

ORDINANCE NO. 0427
(Series of 2017)

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF NORWOOD, COLORADO, APPROVING AN AMENDMENT TO THE ZONE DISTRICT MAP FOR THE TOWN OF NORWOOD, COLORADO TO APPLY ZONE DISTRICTS TO THE LONE CONE LIBRARY ANNEXATION PROPERTY.

WHEREAS, the District R2Jt Public No. 2 (“Owner”) is the record owner of the real property known as the Lone Cone Library Annexation more particularly described as:

A portion of the Northwest $\frac{1}{4}$ of Section 27, Township 45 North, Range 13 West, of the New Mexico Principal Meridian, described as follows:

Beginning at a point on the South line of the Northwest $\frac{1}{4}$ of said Section 27, from which the Center $\frac{1}{4}$ corner of said Section 27, being a rebar and cap LS 2376, bears South $89^{\circ}55'47''$ East for a distance of 646.60 feet;

Thence North $89^{\circ}55'47''$ West a distance of 272.50 feet along the South line of the Northwest $\frac{1}{4}$ of said Section 27 to the Southeast corner of the Wrights Mesa Limited Liability Company parcel as described in Book 557 at Page 395;

Thence North $00^{\circ}00'00''$ East along said Wrights Mesa Limited Liability Company parcel and along the East line of the King & Williams Subdivision Filings 1 and 2 a distance of 1,914.55 feet to the Northeast corner of said King & Williams Subdivision Filing 1, being on the South line of San Miguel Street;

Thence North $90^{\circ}00'00''$ East a distance of 42.97 feet along the South line of San Miguel Street to the Southwest corner of the San Miguel County Parcel described in Book 561 at Page 650;

Thence continuing North $90^{\circ}00'00''$ East for a distance of 206.50 feet to the Southeast corner of said San Miguel County parcel;

Thence continuing North $90^{\circ}00'00''$ East along the South line of San Miguel Street extended for a distance of 23.03 feet;

Thence South $00^{\circ}00'00''$ East a distance of 1914.88 feet to the Point of Beginning, County of San Miguel, State of Colorado (“Property”); and

WHEREAS, on the 26th day of April, 2017, the Norwood Planning and Zoning Commission held a public hearing to consider the Owner’s application to amend the Town of Norwood Zone District Map for the Lone Cone Library Annexation Property and adopted its Resolution 0427, Series of 2017 with its recommendations to the Board of Trustees.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF NORWOOD, COLORADO that:

Section I.

1. The Recitals of this Ordinance are incorporated herein.

2. There exists a substantial and compelling public interest to amend the Zone District Map.

Section II.

The Zone District Map shall be amended by applying two zone districts to the Lone Cone Library Annexation Property as described on the preliminary plat for the Lone Cone Library Subdivision, a concurrent application by Owner for subdivision of the Property as follows:

A. Lot 1 of the Lone Cone Library Subdivision be zoned P, "Public" finding that this zoning is appropriate for the parcel for since its intended use is for a new Lone Cone Library facility which is a permitted use in the P Public Zone District; and

B. Lot 2 of the Lone Cone Library Subdivision be zoned R-1, "Residential" finding that this zoning is appropriate for the parcel because (1) the intended use for the parcel cannot be determined at this time since Owner desires to defer any development to a yet to be determined buyer; and (2) the Norwood Master Plan Future Land Use Map designates the Property's future use as residential; (3) zoning for the Lot 2 shall be in compliance with the Master Plan until a future use is proposed that may warrant a change in zoning from residential.

Should the final plat for the Lone Cone Subdivision not be adopted or reconfigured, the zone district boundaries shall be approximated based on the areas now described as Lot 1 and Lot 2 on the preliminary subdivision plat for the Lone Cone Subdivision.

Section III.

This ordinance shall be in full force and effect upon recordation of the Lone Cone Library Annexation Map, and thereafter the Town Planner shall cause the Official Zone District Map for the Town of Norwood, Colorado to be amended in accordance with this ordinance.

Section IV.

This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

Section V.

The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section V.


The Town Clerk shall record this ordinance in the Official Records for San Miguel County, Colorado.

INTRODUCED, READ AND FINALLY ADOPTED by the Board of Trustees of the Town of Norwood, Colorado this 26th day of April, 2017.

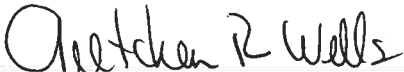
TOWN OF NORWOOD

ATTEST

By:



C. Kieffer Parrino, Mayor



Gretchen Wells, Town Clerk