ORDINANCE NO. 25 - 68

AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY KNOWN AS HOLLY AVENUE AND FIRST STREET, CONSISTING OF APPROXIMATELY 2.13 ACRES LOCATED NORTHWEST OF THE INTERSECTION OF FIRST STREET AND LAKE AVENUE

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 a portion of a public right-of-way known as Holly Avenue and First Street, consisting of approximately 2.13 acres northwest of the intersection of First Street and Lake Avenue, 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 all public utility, public improvement, and other public easements across, over, under, and through the vacated portion of right-of-way described in Exhibit A and depicted in Exhibit B, including but not limited to those terms and conditions in that certain instrument filed in the public records of El Paso County, Colorado at Reception No. 224026331. Further, there is hereby created and retained a dedicated easement for the benefit of the City for public access, emergency access, drainage, utility infrastructure, and other public improvements that the City may require across, over, under, and through the vacated portion of right-of-way described in Exhibit A and depicted in Exhibit B. Title to the vacated right-of-way shall vest in accord with C.R.S. § 43-2-301 et seq., as applicable, and as determined by the El Paso County Assessor.

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 12th day of August 2025.

Finally passed: September 9, 2025

nette Crow-Iverson, Council President

| Mayo | or's Action: | |
|-------|--|---|
| 2 | Approved on SEP 12 2025 Disapproved on | , based on the following objections: |
| 50 | | |
| | | Blessing A. Mobolade, Mayor |
| Cour | ncil Action After Disapproval: | |
| 0 | Council did not act to override the Mayor Finally adopted on a vote of | |
| | Council action on | |
| ATTE | EST: | Lynette Crow-Iverson, Council President |
| Saral | SE | ORATEO CO |

COLORADO

COS: ___

A TRACT OF LAND BEING A PORTION OF THOSE RIGHTS-OF-WAY FOR HOLLY AVENUE AND FIRST STREET DEDICATED ON THE PLAT OF THE BROADMOOR, A SUBDIVISION RECORDED IN PLAT BOOK 'E' AT PAGE 33 OF THE RECORDS OF THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY, LOCATED IN THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO AND BEING FURTHER DESCRIBED AS FOLLOWS:

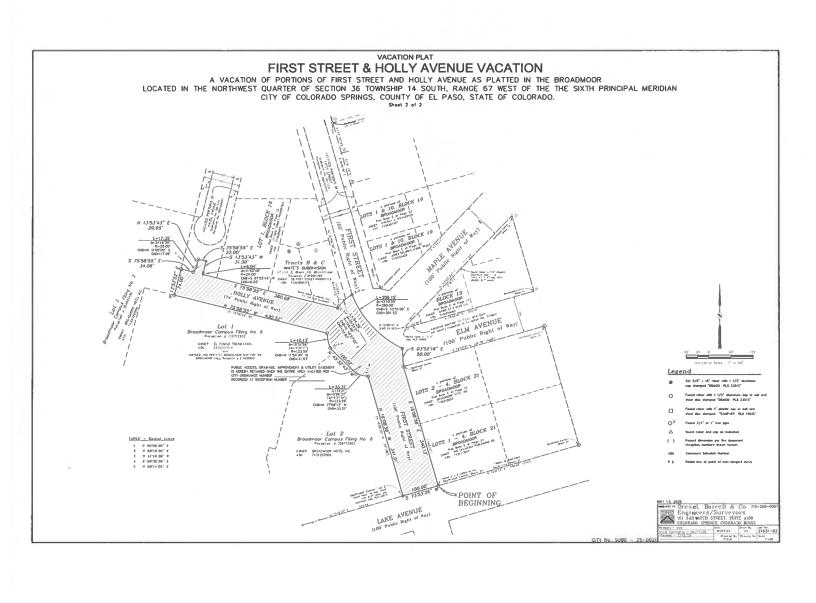
"BEGINNING" AT THE SOUTHWESTERLY CORNER OF BLOCK 21, SAID BROADMOOR SUBDIVISION, AND CONSIDERING THE SOUTHERLY LINE OF SAID BLOCK 21 TO BEAR NORTH 73°51'43" EAST, WITH ALL BEARINGS CONTAINED HEREIN, RELATIVE THERETO; THENCE SOUTH 73°53'26" WEST, A DISTANCE OF 100.00 FEET TO THE SOUTHEAST CORNER OF LOT 2, BROADMOOR CAMPUS FILING No. 6, A SUBDIVISION RECORDED AT RECEPTION No. 208712802, SAID EL PASO COUNTY RECORDS; THENCE NORTH 16°08'56" WEST, ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 341.01 FEET TO A NON-TANGENT POINT OF CURVE AT THE NORTHEAST CORNER OF SAID LOT 2, WHENCE THE RADIAL LINE BEARS NORTH 05°08'29" EAST; THENCE WESTERLY 33.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 15°26'37", A RADIUS OF 123.59 FEET AND A CHORD WHICH BEARS NORTH 77°08'13" WEST, A DISTANCE OF 33.21 FEET TO A NON-TANGENT POINT; THENCE NORTH 45°32'43" WEST, ALONG THE NORTHEASTERLY LINE OF SAID LOT 2 AND ALONG THE EASTERLY LINE OF LOT 1, SAID BROADMOOR CAMPUS FILING No. 6, A DISTANCE OF 100.02 FEET TO A NON-TANGENT POINT OF CURVE, WHENCE THE RADIAL LINE BEARS NORTH 68°19'30" EAST; THENCE NORTHERLY 42.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 19°31'59", A RADIUS OF 123.59 FEET AND A CHORD WHICH BEARS NORTH 11°54'30" WEST, A DISTANCE OF 41.93 FEET TO A NON-TANGENT POINT; THENCE NORTH 75°58'55" WEST, ALONG THE NORTHERLY LINE OF SAID LOT 2, A DISTANCE OF 430.52 FEET TO A POINT ON THE EASTERLY LINE OF LOT 1, BROADMOOR CAMPUS FILING No. 2, A SUBDIVISION RECORDED AT RECEPTION No. 204093496, SAID EL PASO COUNTY RECORDS; THENCE NORTH 13°53'52" EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 74.00 FEET TO A POINT; THENCE EASTERLY LONG THE SOUTHERLY LINE OF THAT HAZEL AVENUE RIGHT-OF-WAY VACATION RECORDED AT RECEPTION No. 208102693, SAID EL PASO COUNTY RECORDS, THE FOLLOWING SIX (6) COURSES:

1) SOUTH 75°58'55" EAST, A DISTANCE OF 34.06 FEET TO A NON-TANGENT POINT OF CURVE, WHENCE THE RADIAL LINE BEARS NORTH 41°49'39" WEST;

- 2) THENCE NORTHERLY 17.35 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 34°16'39", A RADIUS OF 29.00 FEET AND A CHORD WHICH BEARS NORTH 31°02'02" EAST, A DISTANCE OF 17.09 FEET TO A POINT TANGENT;
- 3) NORTH 13°53'43" EAST, A DISTANCE OF 20.95 FEET TO A POINT;
- 4) SOUTH 75°58'55" EAST, A DISTANCE OF 22.00 FEET TO A POINT;
- 5) SOUTH 13°53'43" WEST, A DISTANCE OF 31.30 FEET TO A POINT OF CURVE;
- 6) SOUTHERLY 6.04 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 11°55'48", A RADIUS OF 29.00 FEET AND CHORD WHICH BEARS SOUTH 07°55'49" WEST, A DISTANCE OF 6.03 FEET;

THENCE SOUTH 75°58'55" EAST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID HAZEL AVENUE RIGHT-OF-WAY VACATION AND ALONG THE SOUTHERLY LINE OF LOT 1, BLOCK 16, SAID BROADMOOR SUBDIVISION AND ALONG THE SOUTHERLY LINE OF TRACTS 'B' AND 'C', WHITES SUBDIVISION, ACCORDING TO THE PLAT RECORDED AT RECEPTION No. 019907390, SAID EL PASO COUNTY RECORDS, A DISTANCE OF 380.68 FEET TO A NON-TANGENT POINT OF CURVE, WHENCE THE RADIAL LINE BEARS SOUTH 56°30'39" EAST; THENCE NORTHEASTERLY 54.29 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 25°55'21", A RADIUS OF 120.00 FEET AND A CHORD WHICH BEARS NORTH 46°27'02" EAST, A DISTANCE OF 53.83 FEET TO A NON-TANGENT POINT ON THE WESTERLY LINE OF FIRST STREET, A PORTION OF WHICH WAS VACATED PER THAT INSTRUMENT RECORDED AT RECEPTION No. 208102692, SAID EL PASO COUNTY RECORDS, SAID POINT BEING A NON-TANGENT POINT OF COMPOUND CURVE, WHENCE THE RADIAL LINE BEARS NORTH 68°14'25" EAST; THENCE SOUTHEASTERLY 206.15 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 42°10'59", A RADIUS OF 280.00 FEET AND A CHORD WHICH BEARS SOUTH 42°51'05" EAST, A DISTANCE OF 201.52 FEET TO A NON-TANGENT POINT; THENCE SOUTH 03°52'16" EAST, A DISTANCE OF 50.00 FEET TO THE NORTHWESTERLY CORNER OF SAID BLOCK 21, BROADMOOR SUBDIVISION; THENCE SOUTH 16°08'56" EAST, ALONG THE WESTERLY LINE OF SAID BLOCK 21, A DISTANCE OF 340.12 FEET TO THE "POINT OF BEGINNING".

CONTAINING 92,898 SQUARE FEET, OR 2.133 ACRES, MORE OR LESS.



VACATION PLAT

FIRST STREET & HOLLY AVENUE VACATION

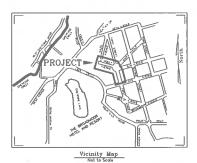
A VACATION OF PORTIONS OF FIRST STREET AND HOLLY AVENUE AS PLATTED IN THE BROADMOOR LOCATED IN THE NORTHWEST QUARTER OF SECTION 36 TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE THE SIXTH PRINCIPAL MERIDIAN CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

1) SOUTH 7556'SS" EAST, A DISTANCE OF 34 OB FEET TO A NON-TANGENT PORT OF CHINE, INEDICE THE PACHAL LIME BEIGHT NOTTH 41 49'36" MEST.

2) BRDICE HORBERT 17:35 FEET ALONG THE ARC OF A CURN'T TO THE LEFT HAVING A CONTRACT ANDLE OF 3-16:39", A RADIUS OF 28:00 FEET AND A CHORD WHICH BEAPS MORTH 31/02/02" EAST, A DISTANCE OF 17:00 FEET TO A PORTH TANGENT.

- 3) HORTH 13:55'43" EAST, A DISTANCE OF 20:05 FEET TO A POINT
- SOUTH 75'56'55" EAST, A DISTANCE OF 22.00 FEET TO A POINT,
- S) SOUTH LESSI'AS WEST A DISTANCE OF 31:30 FEET TO A POINT OF CURVE:

SOUTHOPAY 8 OF FEET ALGING THE ARC OF A CURNAL TO THE LEFT, MAYING A CENTRAL ANGLE OF 11 35 NF, A RADAYS OF 29 OF FEET AND CHORD INSCHI BEARTS SOUTH GPSS'NS' WEST, A DISTANCE OF 6.0). FEET.



SURVEY NOTES:

1) "NOTICE, ACCORDING TO COLORIDO LAR INCUMENTA COMMENCE ANY LECAL ACTION BASED UPON ANY DETECT IN THE SURVEY WITH DREET YEARS AFTER TO IT PREST ESCOME SURVE OFFETE IN DIES SURVEY BY DETECT IN THE SURVEY BE COMMENCED MORE THAN 1TH YEARS FROM THE DATE OF THE CONTROL OF THE NEW HORSES."

2) DEC BEARDINGS AS SHORRE HEREON AND BASED UPON THE CONSIDERATION THAT THE SCUTH LINE OF BLOCK 21 BROADWOOK BEARD ROTHER 73511-67 EAST. BEARBINGS AND ONE BEARD OF THE COLUMNOOS STATE PROBLE HEREONELE SYSTEM, CORPUTAL ZOOK, WORTH AND HARDER OF THES SAID UPON THE SHORPHOTTON AS PROBLE HEREONELES.

4) BE SARVEY DOES NOT CONSTITUTE A TITLE STAPON BY DROVED, BARROLL & CO. TO DETERMINE OWNERSHEY AND EXECUTION OF RECORD RESEARCH IS LIMITED GREANING OWNERSHEY REFORMATION, PROPRITY OFFICIENCY AND ADMINISTRATION OF RECORD RESEARCH AND THE DEPART AND LIAMS SHAPE PLATS AVAILABLE AT THE CD. PASS COUNTY ASSESSEDS OFFICE AND THE DEPART COUNTY CLUBE AND RECORDERS OFFICE EXEMBERS OF THE PROPRIETE SAMPONE THE CONCRETED ROVED OF ANY MAS NOT PROPRIETE.

3) PRIOR SURVEYS PREPARED BY DRIVEL BARRELL & CO MI DIE BRIZZATE AREA OF THE PROJECT AND RECONDED AT RECEPTION MARKETS 224000000, 224000007 AND 22300003 REPORTANDO SHOW VARIETA AND RECOVERED OR ELECTRALIPS OF THE VARIOR PLANT AND SURVEY MORNATTIS WEST.

6) THE PROPERTY IS LOCATED RITHIN ZONE "A", AREAS DETERMINED TO BE OUTSIDE THE SOO—TEAR FLOODELAN, PER FLOOD BYBERANCE RATE MAP (FIRM), COMMANETY PANEL, ORDOLOGYJAG, EFFECTIVE DATE DECEMBER 3. DOIS

- THE VACATED PORTIONS OF PROHT-OF-BAY ARE SUBJECT TO THE RESERVATION OF PUBLIC ACCESS, PUBLIC DRAINING, PUBLIC REPROSEDED AND PUBLIC UTBLITY EASIMENTS AS SET FORTH IN SECTION 2 OF THE DITL OF COLORIAGO SPRINGS OF DRAINING NO.
- 2 NO CREATION OF VEHICLEAR OR PEDESTRAIN CONNECTION WILL BE ALLDHED FROM THE VACATED PORTIONS OF HOLLY ANDREE AND 1ST STREET TO THE PUBLIC ROHT OF HAYS OF HAZEL AVENUE, IST STREET, HAPE A PUBLIC OR EUR. AND ASSESSED AND ASSESSED ASSESSED AND ASSESSED ASSESSED.

SURVEYORS STATEMENT

THIS SURVEY IS NOT A QUARANTY OR MARRANTY, EITHER EXPRESSED OR IMPLED

| PATRICK C. O'HEARN | SATE |
|-----------------------|------|
| PLS HARRET 23515 | |
| FOR AND ON BIDIALF OF | |
| DREXEL BARRELL & CO. | |

BE IT KNOWN BY THESE PRESENTS:

PARSUANT TO ORDERWICE NO. 2015. THE CITY OF COURSED, SPRINGE, COLORADO, A HOUR BULE CITY AND COLORADO AND AND THE CITY AND COLORADO AND AND THE CITY AND COLORADO AND AND THE COLORADO AND AND THE COLORADO AND AND THE COLORADO AN

| OH BEHALF OF ACCOMPANISHS | THE CITY OF COLOPADO VACABON PLAT OF TH | SPRINGS, THE UNDERSONED IST STREET & HOLLY AVENUE | HEREBY APPROVE FO | P FILING THE |
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CITY APPROVALS:

THES DESTRUMENT THAS ACKNOWLEDGED BEFORE ME THIS _______ BAY OF ________, 2025 BY BLESSING A MOBIOLADE, AS MAYOR, AND SARAN B JOHNSON AS CITY CLETIK OF THE CITY OF COLUMNOD SPRINGS

MA CONVERZION EXAMEZ

WITHERS HT HAND AND OFFICIAL SEAL

| CITY PLANNING DIRECTOR | DATE | |
|---------------------------|------|--|
| CITY DIGHEER | DATE | |
| URUBES EXECUTIVE OPERATOR | DATE | |

CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO]
|SS
|COUNTY OF EL PASO |

| | | | | | | | | | RECEPTIO | N |
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MAY 13, 2025 PROFESSOR OF Drexel, Barrell & Co. 719-250

A PORTION OF A PUBLIC RIGHT-OF-WAY KNOWN AS HOLLY AVENUE AND FIRST STREET, CONSISTING OF APPROXIMATELY 2.13 ACRES LOCATED NORTHWEST OF THE INTERSECTION OF FIRST STREET AND LAKE AVENUE" was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on August 12, 2025; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 9th day of September 2025, and that the same was published by title and in summary or in full, 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, 9th day of September 2025

Sarah B. Johnson, City Clerk

1st Publication Date: **August 15, 2025** 2nd Publication Date: **August 29, 2025** 3rd Publication Date: **September 17, 2025**

Effective Date: September 22, 2025

City Clerk