## RESOLUTION NO. 65 - 24

A RESOLUTION ADOPTING FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE ELIGIBILITY FOR ANNEXATION OF PROPERTY KNOWN AS AIR LANE ADDITION NO. 1 ANNEXATION HEREINAFTER MORE SPECIFICALLY DESCRIBED IN EXHIBIT "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 "Annexation Act"), the City Clerk of the City of Colorado Springs received a petition for annexation and an annexation plat for certain territory known as Air Lane Addition No. 1 Annexation, more specifically described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, said petition was signed by persons comprising one hundred percent (100%) of the landowners of the Property to be annexed and owning one hundred percent (100%) of the Property, excluding public streets and alleys, in compliance with the provisions of Article II, Section 30 of the Colorado Constitution, and Section 31-12-107(1) of the Annexation Act; and

WHEREAS, in support of the annexation the following affidavits were filed with City Council: an affidavit of Roland Sevigny, Planning Supervisor for the City of Colorado Springs dated June 11, 2024 (the "Planner's Affidavit"), and an affidavit from Robert A. Pisciotta Jr., a registered professional land surveyor dated June 10, 2024 (the "Surveyor's Affidavit").

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

Section 1. City Council finds:

(a) that the City Council of the City of Colorado Springs has conducted a hearing to

consider the annexation of the Property, described in Exhibit "A" and commonly known as Air

Lane Addition No. 1 Annexation, on July 9, 2024, at City of Colorado Springs, in Council

Chambers, City Hall, 107 North Nevada Avenue, Colorado Springs, Colorado, in accord with the Annexation Act;

(b) that at said hearing, City Council considered the annexation petition and annexation plat, testimony presented, the Planner's Affidavit, the Surveyor's Affidavit, the record of the City Planning Commission's decision recommending annexation, all other relevant information presented; (c) that the City Clerk has provided notice as directed and said notice complies with the requirements of Section 31-12-108 of the Annexation Act;

(d) that the Annexation Impact Report identified in Section 31-12-108.5 of the Annexation Act was not required because the Property proposed to be annexed is comprised of City owned right-of-way only;

(e) that the Property proposed to be annexed is unincorporated;

(f) that the legal description of the Property on Exhibit "A" is the same as the area described in the annexation petition and the annexation plat;

(g) that at least one-sixth (1/6th) of the boundary of the perimeter of the Property proposed to be annexed is contiguous with the existing boundary of the City of Colorado Springs;

(h) that a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality as provided for in Section 31-12-104(b) of the Annexation Act;

(i) no land held in identical ownership within the Property proposed to be annexed has been divided into separate parts or parcels by the boundaries of such annexation without the written consent of the landowner except as such tracts or parcels are separated by a dedicated street, road or other public way;

(j) no land held in identical ownership within the area proposed to be annexed, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising five (5) acres or more (which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of \$200,000 for ad valorem tax purposes for the next year preceding the annexation), has been included within the boundary of the area proposed to be annexed without the written consent of the landowners;

(k) that no annexation of all or any part of the Property has been commenced by any other municipality;

(I) the proposed annexation will not result in the detachment of an area from any school district and attachment of the same area to another school district;

(m) the proposed annexation will not extend boundaries of the city limits of the City ofColorado Springs more than three (3) miles in any direction from the municipal boundary;

(n) in establishing the boundaries of the Property proposed to be annexed, if a portion
of a platted street or alley is annexed, the entire width of said street or alley is included within the
Property proposed to be annexed;

(o) the applicable requirements of Section 31-12-105 of the Annexation Act have been satisfied;

(p) no petition for election has been received nor is an election otherwise required under the provisions of Section 31-12-107(2) of the Annexation Act;

(q) the annexation of the Property, commonly known as Air Lane Addition No. 1 Annexation and legally described in Exhibit "A" attached hereto, meets the requirements of and fully complies with Part 1 of Article 12 of Title 31 C.R.S., the Municipal Annexation Act of 1965 as amended, and Section 30 of Article II of the Colorado Constitution;

(r) the Property is eligible for annexation to the City of Colorado Springs.

Section 2. No additional terms or conditions are to be imposed by the governing body upon this annexation.

Dated at Colorado Springs, Colorado this 9<sup>th</sup> day of July 2024.

Randy Helms, Gouncil President

ATTEST:

Sarah B. Johnson, City Clerk



## LEGAL DESCRIPTION :

A PORTION OF AIR LANE AS DEPICTED AS POTTER DRIVE IN HILLCREST ACRES AT PLAT BOOK B-2 PAGE 64 AND A PORTION OF A 20.00 FOOT TRACT AS RECORDED AT RECEPTION NUMBER 099087783 AND QUITCLAIMED TO THE CITY OF COLORADO SPRINGS AT RECEPTION NUMBER 222134799 ALL OF THE RECORDS OF EL PASO COUNTY, COLORADO;

IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH / P.M., IN EL PASO COUNTY, COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SPACE VILLAGE ADDITION NO. 1 ANNEXATION PLAT AS RECORDED RECEPTION NUMBER 222715049 OF THE RECORDS OF EL PASO COUNTY, COLORADO; THENCE N00°18'02" W AND COINCIDENT WITH THE WESTERLY LINE OF SAID AIR LANE A DISTANCE OF 10.00 FEET TO A POINT;

THENCE N89°40'19" E A DISTANCE OF 70.00 FEET;

THENCE N00°18'02" W A DISTANCE OF 150.00 FEET;

THENCE N89°41'58" E A DISTANCE OF 10.00 FEET TO A POINT ON THE WEST LINE OF AN UNPLATTED TRACT AS RECORDED AT **RECEPTION NUMBER 218139837** AND THE EAST LINE OF SAID 20.00 FOOT TRACT AS RECORDED AT **RECEPTION NUMBER 099087783**;

THENCE S00°18'02" E AND COINCIDENT WITH THE EAST LINE OF SAID 20.00 FOOT TRACT AND THE WEST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 160.00 FEET TO A POINT ON THE NORTH LINE OF SAID **SPACE VILLAGE ADDITION NO. 1 ANNEXATION PLAT**;

THENCE S89°40'19" W AND COINCIDENT WITH THE NORTH LINE OF SAID SPACE VILLAGE ADDITION NO. 1 ANNEXATION PLAT A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING

SAID PARCEL CONTAINS 2,300 SQUARE FEET, (0.053 ACRES), MORE OR LESS.

THE LINEAR UNIT OF MEASURE USED FOR THIS SURVEY IS THE U.S. Survey foot.

	COLORADO SPRINGS OLYMPIC CITYUSA
	ANNEXATION AIR LANE Addition No.1
	Description
	Drawn By: R. Kotwica Date: <u>10/11/2023</u>
]	Job Number: 2023028 PAGE 1 OF 1

ectrowiedged before me this \_\_\_\_\_day of \_\_\_\_\_2024 a.D. by Biestaing A. Mobolade, Mayor of the Chy of home rule city and Goordoo Municipal Concorrect. DOCK M. THIS DAY OF THE RECORDS OF EL PASO me annexation plat of "Air Lana SECTION 8 TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M., to the City of Colorado Springs, El Paso County, Colorado AIR LANE ADDITION NO ANNEXATION PLAT 2023028 O'CLOCK M. THIS altern Br I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT porove for filling the 10/11/23 OF \_\_\_\_\_\_AD34, A.D. AND IS DULY RECORDED AT RECEPTION NUMBER COUNTY, COLORADO Notary Public CITY OF COLORADO SPRINGS APPROVAL: on brind of the Chy of Colorado Springs, the undersigned hereby Addition No. 1" The atorementioned, City of Colorado Springs, Colorado, Instrument this day of 2024 A.D. CLERK AND RECORDER ANEX-23-0023 Date la Bab The foregoing instrument was Colorado Springs, Colorado, a 1 DUNTY OF EL PASO ) Witness my hand and seal STATE OF COLORADO ) STEVE SCHLEIKER CLERK AND RECORDER. City Planning Director Ay commission expires Blessing A. Mobolade County of El Paso) itate of Colorado ) DEPUTY SURCHARGE, City Engineer OWNER: City Clerk City Clerk SURVEYOR'S STATEMENT: reconcession sectorements are environ where it is not occossion entering the account within a coccession are accounted with a more area as particular and entering and estemation of the concession of an accounted with a possion or a sub third is accounted with possion to the presence of the city of the counted or an accounted with a to instant or a sub much a sector. TREADING TO THE TREADING TO THE TREADING TO THE TREADING TO THE TREADING THE TREADI -AIR LANE ADDITION NO. VICINITY MAP SITE ANNEXATION PLAT CAP ILEGRE FHD. ALUM The DAY OF MAN PARAMETER AND A DAY OF MAN PARAMETER AND A DAY OF QUITCLAIM REC. #222134799 SIL OF BLADING SCALE 1" = 100 UNPLATTED REC. NO. 218139837 VOD 40 46 2 1257.30 UNPLATTED EXISTING CITY LIMIT The state 70 18' 07'T N09' 41' 50'E ATTON PLAT A DISTANCE OF 80.00 FEET TO THE WEST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 180.00 А понток ог ав цые, на делустта за Роттех очет и нациваят Актаз и 1 ми 1600к ва лиде и мио в понтока и хаак бол таки на вобовась и к ведитам иналистика силть има силтьват 10 he стиг ог осхолого зграда и из 26 солтока. И сли на вобовает и к ведитам иналистика и силтьват 10 he стиг ог осхолого згради и 16 солтока и хаак бол таки на и те воллиба силтекто и селемо. SALLENGEL MO. OHORALAR Carl Altro Carls W.O.N. LANE (POTTER DR.) 60 FT. R.O.W. P.0.8. TO A POINT ON THE WERT LIVE OF AN UNPLATTED TRACT AS RECORDED AT RECEIPTION IS RECORDED AT RECEIPTION IMMEDIA OMMETRIC: 4.61 (77 4.61 (76) .00 Dr 3.61 .04 .63N NO 18' 01'E Resembles in the instituter converts of always hubble alotters in a linetachine india in precorded incom-tector and the institute of the instituter of sup and linetachine india in PORTION OF THE SOUTHEAST QUARTER OF The coordinate law you wigh commends are licely actions backed under any dotted to the within these reals artistic you prest discords such different in the form, any art actions under and rester in this supply is commented under them its visuals from the date of the visual actions were as REC. NO. 097052464 UNPLATTED SPACE VILLAGE AVE. QUARTER CORNER OF SEC.8 AND 17(CALC.) That The City of Columns strends, Colorado, A home Rule City and Colorado Mangday. Corrobaticas, Bang the Intertitiones from the Americanon of the Follomen organizatio that: Lawait to Mark, Bang the Intertitiones from the Americanon of the Folloment organization that TOTAL PERMARTER OF THE ANEA FOR AMERIZATION: 48.00 DAG-EXIM (14111) OF THE TOTAL PERMETERE 20.00 (14.67%) PERMETER OF THE AVEA COMMOLOUS TO THE EXISTING CITY LIMITS: 80.00 (14.67%) THE LINEAR UNIT OF NEABURE USED FOR THIS BURVEY IS THE U.S. Survey box. SAID PARCEL CONTARS 2,300 SQUARE FEET, (6.063 ACRES), MORE OR LESS HILLCREST ACRES PLAT BOOK B-2 PAGE 64 BE IT KNOW BY THESE PRESENTS: LOT 1 LEGAL DESCRIPTION ∢ NOTICE ACCORDING SURVEY WITH BASED UPON COMPILICATIO

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