

RESOLUTION NO. 1507

**A RESOLUTION OF THE GOLDEN CITY COUNCIL
CONFIRMING THE STATUS OF WEST 15TH AVENUE BETWEEN
GOLDEN HILLS ROAD AND SALVIA STREET**

WHEREAS, in 1984 the Golden City Council closed that portion of West 15th Avenue between Golden Hills Road and the Golden City limits; and

WHEREAS, the Golden City Council in 1985 and again in 2002 denied requests to vacate the affected right of way for West 15th Avenue; and

WHEREAS, in 2004 the Jefferson County District Court affirmed that the affected parcel is still City right of way; and

WHEREAS, the Golden City Council wishes to clarify the status and appropriate current uses for the affected right of way.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. The City Council affirms that the City right of way described as

“the twenty (20) foot wide driveway dedicated for public access along the southerly boundary of Tract 8, Golden Hills Tracts, the plat of which is recorded in the records of the Jefferson County Clerk and Recorder at Plat Book 3, Page 77”

shall remain closed to motorized vehicular traffic, except emergency vehicles, provided, however, that such closure shall in no way be construed as a limitation of the City’s ownership and regulatory powers regarding such right of way, including the power to open the right of way to motorized vehicular traffic if City Council determines such use is appropriate in the future.

Section 2. The City Council further determines and directs that until such time as directed by City Council resolution, the right of way shall be closed to other public access and uses except the following:


a. The installation, operation, and maintenance of City of Golden utilities, or those other utilities permitted in public right of way by virtue of City franchise or license.

b. Use by pedestrian and non-motorized vehicles within the right of way strip only, but only after City Council has separately approved and authorized construction of pedestrian and safety improvements necessary to effect such access.

c. Emergency vehicular traffic.

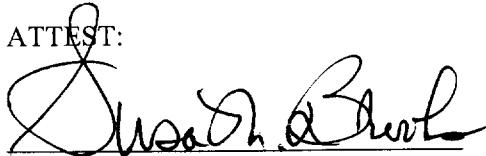
Section 3. The City Manager is authorized to take such steps as are necessary to cause the removal of any obstructions in the right of way that impede the uses of the right of way as authorized herein.

Adopted this 23rd day of September, 2004.



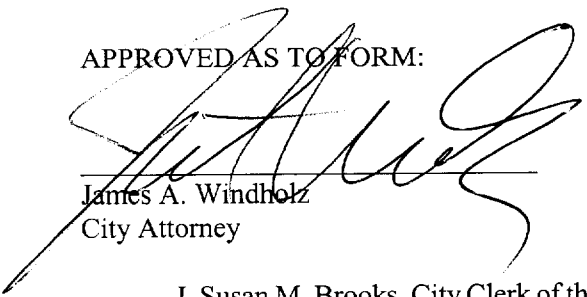
Charles J. Baroch
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM:

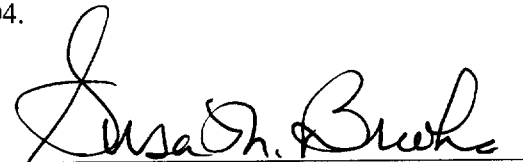


James A. Windholz
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular meeting thereof held on the 23rd day of September, A.D., 2004.

(SEAL)

ATTEST:



Susan M. Brooks, City Clerk of the City of
Golden, Colorado