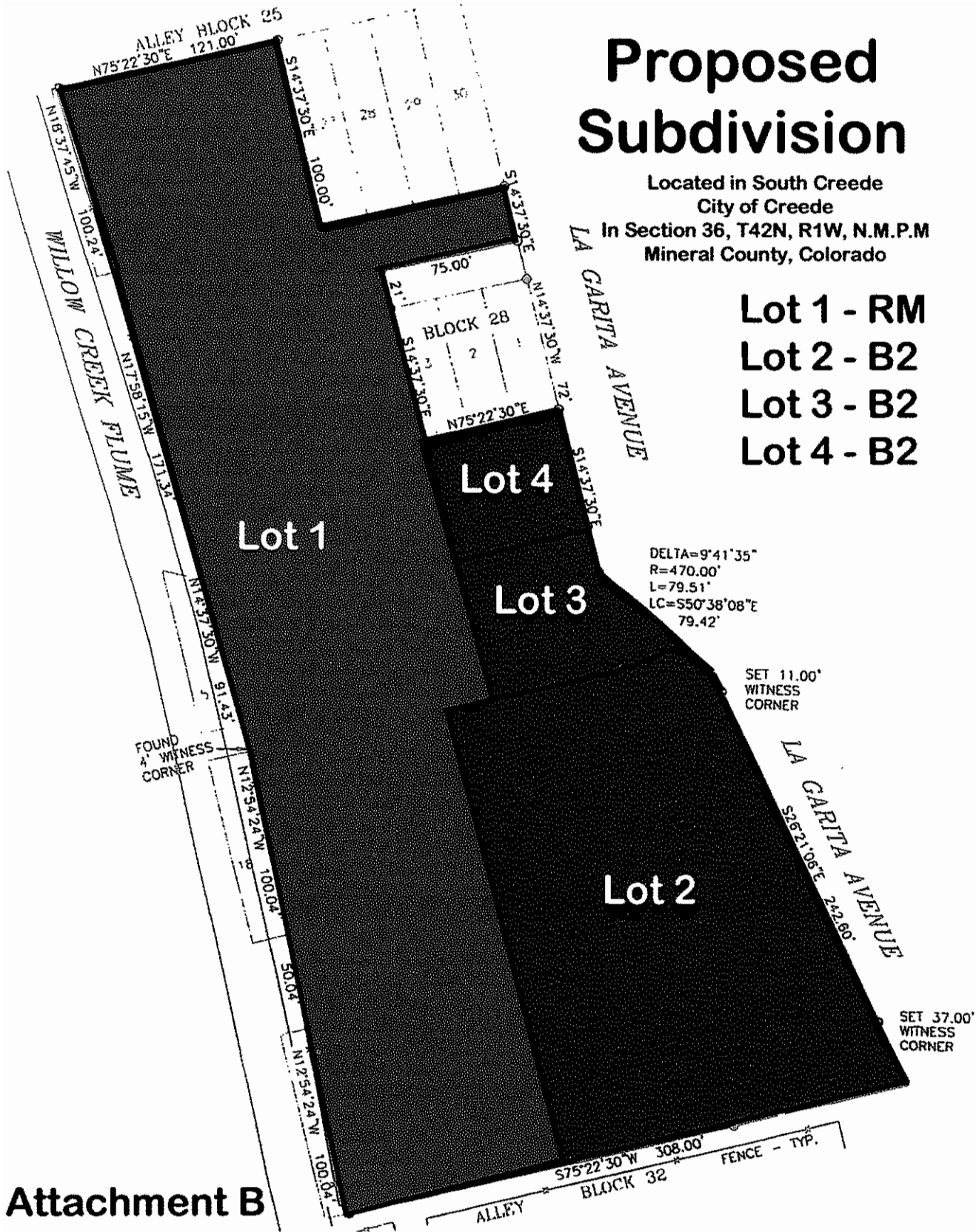
I hereby state that this description and the survey that it represents was prepared and performed by me or under my responsible charge, and that, in my professional opinion, both exceed the minimum standards of care of Professional Land Surveyors practicing in the State of Colorado.

Richard L. Sinkiewicz, PLS
Colorado Registration No. 25963
RLS SURVEYING & MAPPING, INC.
0038 Squaw Drive
South Fork, CO 81154

Proposed Subdivision

Located in South Creede
City of Creede
In Section 36, T42N, R1W, N.M.P.M
Mineral County, Colorado

- Lot 1 - RM
- Lot 2 - B2
- Lot 3 - B2
- Lot 4 - B2



Attachment B