

ORDINANCE NO. 21-115

AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY KNOWN AS CRESTONE LANE CONSISTING OF 0.984 ACRES LOCATED SOUTH OF DOWNTOWN NEAR MOTOR CITY AND BROOKSIDE DRIVE

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

Section 1. City Council hereby finds, determines and declares that it is in the best interest of the City and its citizens to vacate and hereby vacates portions of a public right-of-way known as Crestone Lane consisting of 0.984 acres, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof subject to the reservations of easement set forth in Section 2, below.

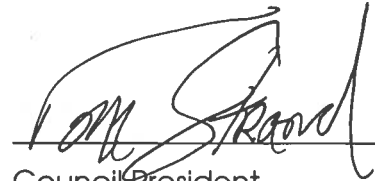
Section 2. Council excepts and reserves from this vacation public utility easements over, under and through the vacated portions of rights-of-way described in Exhibit A and depicted in Exhibit B, subject to those terms and conditions as set forth in that certain instrument filed in the public records of El Paso County, Colorado at Reception No. 212112548.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 14th day of December, 2021.

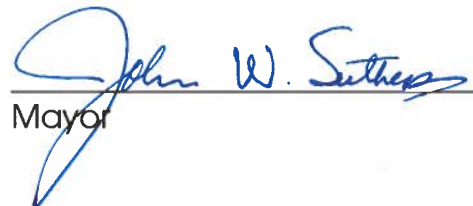
Finally passed: January 11, 2022



Council President

Mayor's Action:

- Approved on January 13, 2022.
- Disapproved on _____, based on the following objections:





Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:


Sarah B. Johnson, City Clerk


COS: _____
CAO: _____

EXHIBIT A

LEGAL DESCRIPTION

CRESTONE LANE RIGHT OF WAY

STREET VACATION LEGAL DESCRIPTION

A portion of Crestone Lane, being 60 feet wide, lying within the Southeast 1/4 of Section 24, Township 14 South, Range 67 West, of the Sixth P.M., being located in the City of Colorado Springs, El Paso County, State of Colorado, being more particularly described as follows: COMMENCING at the Southeast 1/16 Corner of said Section 24, thence along the North-South Center line of said Southeast 1/4 of Section 24, N00°27'16"W (Bearings are based on a portion of the North-South Center line of the Southeast 1/4 of said Section 24, monumented at the Southeast 1/16 Corner of said Section 24 by a No. 5 rebar with a 2-1/2" aluminum cap, stamped "PLS 38245", aluminum cap, stamped "PLS 38245", PLS 38245", , flush with grade, and at the westerly most southwest corner of Lot 1, Block 1 & Lot 4, A Revised Plat of The Breaks, recorded January 11, 1973 under Reception No. 979504, by a No. 4 rebar with a 1" yellow plastic cap, stamped "9853", flush with grade, having a measured bearing of N00°27'16"W, a distance of 308.52 feet), a distance of 205.32 feet to the south right-of-way line of Crestone Lane, 9853", flush with grade, having a measured bearing of N00°27'16"W, a distance of 308.52 feet), a distance of 205.32 feet to the south right-of-way line of Crestone Lane, , flush with grade, having a measured bearing of N00°27'16"W, a distance of 308.52 feet), a distance of 205.32 feet to the south right-of-way line of Crestone Lane, also being the POINT OF BEGINNING; thence continuing along the North-South Center line of said Southeast 1/4 of Section 24, also being the westerly right-of-way line of said Crestone Lane, N00°27'16"W, a distance of 103.21 feet, to a point on the north right-of-way line of said Crestone Lane, also being the westerly most southwest corner of said Lot 1, Block & Lot 4 of A Revised Plat of The Breaks; thence along the north right-of-way line of said Crestone Lane, the following seven (7) courses: 1. thence S35°40'49"E, a distance of 129.67 feet; thence S35°40'49"E, a distance of 129.67 feet; 2. thence along a non-tangent curve to the left, whose center bears N54°22'07"E, having a radius of 70.00 feet, a central angle of 39°09'45", a distance of 47.85 feet; thence along a non-tangent curve to the left, whose center bears N54°22'07"E, having a radius of 70.00 feet, a central angle of 39°09'45", a distance of 47.85 feet; 3. thence S74°48'01"E, a distance of 168.01 feet; thence S74°48'01"E, a distance of 168.01 feet; 4. thence along the arc of a curve to the left, having a radius of 70.00 feet, a central angle of 11°45'52", a distance of 14.37 feet; thence along the arc of a curve to the left, having a radius of 70.00 feet, a central angle of 11°45'52", a distance of 14.37 feet; 5. thence S86°35'16"E, a distance of 130.34 feet; thence S86°35'16"E, a distance of 130.34 feet; 6. thence along a non-tangent curve to the right, whose center bears S03°19'44"W, having a radius of 130.00 feet, a central angle of 11°23'54", a distance of 25.86 feet; thence along a non-tangent curve to the right, whose center bears S03°19'44"W, having a radius of 130.00 feet, a central angle of 11°23'54", a distance of 25.86 feet; 7. thence S75°12'44"E, a distance of 175.23 feet; thence S75°12'44"E, a distance of 175.23 feet; Thence leaving the north right-of-way line of said Crestone Lane, S14°47'16"W, a distance of 59.91 feet, to a point on the south right-of-way line said Crestone Lane; thence along the south right-of-way line of said Crestone Lane, the following seven (7) courses: 1. thence N75°09'47"W, a distance of 175.22 feet; thence N75°09'47"W, a distance of 175.22 feet; 2. thence along a non-tangent curve to the left, whose center bears S14°38'58"W, having a radius of 70.00 feet, a central angle of 11°25'50", a distance of 13.97 feet;

thence along a non-tangent curve to the left, whose center bears S14°38'58"W, having a radius of 70.00 feet, a central angle of 11°25'50", a distance of 13.97 feet; 3. thence N86°37'34"W, a distance of 130.30 feet; thence N86°37'34"W, a distance of 130.30 feet; 4. thence along a non-tangent curve to the right, whose center bears N03°10'13"E, having a radius of 130.00 feet, a central angle of 11°44'51", a distance of 26.65 feet; thence along a non-tangent curve to the right, whose center bears N03°10'13"E, having a radius of 130.00 feet, a central angle of 11°44'51", a distance of 26.65 feet; 5. thence N74°46'08"W, a distance of 167.81 feet; thence N74°46'08"W, a distance of 167.81 feet; 6. thence along a non-tangent curve to the right, whose center bears N15°16'11"E, having a radius 130.00 feet, a central angle of 39°05'55", a distance of 88.71 feet; thence along a non-tangent curve to the right, whose center bears N15°16'11"E, having a radius 130.00 feet, a central angle of 39°05'55", a distance of 88.71 feet; 7. thence N35°35'36"W, a distance of 45.60 feet, to the POINT OF BEGINNING. thence N35°35'36"W, a distance of 45.60 feet, to the POINT OF BEGINNING. Vacated street contains 42,863 Sq. Ft. or 0.984 acres, more or less.

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY KNOWN AS CRESTONE LANE CONSISTING OF 0.984 ACRES LOCATED SOUTH OF DOWNTOWN NEAR MOTOR CITY AND BROOKSIDE DRIVE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on December 14, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 11th day of January 2022, and that the same was published by title and in summary, in accordance with Section 3-80 of Article III of the Charter, a newspaper published and in general circulation in the Gazette, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 11th day of January 2022.



1st Publication Date: December 14, 2021
2nd Publication Date: January 19th, 2022

Effective Date: January 24th, 2022

Initial: SBJ
City Clerk