



**PLANNING AND DEVELOPMENT DEPARTMENT
MEMORANDUM 13-11**

DATE: April 22, 2013
TO: Honorable Mayor Joyce Downing and City Council Members
FROM: David Willett, Acting City Manager 
Brook Svoboda, Director of Planning and Development 
SUBJECT: CB-1799; Ordinance Vacating Community Center Drive

BACKGROUND

Attached to this memo is a proposed ordinance, which if approved, would vacate Community Center Drive. The Planning Commission's consideration of the Preliminary & Final Subdivision includes reference to the approval of the vacation of Community Center Drive. Staff presented the Preliminary Subdivision application to the Planning Commission through a Public Hearing at the April 2nd (Preliminary) and the Final Subdivision consideration is scheduled for the April 30, 2012 Meeting.

Community Center Drive will be incorporated into the development of a retail center because it is not practical for the City to maintain and service (plow) a drive lane within a shopping center parking area as a public street.

The City's Zoning Ordinance gives authority to the Planning Commission for approval of vacations; however, upon review with the City Attorney, the vacation is being presented to Council for ratification for the purpose of consistency with Colorado Revised Statutes.

BUDGET/TIME IMPLICATIONS:

This request has no budgetary impacts.

POTENTIAL OBJECTIONS:

No objections from the public were heard at the Planning Commission meeting

RECOMMENDATION

Staff recommends Council approve CB-1799

STAFF REFERENCE

Brook Svoboda, Director of Planning and Development bsvoboda@northglenn.org or 303.450.8937

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1799
Series of 2013

Series of 2013

A BILL FOR AN ORDINANCE VACATING COMMUNITY CENTER DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN,
COLORADO, THAT:

Section 1. Pursuant to Colo. Rev. Stat. §43-2-303 and Article 51 of Chapter 11 of the City of Northglenn Municipal Code, the City of Northglenn hereby vacates Community Center Drive as more particularly described in **Exhibit A**, which is attached hereto and incorporated by this reference.

Section 2. Pursuant to C.R.S. § 43-2-303(3), all easements located within the property described in **Exhibit A** are hereby reserved for continued use.

Section 3. Title is hereby vested to the adjacent property owner in accordance with C.R.S. § 43-2-302(1).

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____,
2013.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2013.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

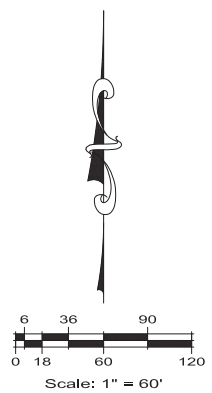
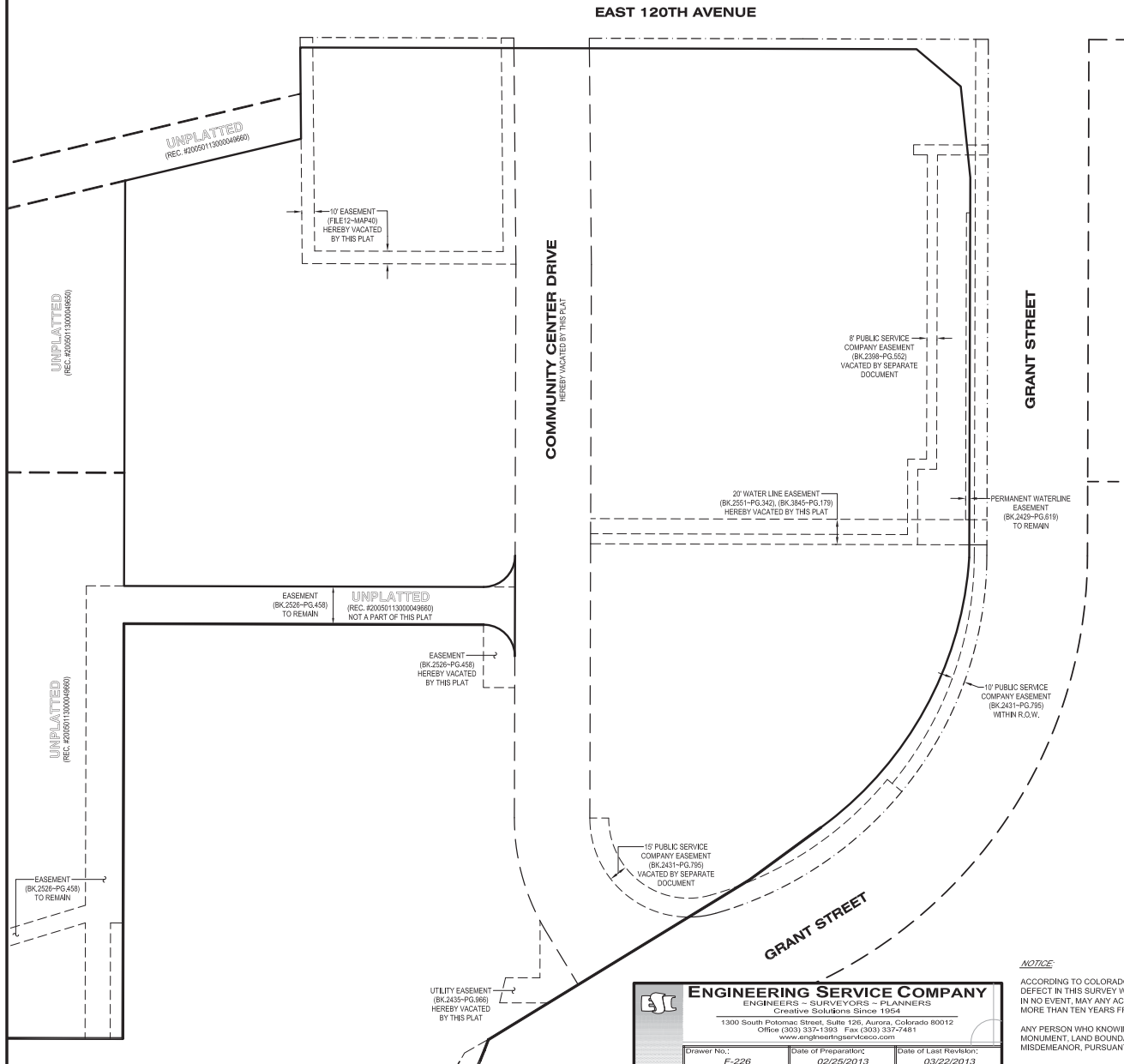
APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

WEBSTER LAKE PROMENADE SUBDIVISION

A REPLAT OF LOTS 1 & 2, BLOCK 1, HOLIDAY PARK, A PART OF McELWAIN TRACT, A PART OF McELWAIN TRACT NO. 2 AND LOT 1, BLOCK 1, NORTHGLENN CIVIC CENTER SUBDIVISION SITUATED IN THE N 1/2 OF SECTION 3, T.2S., R.68W., OF THE 6TH P.M. CITY OF NORTHGLENN, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 6 OF 6

EASEMENT VACATION ILLUSTRATION



NOTICE
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT, LAND BOUNDARY MONUMENT, OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR, PURSUANT TO STATE STATUTE 18-4-508 OF THE COLORADO REVISED STATUTES.

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Drawer No.: F-226	Date of Preparation: 02/25/2013	Date of Last Revision: 03/22/2013
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