

TOWN OF NEDERLAND, COLORADO

ORDINANCE NO. 702

AN ORDINANCE OF THE TOWN OF NEDERLAND, COLORADO, CONCERNING THE BOUNDARIES OF THE NEDERLAND DOWNTOWN DEVELOPMENT AUTHORITY; AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Trustees of the Town of Nederland, Colorado, has previously adopted Ordinance No. 599, Series 2005 creating the Town of Nederland Downtown Development Authority (the "DDA") and setting forth the boundaries thereof; and

WHEREAS, the Town has determined that it is in the best interest of the citizens and residents of the Town and the property owners in the DDA to modify the boundaries of the DDA as previously established, which modification shall be effective upon adoption of this ordinance; and.

WHEREAS, the Board of Trustees finds that it is in the best interest of the citizens of Nederland, and in the interest of the public health and safety to adopt this ordinance as an emergency ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF NEDERLAND, COLORADO, THAT:

Section 1. The territorial limit of the DDA has a legal description as shown on the map described as Exhibit A attached hereto and made a part of this Ordinance, EXCEPTING THEREFROM all taxable real property that is classified for property tax purposes as either residential or agricultural.

Section 2. The boundaries of the DDA as described in Exhibit A hereto, excepting therefrom all taxable real property that is classified for property tax purposes as either residential or agricultural, are effective upon approval of this Ordinance.

Section 3. If any one or more sections or parts of this Ordinance shall be judged unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions hereof, it being the intention of the Board of Trustees that the various provisions hereof are severable. If any individual tract of land included with the area described Exhibit A to this Ordinance is determined by a court of competent

jurisdiction to be excluded from the DDA, such determination shall not affect, impair or invalidate the inclusion of the remaining area described in Exhibit A to this Ordinance in the DDA, it being the intention of the Board of Trustees that the inclusion of the separate tracts of land described herein be severable.

Section 4. The Town hereby declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety, and this Ordinance shall be in full force and effect immediately upon final passage and adoption upon Board approval.

Section 5. This Ordinance, as adopted by the Board, shall be numbered and recorded by the Town Clerk in the official records of the Town. The adoption and publication shall be authenticated by the signatures of the Mayor and Town Clerk, and by the certificate of publication.

**PASSED, ADOPTED AS AN EMERGENCY ORDINANCE AND ORDERED
PUBLISHED IN FULL, THIS 3rd DAY OF JANUARY 2012.**



Joe Gierlach, Mayor

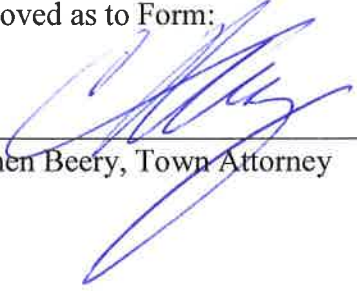
ATTEST:



Teresa Myers, Town Clerk



Approved as to Form:

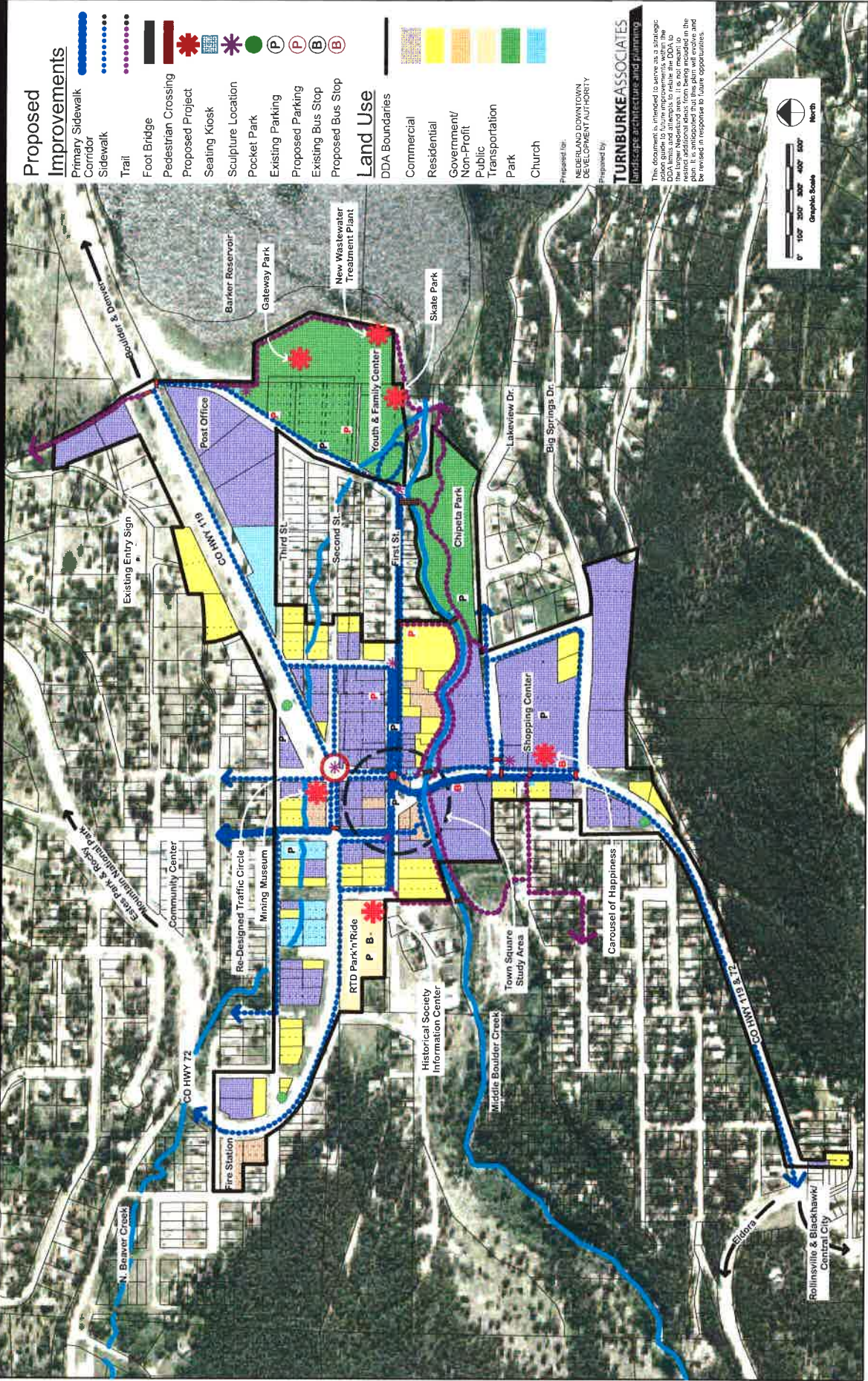
A handwritten signature in blue ink, appearing to be 'C. Beery', written over a horizontal line.

Carmen Beery, Town Attorney

EXHIBIT A

BOUNDARIES OF DOWNTOWN DEVELOPMENT AUTHORITY

Nederland Downtown Development Authority - Master Plan



Proposed Improvements

- Primary Sidewalk
- Corridor Sidewalk
- Trail
- Foot Bridge
- Pedestrian Crossing
- Proposed Project
- Seating Kiosk
- Sculpture Location
- Pocket Park
- Existing Parking
- Proposed Parking
- Existing Bus Stop
- Proposed Bus Stop

Land Use

- DDA Boundaries
- Commercial
- Residential
- Government/Non-Profit
- Public
- Transportation
- Park
- Church

Prepared for:
**NEDERLAND DOWNTOWN
 DEVELOPMENT AUTHORITY**

Prepared by:
TURNBURKE ASSOCIATES
 landscape architecture and planning

This document is intended to serve as a strategic vision and conceptual framework for the Nederland DDA limits and attempts to define the DDA boundaries. The higher numbered areas do not mean to be included in the plan. It is anticipated that this plan will evolve and be revised in response to future opportunities.

