

ORDINANCE NO. 22 - 100

AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY KNOWN AS HILL STREET CONSISTING OF 0.049-ACRES LOCATED AT THE EASTERN TERMINUS OF HILL STREET

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 portions of a public right-of-way known as Hill Street consisting of 0.049-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 easement set forth in Section 2, below.

Section 2. Council excepts and reserves from this vacation public utility easements over, under and through the vacated portions of rights-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 13th day of December 2022.

Finally passed: January 10, 2023

A handwritten signature in blue ink, appearing to read "Tom Stand", written over a horizontal line.

Council President

Mayor's Action:

- Approved on January 12, 2023.
- Disapproved on _____, based on the following objections:

John W. Suthers
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
Sarah B. Johnson, City Clerk



COS _____
CAO MS

LEGAL DESCRIPTION:

A PORTION OF HILL STREET SHOWN ON THE PLAT OF PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS RECORDED IN PLAT BOOK G AT PAGE 5, RECORDS OF EL PASO COUNTY AND BEING A PART OF SECTION 13, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE EAST LINE OF LOT 34, BLOCK 1, PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS, BEING MONUMENTED AT THE SOUTH END BY A 5/8" REBAR AND AT THE NORTH END BY A 5/8" REBAR WITH A RED PLASTIC CAP "PLS 19625", ASSUMED TO BEAR N 01°30'14" E. BEGINNING AT THE SOUTHWEST CORNER OF A PARCEL DESCRIBED UNDER RECEPTION NUMBER 218137577, RECORDS OF EL PASO COUNTY;

THENCE S 47°38'27" E ON THE NORTH RIGHT OF WAY LINE OF HILL STREET A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF LOT 13, BLOCK 2, PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS;

THENCE N 88°19'00" W A DISTANCE OF 14.98 FEET;

THENCE S 01°41'00" W A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF LOT 34, BLOCK 1, PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS;

THENCE ALONG THE NORTH LINE OF SAID LOT 34, BLOCK 1 THE FOLLOWING TWO (2) COURSES;

1. N 88°19'00" W A DISTANCE OF 6.50 FEET;


2. N 44°32'26" W A DISTANCE OF 43.80 FEET TO THE NORTHWEST CORNER OF SAID LOT 34, BLOCK 1;


THENCE N 17°52'48" E ON THE EAST LINE OF A PARCEL RECORDED UNDER RECEPTION NO. 212066599 A DISTANCE OF 54.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,143 SQUARE FEET OR 0.049 ACRES MORE OR LESS.

I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY KNOWN AS HILL STREET CONSISTING OF 0.049-ACRES LOCATED AT THE EASTERN TERMINUS OF HILL STREET** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on December 13, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 10th day of January 2023, 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 10th day of January 2023.


Sarah B. Johnson, City Clerk



1st Publication Date: December 16, 2022

2nd Publication Date: January 18, 2023

Effective Date: January 23, 2023

Initial: SBS
City Clerk