

ORDINANCE NO. 22 - 91

AN ORDINANCE VACATING A PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS CHELTON ROAD CONSISTING OF 6,904 SQUARE FEET (.16 ACRES)

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 public right-of-way known as Chelton Road consisting of 6,904 square feet (.16 acres), 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 easements set forth in Section 2, below.

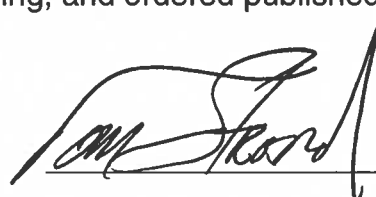
Section 2. Council excepts and reserves from this vacation a public utility easement over, under and through the vacated portion of right-of-way described in Exhibit A and depicted in Exhibit B, subject to those terms and conditions as set forth in that certain instrument filed in the public records 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 22nd day of November 2022.

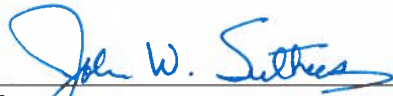
Finally passed: December 13, 2022



Council President

Mayor's Action:

- Approved on 12/15/2022.
- Disapproved on _____, based on the following objections:




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



MSCAO
- COS

Exhibit A

RIGHT-OF-WAY VACATION LEGAL DESCRIPTION

A Portion of Chelton Road adjacent Lots 27, 28 and 29, Block 4, Highland Hills
Subdivision No. 2

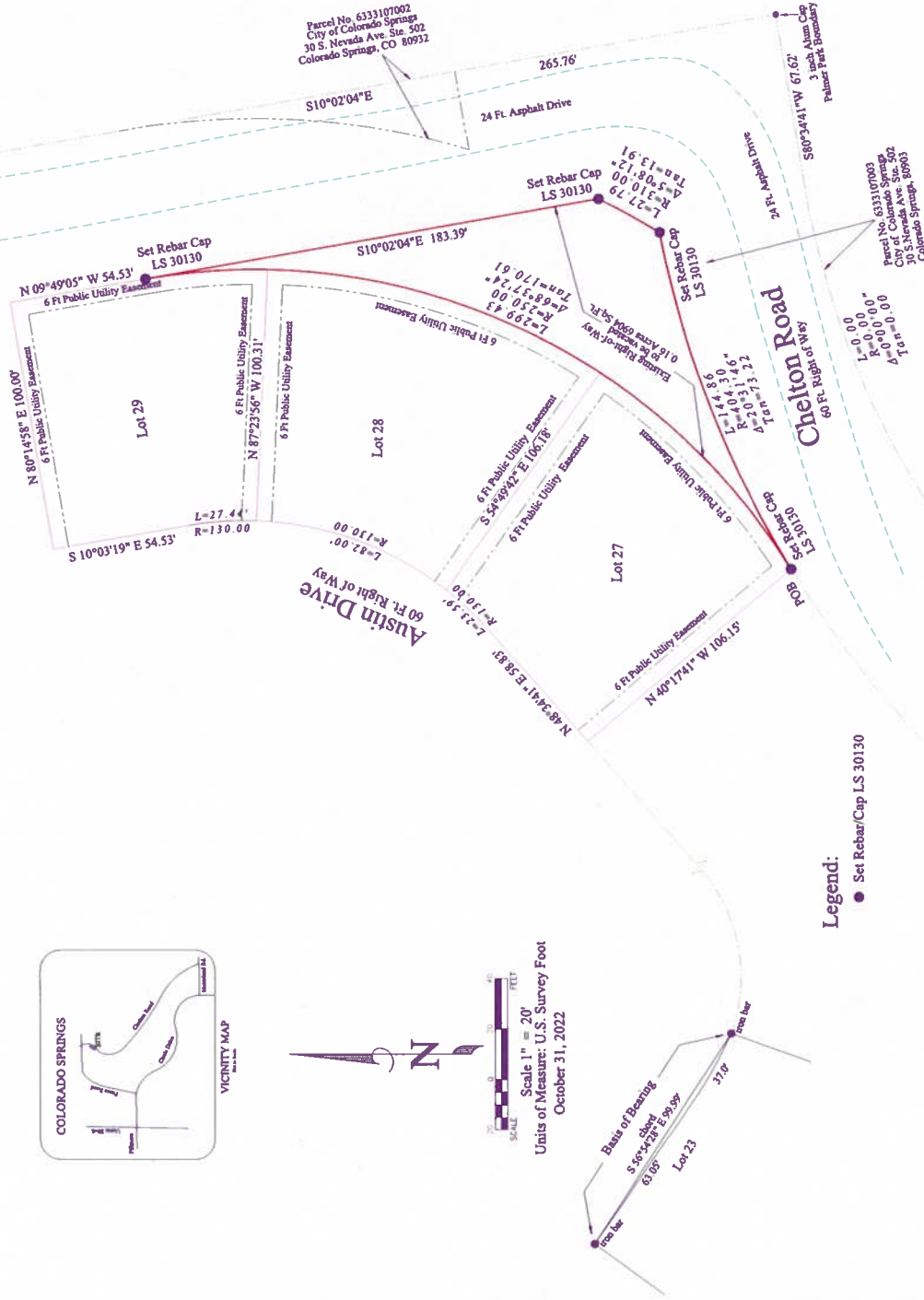
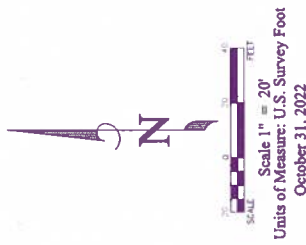
A portion of Chelton Road adjacent to the Easterly line of Lots 27, 28 and 29, Block 4, Highland Hills Subdivision No. 2; Beginning at a point being the Southwest corner of said Lot 27, said point being the POINT OF BEGINNING of a parcel of land described herein and the beginning of a curve to the left, coincident with the Easterly line of said Lots 27, 28 and 29, of which the radius point lies N.31°25'52"W., a radial distance of 250.00 feet; thence Northeasterly along the arc, through a central angle of 68°37'24", a distance of 299.43 feet; thence S.10°02'04"E., a distance of 183.39 feet to the point of curve of a non-tangent curve to the right, of which the radius point lies N.63°47'06"W., a radial distance of 310.00 feet; thence Southwesterly along the arc, through a central angle of 05°08'12", a distance of 27.79 feet to the point of curve of a non-tangent curve to the left, of which the radius point lies S.10°54'06"E., a radial distance of 404.30 feet; thence Westerly along the arc, through a central angle of 20°31'46", a distance of 144.86 feet to the POINT OF BEGINNING.

Containing 6,904 square feet or 0.16 acres, more or less.

Vacation Plat

Right of Way Vacation of a Portion of Chelton Road adjacent Lots 27, 28 and Lot 29, Block 4, Highland Hills Subdivision No. 2

A portion of Highland Hills Subdivision No. 2, Block 4, adjacent Lots 27, 28 and Lot 29, in the City of Colorado Springs, a portion of the West Half of Section 33, T13S R66W of the 6th P.M., County of El Paso, State of Colorado.



Legend:
 ● Set Rebar/Cap LS 30130

Be It Known By These Presents:

That the City of Colorado Springs, Colorado, hereby vacates the right of way and easements shown on the plat hereof, and hereby vests the land set forth on this plat in the City of Colorado Springs, Colorado, to be held and used as a public street and highway.

City Approval:

On this 31st day of October, 2022, the City of Colorado Springs, Colorado, by its duly authorized officers, has approved this plat and the same is hereby certified to be correct and true.

Witness my hand and seal of the City of Colorado Springs, Colorado, this 31st day of October, 2022.

By: _____ Mayor

City Clerk

City of Colorado Springs, Colorado

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Surveyor's Certification:

I, the undersigned, being a duly licensed and sworn Surveyor of the State of Colorado, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed and sworn Surveyor of the State of Colorado.

Witness my hand and seal of the State of Colorado, this 31st day of October, 2022.

By: _____ Surveyor

City of Colorado Springs, Colorado

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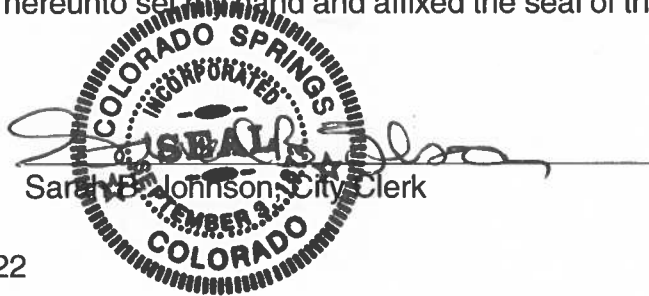
ALESSI

2999 Bradenton Valley Road, Suite C
 Bradenton, FL 34208
 Phone: 774-940-8322
 Fax: 774-940-5791

Project: A Portion of Chelton Road Vacation
 Date: October 31, 2022
 Sheet 1 of 1
 City of Colorado Springs, Colorado
 Case No. 211619
 Date: October 31, 2022
 Recorded: November 06, 2022

I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE VACATING A PORTION OF PUBLIC RIGHT-OF-WAY KNOWN AS CHELTON ROAD CONSISTING OF 6,904 SQUARE FEET (.16 ACRES)”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on November 22, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 13th day of December 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 13th day of December 2022.



1st Publication Date: November 25, 2022

2nd Publication Date: December 21, 2022

Effective Date: December 26, 2022

Initial: SBJ
City Clerk