

RESOLUTION 47-15

A RESOLUTION GRANTING THE OWNER OF THE PROPERTY KNOWN AS DUBLIN TOWNE CENTRE THE RIGHT TO CONTINUE TO USE ITS EXISTING WELL CONSISTENT WITH COLORADO DIVISION OF WATER RESOURCES WELL PERMIT NUMBER 102032-A

WHEREAS, in accord with Section 31-12-101, *et seq.*, C.R.S., known as the Municipal Annexation Act of 1965, as amended, the City Council of the City of the Colorado Springs has approved the annexation of that certain territory known as Dublin Towne Centre, more specifically described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Property has an existing well and the use of such well is subject to the terms and conditions of Colorado Division of Water Resources Well Permit Number 102032-A (the "Well Permit"); and

WHEREAS, City Code section 7.6.203F requires, as a condition of annexation, the transfer of title to all groundwater underlying the land proposed to be annexed; and

WHEREAS, City Code section 12.4.402A provides that connection to the water supply is not required for any property that is served by an existing well; and

WHEREAS, as part of the annexation of the Property, City Council approved an annexation agreement; and


WHEREAS, the annexation agreement provides that the owner of the Property may continue to use the existing well consistent with the Well Permit provided that City Council approves the continued use by resolution.


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

Section 1. The City Council of the City of Colorado Springs hereby approves the continued use of the existing well on the Property to withdraw and use groundwater consistent with the terms and conditions of Colorado Division of Water Resources Well Permit Number 102032-A under the terms and conditions detailed in Article VII of the Dublin Towne Centre Annexation Agreement approved by ordinance of this City Council.

Dated at Colorado Springs, Colorado this 12th day of May, 2015.

ATTEST:


Sarah B. Johnson, City Clerk




Merv Bennett, Council President

EXHIBIT A



Dublin Towne Centre No. 1 Legal Description

Engineers/Surveyors

LEGAL DESCRIPTION

**Boulder
Colorado Springs
Grand Junction
Steamboat Springs**

3 S 7th Street
Colorado Springs, CO 80905

719 260-0887
719 260-8352 Fax

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6th P.M., EL PASO
COUNTY COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 16;
THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 16 A
DISTANCE OF 670.43 FEET; THENCE ANGLE RIGHT 90°20'44"
SOUTHERLY A DISTANCE OF 647.50 FEET; THENCE ANGLE RIGHT
89°39'16" WESTERLY A DISTANCE OF 674.81 FEET TO INTERSECT THE
WEST LINE OF SAID SECTION 16; THENCE ANGLE RIGHT 90°44'
NORTHERLY ALONG THE WEST LINE OF SAID SECTION 16 A DISTANCE
OF 647.54 FEET TO THE NORTHWEST CORNER OF SAID SECTION 16 AND
THE POINT OF BEGINNING.