

ORDINANCE NO. 21-11

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO  
SPRINGS THAT AREA KNOWN AS THE PEAK CENTER  
ADDITION NO. 1 ANNEXATION CONSISTING OF 11.36  
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 Peak Center 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 January 12, 2021 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 Peak Center 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 12<sup>th</sup> day of January, 2021.

**Finally passed:** January 26<sup>th</sup> 2021



\_\_\_\_\_  
Council President

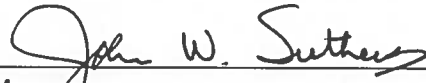
**Mayor's Action:**

- Approved on January 28, 2021.
- 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

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS THE PEAK CENTER ADDITION NO. 1 ANNEXATION CONSISTING OF 11.36 ACRES” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 12<sup>th</sup>, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 26<sup>th</sup> day of January 2021, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript on January 15<sup>th</sup> and the Gazette on February 1<sup>st</sup>, both newspapers published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 28<sup>th</sup> day of January 2021.

  
*[Signature]*  
\_\_\_\_\_  
Sarah S. Johnson, City Clerk

1<sup>st</sup> Publication Date: January 15<sup>th</sup>, 2021

2<sup>nd</sup> Publication Date: February 1<sup>st</sup>, 2021

Effective Date: February 6<sup>th</sup>, 2021

Initial: SBS  
City Clerk

A TRACT OF LAND BEING A PORTION OF LOTS 6, 7 AND 8, BLOCK B, AMENDED FILING OF SPRING CREST, A SUBDIVISION RECORDED IN BOOK B-2 AT PAGE 20 AT RECEPTION No. 136096 IN THE RECORDS OF THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER, TOGETHER WITH A PORTION OF OLD RANCH ROAD, SAID TRACT BEING A PART OF THE NORTHWEST QUARTER OF SECTION 28 AND THE NORTHEAST QUARTER OF SECTION 29, ALL IN TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPLE MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, SAID TRACT FURTHER DESCRIBED AS FOLLOWS:

“COMMENCING” AT THE NORTH WEST CORNER OF SAID LOT 8, AND CONSIDERING THE NORTHERLY LINE OF SAID LOT 8 TO BEAR NORTH 86°56'40" EAST, WITH ALL BEARINGS CONTAINED HEREIN, RELATIVE THERETO; THENCE NORTH 86°56'40" EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 307.00 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN THAT DEED RECORDED AT RECEPTION No. 201022166, SAID EL PASO COUNTY RECORDS AND THE “POINT OF BEGINNING”; THENCE SOUTH 00°16'14" EAST, ALONG THE EASTERLY LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION No. 201022166, A DISTANCE OF 688.23 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 89°19'53" WEST, ALONG THE SOUTHERLY LINE OF SAID PARCEL OF LAND AND ALONG THE NORTHERLY LINE LOTS 'M' AND 'N', BLOCK 'B', FILING No. 2 OF SPRING CREST, A SUBDIVISION RECORDED AT RECEPTION No. 322521, SAID EL PASO COUNTY RECORDS, A DISTANCE OF 297.46 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 'N'; THENCE SOUTH 01°02'51" EAST, ALONG THE WESTERLY LINE OF SAID LOT 'N' AND ALONG THE EASTERLY LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION No. 214060080, SAID EL PASO COUNTY RECORDS, A DISTANCE OF 361.21 FEET TO THE MOST SOUTHERLY CORNER THEREOF; THENCE DEPARTING SAID WESTERLY LINE OF SAID LOT 'N' AND CONTINUING ALONG THE SOUTHERLY AND WESTERLY BOUNDARY OF SAID PARCEL OF LAND RECORDED AT RECEPTION No. 214060080, NORTH 29°18'59" WEST, A DISTANCE OF 603.73 FEET; THENCE NORTH 00°49'27" WEST, CONTINUING ALONG SAID WESTERLY BOUNDARY, A DISTANCE OF 500.10 FEET TO THE NORTHERLY LINE OF BLOCK “B”, SAID AMENDED FILING OF SPRING CREST; THENCE SOUTH 87°58'38" WEST, ALONG SAID NORTHERLY LINE OF BLOCK “B”, THE WESTERLY EXTENSION THEREOF, AND ALONG THE SOUTHERLY LINE OF OLD RANCH ROAD, A DISTANCE OF 341.60 FEET TO THE NORTHEAST CORNER OF ACADEMY CHRISTIAN CHURCH SUBDIVISION, A SUBDIVISION RECORDED AT RECEPTION No. 210713076, SAID EL PASO COUNTY RECORDS; THENCE NORTH 00°51'30" WEST ALONG THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF SAID ACADEMY CHRISTIAN CHURCH SUBDIVISION, A DISTANCE OF 80.62 FEET TO THE SOUTHERLY LINE OF LOT 1, FAIRLANE TECHNOLOGY PARK FILING No. 3, A SUBDIVISION RECORDED AT RECEPTION No. 096050137, SAID EL PASO COUNTY RECORDS; THENCE EASTERLY, ALONG THE SOUTHERLY LINE OF SAID LOT 1 AND ALONG THE SOUTHERLY LINE OF LOT 1, FAIRLANE TECHNOLOGY PARK FILING No. 4B, A SUBDIVISION RECORDED AT RECEPTION No. 218714128, SAID EL PASO COUNTY RECORDS, NORTH 88°47'22" EAST, A DISTANCE OF 638.79 FEET, SAID LINES APPEARING TO BE THE NORTHERLY LINE OF OLD RANCH ROAD; THENCE NORTH 86°55'12" EAST, CONTINUING ALONG SAID SOUTHERLY LINE OF LOT 1, SAID FAIRLANE TECHNOLOGY PARK FILING No. 4B AND ALONG SAID NORTHERLY LINE OF OLD RANCH ROAD, A DISTANCE OF 294.43 FEET TO A POINT AT THE INTERSECTION OF SAID SOUTHERLY LINE AND THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NO. 201022166; THENCE SOUTH 00°16'14" EAST, ALONG SAID

NORTHERLY EXTENSION OF SAID EASTERLY LINE, A DISTANCE OF 71.48 FEET TO THE  
"POINT OF BEGINNING".

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 11.358 ACRES, MORE OR LESS.

I, PATRICK C. O'HEARN, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE  
OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS  
PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



PATRICK C. O'HEARN PLS 23515  
FOR AND ON BEHALF OF  
DREXEL, BARRELL & CO.  
3 SOUTH 7<sup>TH</sup> STREET  
COLORADO SPRINGS, COLORADO 80905  
719-260-0887