

RESOLUTION NO. 83 - 23

A RESOLUTION FINDING A PETITION FOR ANNEXATION OF THE AREA KNOWN AS HOPE CHAPEL ADDITION NO. 1 CONSISTING OF 4.6136 ACRES TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S. AND SETTING A HEARING DATE OF JULY 25, 2023, FOR THE COLORADO SPRINGS CITY COUNCIL TO CONSIDER THE ANNEXATION OF THE AREA

WHEREAS, a petition for annexation of the area known as Hope Chapel Addition No. 1 consisting of 4.6136 acres and as more specifically described in Exhibit A (the "Petition for Annexation – Hope Chapel Addition No 1") was filed with the City Clerk on September 2, 2021; and

WHEREAS, on October 12, 2021, the City Clerk referred the Petition for Annexation to City Council as a communication; and

WHEREAS, on October 12, 2021, City Council referred the Petition for Annexation to the City Administration for review and recommendation; and

WHEREAS, the City Administration has reviewed the Petition for Annexation and recommends that the City Council find the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.

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

Section 1. That the City Council finds the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.

Section 2. The City Council hereby sets a public hearing on the Petition for Annexation for July 25, 2023, at 10:00 A.M., at Council Chambers, City Hall Building, 107 N. Nevada Avenue, Colorado Springs, Colorado, for purposes of determining and finding whether the area proposed to be annexed meets applicable requirements of Section 31-12-104 and Section 31-12-105, C.R.S. and Section 30 of Article II of the Colorado Constitution, to determine the eligibility of the area for annexation and to determine whether the area should be annexed to the City of Colorado Springs.


Section 3. The City Clerk is hereby directed to give notice of the hearing in the manner described in Section 31-12-108, C.R.S.

Dated at Colorado Springs, Colorado this 13th day of June 2023.

Randy Helms
Randy Helms, Council President

ATTEST:

Sarah B. Johnson
Sarah B. Johnson, City Clerk



PETITION FOR ANNEXATION

HOPE CHAPEL ADDITION NO. 1 ANNEXATION

To the City Council of the City of Colorado Springs:

We, the undersigned, constituting and comprising the owners of 100%* of the area (territory) (excluding public streets and alleys) described in Exhibit I attached hereto and made a part of the Petition (the "Described Area"), do hereby petition that the Described Area be annexed to and become a part of the City of Colorado Springs and do represent and state:

1. It is desirable and necessary that the Described Area be annexed to the City of Colorado Springs.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S. 1973, as amended, exist or have been met as these sections apply to the annexation of the Described Area.
3. That the annexation of the Described Area complies with Section 30 of Article II of the Colorado Constitution.
4. That the undersigned request that the City of Colorado Springs approve the annexation of the Described Area.
5. That the legal description of the land owned by each Petitioner hereto is attached to and made part of this Petition.

The Petitioner(s) hereto understand and are cognizant of the fact that the City of Colorado Springs ("City") is not legally required to annex the Described Area, and that if the City does annex the Described Area, the annexation shall be upon the conditions and agreement of the Petitioner(s) as set forth in the Annexation Agreement.

NOW, THEREFORE, in consideration of the foregoing statement, and in further consideration of the benefits which will accrue to the Petitioner(s) and the obligations resulting to the City if the Described Area is annexed to the City, the Petitioner(s) agree and covenant that if the Described Area is annexed to the City, the Petitioner(s) will comply with all applicable provisions of the Code of the City of Colorado Springs 2001, as amended, and all applicable ordinances, resolutions, and regulations of the City now existing or as hereinafter amended.

The covenants and agreements herein above set forth shall run with the land owned by each Petitioner hereto which is subject to this annexation and shall extend to and be binding upon the heirs, assigns, legal representatives and successors to each Petitioner. Each Petitioner expressly accepts the aforesaid covenants and agreements by proceeding with the Petition for Annexation to the City.

Hope Chapel of Colorado Springs

Kurt P. Auffer  2 SEPT 21
Name (Print) Signature Date
President

5740 N. Academy Blvd
Colorado Springs, CO 80918
Mailing Address

Legal Description: See Exhibit A

AFFIDAVIT

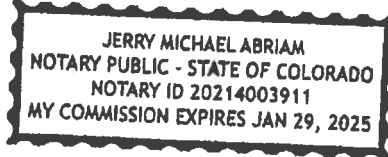
STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The foregoing instrument was executed before me this 2nd day of sep, 2021 by

Hope Chapel Colorado Springs
3740 N. Academy Blvd
Colorado Springs CO.
80918



Witness my hand and official seal.

My Commission expires: Jan 29, 2025

[Signature]
Notary Public

The notarized signatures above serve as the Affidavit of Circulator acknowledging that each signature herein is the signature of the person it purports to be (C.R.S. 31-12-107(1)(cc)(IX)).

EXHIBIT A



LEGAL DESCRIPTION ANNEXATION 1

THAT HOPE CHAPEL OF COLORADO SPRINGS, A COLORADO NON-PROFIT CORPORATION, BEING THE OWNER OF THE FOLLOWING DESCRIBED REAL PROPERTY:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M., MONUMENTED AT NORTHEAST CORNER OF SECTION 28 BY A 3-1/4" ALUMINUM CAP STAMPED "LS 10956", AND AT THE NORTH QUARTER OF SECTION 28 BY A 1-1/2" BRASS CAP STAMPED "LS 2078", SAID LINE BEARS N89°12'01"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M.

THENCE ON THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 28 S00°15'22"E A DISTANCE OF 308.91 FEET TO THE SOUTHEASTERLY CORNER OF LOT 2, BLOCK 1, PENDLETON SUBDIVISION RECORDED UNDER RECEPTION NO. 719194 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING ON THE EXISTING BOUNDARY OF THE CITY OF COLORADO SPRINGS AS ANNEXED IN ORDINANCE NO. 82-138 RECORDED IN BOOK 3619 AT PAGE 807 AND THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WEST LINE ALSO BEING THE EXISTING COLORADO SPRINGS BOUNDARY S00°15'22"E A DISTANCE OF 466.40 FEET TO A POINT ON THE CENTERLINE OF VACATED BURGESS ROAD RECORDED IN BOOK 3173, PAGE 561, IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE DEPARTING SAID WEST LINE, N69°22'26"W A DISTANCE OF 922.38 FEET, TO THE SOUTHWESTERLY CORNER OF SAID LOT 2, BLOCK 1;

THENCE ON THE SOUTHERLY LINE OF SAID LOT 2, BLOCK 1, N80°40'16"E A DISTANCE OF 872.71 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 200,969 SQUARE FEET OR 4.6136 ACRES.