

ORDINANCE NO. 15-6

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS
THAT AREA KNOWN AS DUSTY HILLS ANNEXATION AS HEREINAFTER
SPECIFICALLY DESCRIBED IN EXHIBIT "A"

WHEREAS, the City Council of the City of Colorado Springs on December 9, 2014, adopted a resolution entitled "A Resolution Finding a Petition for Annexation of The Area Known as Dusty Hills Annexation Consisting of 27.74 Acres to be in Substantial Compliance with Section 31-12-107(1) C.R.S. and Setting a Hearing Date of January 13, 2015 for the Colorado Springs City Council to Consider the Annexation of the Area"; and

WHEREAS, pursuant to notice required under Section 31-12-108 C.R.S., the Municipal Annexation Act of 1965 as amended, hereinafter referred to as the Annexation Act, the City Council of Colorado Springs held on January 13, 2015 a hearing pertaining to said annexation; and

WHEREAS, owners of one hundred percent (100%) of the area have petitioned for such annexation; and

WHEREAS, the City Council of Colorado Springs has by resolution made findings of fact and conclusions of law based thereon and determinations pertaining to said annexation, and has determined that said area should be annexed forthwith as part of the City of Colorado Springs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Attached hereto and incorporated herein by reference as if fully set forth herein is Exhibit "A," a legal description of the area known as Dusty Hills Annexation.

Section 2. The area known as Dusty Hills Annexation as set forth in Exhibit "A" is hereby annexed to the City of Colorado Springs.

Section 3. When this annexation is complete, said area shall become a part of the City of Colorado Springs for all intents and purposes on the effective date of this ordinance, with the exception of general taxation, in which respect said annexation shall not be effective until on or after January 1 next ensuing.

Section 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

Introduced, read, passed on first reading and ordered published this 13th day of January 2015.

Finally passed: January 27, 2015


Keith King, Council President

Mayor's Action:

Approved: 1.30.2015

Disapproved: _____, based on the following objections:


Steve Bach, Mayor

Council Action:

Finally adopted on a vote of _____, on _____
 Amended and resubmitted _____

Keith King, Council President

ATTEST:


Sarah B. Johnson, City Clerk



CPC A 13-00112 / mh

OK
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I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS DUSTY HILLS ANNEXATION AS HEREINAFTER SPECIFICALLY DESCRIBED IN EXHIBIT ‘A’”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 13, 2015; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 27th day of January, 2015, and that the same was published in full, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 30th day of January, 2015.


City Clerk



EXHIBIT A



ZONING LEGAL DESCRIPTION – DUSTY HILLS ANNEXATION

TWO TRACTS OF LAND LOCATED IN THE NORTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPLE MERIDIAN, EL PASO COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

DUSTY HILLS INCORPORATED TRACT

COMMENCING AT THE NORTH $\frac{1}{4}$ CORNER OF SAID SECTION 7 (FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 7 BEARS S89°48'15"W, 2705.88 FEET, BASIS OF BEARING); THENCE S89°48'15"W, 289.05 FEET ALONG THE NORTH LINE OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 7 TO THE EASTERLY CORNER OF WOODMEN OAKS SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED AS PLAT BOOK F-5, AT PAGE 176 OF THE RECORDS OF EL PASO COUNTY, COLORADO TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE S89°48'15"W, 989.22 FEET ALONG THE NORTH LINE OF THE NE $\frac{1}{4}$ OF THE NW1/4 OF SAID SECTION 7 TO A POINT ON THE EASTERLY LINE OF WOODMEN MESA SUBDIVISION FILING NO. 1A, A SUBDIVISION RECORDED AT RECEPTION NO. 201189258 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE S16°29'41"E, 430.57 FEET ALONG AN EASTERLY LINE OF SAID WOODMEN MESA SUBDIVISION FILING NO. 1A TO THE SOUTHEAST CORNER THEREOF,

THENCE S30°09'52"E, 689.80 FEET ALONG AN EASTERLY LINE OF WOODMEN MESA, A SUBDIVISION RECORDED AT PLAT BOOK K-3, AT PAGE 76 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE NORTHEASTERLY, 59.26 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 126.61 FEET, A CENTRAL ANGLE OF 26°49'05", AND BEING SUBTENDED BY A CHORD THAT BEARS N46°14'54"E, 58.72 FEET;

THENCE N32°50'22"E, 229.52 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE NORTHEASTERLY AND EASTERLY, 298.81 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 57°04'05", AND BEING SUBTENDED BY A CHORD THAT BEARS N61°22'24"E, 286.61 FEET;

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Engineers • Surveyors

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EXHIBIT A

THENCE N89°54'27"E, 51.43 FEET;

THENCE S00°05'33"E, 646.05 FEET;

THENCE N89°54'27"E, 342.07 FEET;

THENCE N00°09'39"W, 658.58 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE DENVER & RIO GRANDE WESTERN RAILWAY AS RECORDED UNDER BOOK 65, AT PAGE 37, OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE NORTHWESTERLY, 694.19 ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID RAILWAY AND THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST TO THE TRUE POINT OF BEGINNING, SAID ARC HAVING A RADIUS OF 5494.75 FEET, A CENTRAL ANGLE OF 07°14'19" AND BEING SUBTENDED BY A CHORD THAT BEARS N24°47'04"W, 693.73 FEET;

AREA = 22.51 ACRES (980,690 SQ.FT.) MORE OR LESS.

TOGETHER WITH:

ROBERT & KAY WEST TRACT

COMMENCING AT THE NORTH ¼ CORNER OF SAID SECTION 7 (FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 7 BEARS S89°48'15"W, 2705.88 FEET, BASIS OF BEARING); THENCE S89°48'15"W, 1278.27 FEET ALONG THE NORTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 7 AND ALONG A SOUTHERLY LINE OF WOODMEN OAKS SUBDIVISION FILING NO. 1, A SUBDIVISION RECORDED AS PLAT BOOK F-5, AT PAGE 176 OF THE RECORDS OF EL PASO COUNTY, COLORADO TO THE NORTHEAST CORNER OF WOODMEN MESA SUBDIVISION FILING NO. 1A, A SUBDIVISION RECORDED AT RECEPTION NO. 201189258 OF THE RECORDS OF EL PASO COUNTY, COLORADO, THENCE S16°29'41"E, 430.57 FEET ALONG AN EASTERLY LINE OF SAID WOODMEN MESA SUBDIVISION FILING NO. 1A TO THE SOUTHEAST CORNER THEREOF; THENCE S30°09'52"E, 689.80 FEET ALONG AN EASTERLY LINE OF SAID WOODMEN MESA, A SUBDIVISION RECORDED AT PLAT BOOK K-3, AT PAGE 76 OF THE RECORDS OF EL PASO COUNTY, COLORADO TO THE TRUE POINT OF BEGINNING;

THENCE NORTHEASTERLY, 59.26 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 126.61 FEET, A CENTRAL ANGLE OF 26°49'05", AND BEING SUBTENDED BY A CHORD THAT BEARS N46°14'54"E, 58.72 FEET;

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EXHIBIT A

THENCE N32°50'22"E, 229.52 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE NORTHEASTERLY AND EASTERLY, 298.81 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 57°04'05", AND BEING SUBTENDED BY A CHORD THAT BEARS N61°22'24"E, 286.61 FEET;

THENCE N89°54'27"E, 51.43 FEET;

THENCE S00°05'33"E, 646.05 FEET;

THENCE S89°54'27"W 310.70 FEET TO A POINT ON EASTERLY LINE OF SAID WOODMEN MESA;

THENCE N30°09'52"W, 318.89 FEET ALONG THE EASTERLY LINE OF SAID WOODMEN MESA TO THE TRUE POINT OF BEGINNING.

AREA = 5.23 ACRES (227,602 SQ.FT) MORE OR LESS.

Prepared By:
M.V.E., Inc.
1903 Lelaray Street, Suite 200
Colorado Springs, CO 80909
August 13, 2013

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