

ORDINANCE NO. 22 - 36

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS THE SPACE VILLAGE ADDITION NO. 1 ANNEXATION CONSISTING OF 21.820 ACRES

WHEREAS, pursuant to Article II, Section 30 of the Colorado Constitution and Section 31-12-101, *et seq.*, C.R.S., known as the Municipal Annexation Act of 1965, as amended (the "Annexation Act"), persons comprising one hundred percent (100%) of the landowners and owning one hundred percent (100%) of that certain territory known as the Space Village Addition No. 1 Annexation, more specifically described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property") filed a Petition for Annexation with the City Clerk of the City of Colorado Springs; and

WHEREAS, the City Council of the City of Colorado Springs, after proper notice as required by Section 31-12-108 C.R.S., held a hearing on June 28, 2022 pertaining to the annexation of the Property in accord with Section 31-12-109; and

WHEREAS, in accord with Section 31-12-110 of the Annexation Act, the City Council determined, by resolution, that the applicable provisions of Section 30 of Article II of the Colorado Constitution and Section 31-12-104 and 105 of the Annexation Act have been met, an election is not required under Section 31-12-107(2) of the Annexation Act, and no additional terms and conditions are to be imposed on the annexation of the Property; and

WHEREAS, the City Council 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. The Property, known as the Space Village Addition No. 1 Annexation and more specifically described on the attached Exhibit "A", is hereby annexed to the City of Colorado Springs.

Section 2. When this annexation is complete, the Property shall become a part of the City of Colorado Springs for all intents and purposes on the effective date of this ordinance, provided that the conditions of Section 31-12-113(2) C.R.S. are satisfied, with the exception of general taxation, in which respect said annexation shall not be effective

until on or after January 1 next ensuing.

Section 3. 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 28th day of June 2022.

Finally passed: July 12, 2022

A handwritten signature in blue ink, appearing to read "Tom Strand", written over a horizontal line.

Council President

Mayor's Action:

- Approved on July 14, 2022.
- Disapproved on _____, based on the following objections:

John W. Suthers
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
Sarah B. Johnson, City Clerk



CAO: [Signature]
COS: _____

EXHIBIT A
ANNEXATION LEGAL

August 24, 2021

A portion of Rec. No. 221125290, Rec. No. 216093093 and Rec. No. 221125289, Marksheffel Road and Space Village Avenue all being a portion of the SE1/4 of Section 8 and the NE1/4 of Section 17, Township 14 South, range 65 west of the Sixth P.M., City of Colorado Springs, County of El Paso, State of Colorado, being more particularly described as follows:

BEGINNING at the northwest corner of the land described in that Quit Claim Deed recorded July 29, 2021 in Reception No. 221125290 in the Official Public Records of El Paso County, Colorado; thence along the north line of said land, S83°37'47"E (Basis of bearings is the south line of the land describe in that Warranty Deed recorded July 29, 2021 under Reception No. 221125289 in said Records, monumented on the east by No. 5 rebar with a green plastic cap, stamped "PLS 38245", flush with grade and on the west by No. 5 rebar with a 1-1/4' Aluminum cap, stamped "PLS 22573", flush with grade, as shown and measured to bear S89°41'12"W, a distance of 1001.51 feet.), a distance of 359.01 feet, to a point on the City Limits line of Colorado Springs; thence along said line, S47°58'31"E, a distance of 1513.86 feet, to a point on the north line of the land described in that Warranty Deed recorded August 17, 2016 under Reception No. 2160939093 in said Records; thence continuing along said City Limits Line, S47°58'31"E, a distance of 209.00 feet, to a point on the west right of way line of Marksheffel Road; thence leaving said west right-of-way line, N89°29'40"E, a distance of 127.42 feet, to a point on the east right-of-way line of Marksheffel Road; thence along said east right-of-way line, S00°30'20"E, a distance of 56.53 feet; thence continuing along said east right-of-way line, S35°54'36"E, a distance of 81.68 feet; thence leaving said east right-of-way line, S02°56'21"E, a distance of 107.59 feet, to a point on said east right-of-way; thence along said east right-of-way line, S44°26'37"W, a distance of 52.42 feet; thence leaving said east right-of-way line, S89°28'02"W, a distance of 87.49 feet, to a point on said west right-of-way line; thence along said west right-of-way line, N00°31'58"W, a distance of 81.22 feet, to an angle point onto the south right-of-way line of Space Village Avenue; thence along said south right-of-way line along the following three (3) courses:

1. N71°12'45"W, a distance of 535.10 feet;
2. along non-tangent curve to the left, with an arc length of 618.91 feet, a radius of 1,860.00 feet, a delta angle of 19°03'54", a radial of S18°46'04"W;
3. S89°40'43"W, a distance of 933.55 feet;

thence leaving said south right-of-way line, N00°19'44"W, a distance of 99.73 feet, to a point on the north right-of-way line of Space Village Avenue; thence along said north right-of-way line, N89°40'16"E, a distance of 80.00 feet; thence continuing along said north right-of-way line, N89°40'52"E, a distance of 581.06 feet, to the southwest corner of the land described in that Warranty Deed recorded June 29, 2021 under Reception No. 221125289 in said Records; thence along the west line of said the following three (3) courses:

1. N00°26'33"W, a distance of 449.74 feet;
2. N89°04'53"E, a distance of 33.11 feet;
3. N00°19'58"W, a distance of 139.41 feet,

to the northwest corner of said land; thence along the south line of the land described in that Quit Claim Deed recorded July 29, 2021 in Reception No. 221125290 in the Official Public Records of El Paso County, Colorado, along a non-tangent curve to the right, with an arc length of 545.07 feet, a radius of 903.68 feet, a delta angle of 34°33'31", a radial of N34°13'48"E; to the **POINT OF BEGINNING**.

Containing 950,466 Sq. Ft. or 21.820 acres, more or less.

Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.



I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS THE SPACE VILLAGE ADDITION NO. 1 ANNEXATION CONSISTING OF 21.820 ACRES.”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on June 28, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 12th day of July 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 12th day of July 2022.


Sarah B. Johnson, City Clerk



1st Publication Date: July 1, 2022
2nd Publication Date: July 20, 2022

Effective Date: July 25, 2022

Initial: SBJ
City Clerk