

ORDINANCE NO. 22 - 49

AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY CONSISTING OF 0.037-ACRE OF ESTABLISHED TREE LAWN LOCATED SOUTH OF THE INTERSECTION OF HAZEL AVENUE AND 1ST STREET

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 consisting of 0.037-acre of established tree lawn, 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 26th day of July 2022.

Finally passed: August 9, 2022



Council President

Mayor's Action:

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

This ordinance was finally adopted August 9, 2022, without the Mayor's signature pursuant to City Charter Section 3-70(e).

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:




Proposed Legal Description of Plat with Vacated property


**THAT PART OF LOT 2 BLK 16 BROADMOOR AS FOLS, COM AT SE COR OF SD LOT, TH NWLY
ONLY LOT LN 232.48 FT FOR POB, CONT ON SD ELY LN 222.12 FT TO INTSEC ELY LN OF
HAZEL AVE, ANG L SWLY ON SD ELY LN 192.46 FT, TH ANG L SELY 110.89 FT TO POB - LOT
1 ALLMENDINGER SUBDIVISION WAINER -, TOG WITH CITY VAC ORD NO 08 BY REC #
208102692; CITY VAC ORD NO 08-124 BY REC # 208102693 & CITY VAC ORD NO
____(TBC)____ BY REC 3 ____ (TBC)_____.**

The approximate area to be taken is 1611 sq ft or 0.037 acres

I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY CONSISTING OF 0.037-ACRE OF ESTABLISHED TREE LAWN LOCATED SOUTH OF THE INTERSECTION OF HAZEL AVENUE AND 1ST STREET.”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on July 26, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 9th day of August 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 9th day of August 2022.


Sarah B. Johnson, City Clerk



1st Publication Date: July 29, 2022

2nd Publication Date: August 17, 2022

Effective Date: August 22, 2022

Initial: SBJ
City Clerk