

ORDINANCE NO. 19-70

AN ORDINANCE INCLUDING CERTAIN PROPERTY INTO
THE BOUNDARIES OF THE USAFA VISTOR'S CENTER
BUSINESS IMPROVEMENT DISTRICT

WHEREAS, City Council received a Petition for Inclusion (the "Petition") filed pursuant to C.R.S. § 31-25-1220 for the inclusion of certain property described in the Petition attached and made a part of this Ordinance as Exhibit "A" (the "Property") into the USAFA Visitor's Center Business Improvement District ("District"); and

WHEREAS, in accord with the law, a public notice of the Petition has been given and published in the Colorado Springs Gazette, calling for a public hearing on the inclusion request set forth in the Petition, proof of publication for which is attached and made a part of this Ordinance as Exhibit "B"; and

WHEREAS, City Council has conducted a Public Hearing and heard all persons having objections to the inclusion of the Property from the District; and

WHEREAS, the Property sought to be included into the District is located entirely within the City of Colorado Springs, El Paso County, Colorado, and does not include property within any other county or within any other incorporated city, town, or city and county.

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

Section 1. City Council finds and determines that it has jurisdiction in this matter pursuant to the Business Improvement District Act, Part 12 of Article 25 of Title 31, C.R.S.

Section 2. City Council finds and determines that the change in boundaries of the USAFA Visitor's Center Business Improvement District as proposed in the Petition does not adversely affect the District.

Section 3. Pursuant to C.R.S. § 31-25-1220, City Council grants the Petition and orders the inclusion of the Property from the boundaries of the District.

Section 4. This ordinance shall be in full force and effect (the "Effective Date") from and after the last of the following to occur: (a) its final adoption and publication as provided by Charter and (b) filing with the City Clerk of a certification by Blue & Silver Development Partners, LLC that a Site Development Lease ("Lease") for the Property by and between the Petitioner, the United States of America, acting by and through the Secretary of the Air Force, and Blue & Silver Development Partners, LLC has been fully executed and is in full force and effect.

Section 5. Upon and after the Effective Date as provided in Section 4, the City Clerk is directed to file a certified copy of this Ordinance with the County Clerk and Recorder of El Paso County, Colorado.

Section 6. 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 8th day of October, 2019.

FINALLY PASSED: October 22nd, 2019



Council President

ATTEST:



Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE INCLUDING CERTAIN PROPERTY INTO THE BOUNDARIES OF USAFA VISTOR’S CENTER THE BUSINESS IMPROVEMENT DISTRICT”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on October 8th, 2019; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 22nd day of October, 2019, 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, a newspaper 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 22nd day of October, 2019.


Sarah B. Johnson, City Clerk

1st Publication Date: October 11th, 2019

2nd Publication Date: October 25th, 2019

Effective Date: October 30th, 2019

Initial: SBJ
City Clerk

**PETITION FOR INCLUSION OF PROPERTY
into
USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT**

TO: City Council, City of Colorado Springs, Colorado.

The undersigned, The United States of America, acting by and through the Secretary of the Air Force, Petitioner hereby respectfully petition the City Council pursuant to Section 31-12-1220, C.R.S., for the inclusion of the hereinafter described land into the USAFA Visitor's Center Business Improvement District ("District").

The undersigned hereby requests that the herein described real property be included in said District and that an Ordinance be adopted by the City Council including said property in said District, and that from and after the entry of such Ordinance, the improvements made on the property but not the real property itself shall be liable for all applicable taxes, assessments and other obligations of said District.

The Petitioner represents to the City Council that it is the owner of the real property hereinafter described and that no other persons, entity or entities own an interest therein except as beneficial holders of encumbrances.

The Petition is deemed accepted when City Council sets the date for the public hearing.

By countersigning this Petition, the District has agreed to be responsible for and pay or provide in full the fees and costs incurred by the City for the publication of notice of the hearing on inclusion, publication of the ordinance approving the inclusion (if any), filing and recording fees, and all other costs of inclusion of the land into said District, whether or not such inclusion is approved.

The description of said land situate in the County of El Paso, State of Colorado, is:

SEE ATTACHED EXHIBIT A

All in the City of Colorado Springs, State of Colorado.

This is a verified petition.

**PETITION FOR INCLUSION OF PROPERTY
into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT**

WITNESSES:

"OWNER"

Jennifer L Miller
Signature

Jennifer L Miller
Printed Name

THE UNITED STATES OF AMERICA,
acting by and through the SECRETARY OF
THE AIR FORCE

By: JENNIFER L. MILLER
Deputy Assistant Secretary of the Air Force
(Installations)

CERTIFICATE OF ACKNOWLEDGEMENT

COMMONWEALTH OF VIRGINIA §
COUNTY OF ARLINGTON §

On 26 Sep, 2019, before me, Heather F Pittman, the undersigned Notary Public, personally appeared Jennifer L. Miller, personally known to me to be the person whose name is subscribed to the foregoing Instrument, and personally known to me to be the Deputy Assistant Secretary of the Air Force (Installations), and acknowledged that the same was the act and deed of the Secretary of the Air Force and that she executed the same as the act of the Secretary of the Air Force for the purposes and consideration cited therein.

I certify under PENALTY OF PERJURY under the laws of VIRGINIA that the foregoing paragraph is true and correct.

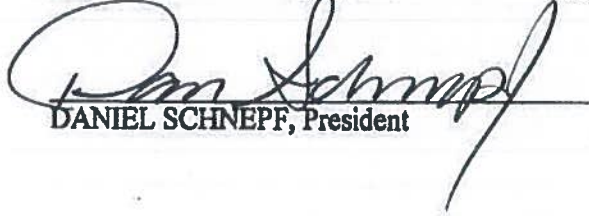
WITNESS my hand and official seal.



Heather F Pittman
Notary Public, Commonwealth of Virginia
Heather F Pittman 31 Mar 2023
Printed Name & Commission Expiration Date

PETITION FOR INCLUSION OF PROPERTY
into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT

**COUNTERSIGNATURE:
USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT**



DANIEL SCHNEPF, President

**PETITION FOR INCLUSION OF PROPERTY
into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT**

DN 3787261.1

**EXHIBIT A
INCLUSION PROPERTY**

LEGAL DESCRIPTION

PARCEL 1

A PARCEL OF LAND LOCATED IN THE NORTH ONE-HALF OF SECTION 12, TOWNSHIP 12 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 67 WEST BEING MONUMENTED ON THE NORTH END BY A FOUND 6 INCH CONCRETE MONUMENT EMBEDDED WITH A 3-1/2 INCH METAL DISC STAMPED WITH SYMBOLOGY INDICATING IT BEING THE NORTH ONE-QUARTER CORNER OF SECTION 1 AND "1970 U.S. AIR FORCE 6786 BDY 47" AND ON THE SOUTH END BY FOUND REBAR CAPPED WITH A 3-1/4 INCH METAL AND 6 INCH CONCRETE MONUMENT EMBEDDED WITH A BRASS DISC STAMPED WITH SYMBOLOGY INDICATING IT BEING THE CENTER OF SECTION 1 AND "U.S. DEPT. OF INTERIOR - BUREAU OF LAND MANAGEMENT 1966" - BEARING SOUTH 0°12'17" EAST A DISTANCE OF 2674.46 FEET

COMMENCE AT THE CENTER OF SAID SECTION 1; THENCE SOUTH 40°07'17" EAST A DISTANCE OF 4,501.50 FEET TO AN ANGLE POINT ON THE EXTERIOR OF THE UNITED STATES AIR FORCE ACADEMY PROPERTY BEING MONUMENTED BY A 6 INCH CONCRETE MONUMENT EMBEDDED WITH A 3-1/2 INCH METAL DISC STAMPED "1970 U.S. AIR FORCE 6786 BDY 38"; THENCE SOUTH 25°23'28" EAST, ALONG SAID THE EXTERIOR A DISTANCE OF 2,877.81 FEET; THENCE SOUTH 66°17'28" WEST A DISTANCE OF 1,184.56 FEET TO THE EASTERLY RIGHT-OF-WAY OF THE FORMER ATCHISON TOPEKA AND SANTA FE RAILROAD AS DEPICTED IN THAT CERTAIN BOUNDARY SURVEY OF THE UNITED STATES AIR FORCE ACADEMY RECORDED DECEMBER 3, 1970 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDERS IN PLAT BOOK O2 PAGE 84 (RECEPTION NUMBER 768143) ALSO BEING THE WESTERLY LINE OF THAT CERTAIN EASEMENT GRANTED BY THE UNITED STATES AIR FORCE ACADEMY FOR ROAD, STREET AND HIGHWAY RECORDED AUGUST 11, 1958 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER IN BOOK 1691 PAGE 594 SAID POINT; THENCE CONTINUE SOUTH 66°17'28" WEST A DISTANCE OF 300.00 FEET TO THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY;

THENCE NORTHWESTERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING SEVEN (7) COURSES;

1. THENCE NORTH 23°42'32" WEST A DISTANCE OF 336.78 FEET;
2. THENCE NORTH 66°17'28" EAST A DISTANCE OF 50.00 FEET;
3. THENCE NORTH 23°42'32" WEST A DISTANCE OF 854.90 FEET TO A TANGENT 1,810.08 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTHWESTERLY;

PETITION FOR INCLUSION OF PROPERTY
into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT

4. THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°00'57" AN ARC DISTANCE OF 600.75 FEET;
5. THENCE NORTH 42°43'29" WEST A DISTANCE OF 1,023.31 FEET;
6. THENCE NORTH 47°16'31" EAST A DISTANCE OF 50.00 FEET;
7. THENCE NORTH 42°43'29" WEST A DISTANCE 402.46 FEET TO A 270.00 FOOT NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 71°38'57" EAST, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED LAND;

THENCE SOUTHERLY, ALONG SAID ARC, THROUGH A CENTRAL ANGLE OF 19°05'57", AN ARC DISTANCE OF 90.00 FEET TO A 355.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 13°37'49" EAST;

THENCE SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 49°08'55" AN ARC DISTANCE OF 304.52 FEET TO A 865.00 FEET COMPOUND CURVE;

THENCE SOUTHERLY, ALONG SAID COMPOUND CURVE, THROUGH A CENTRAL ANGLE OF 20°21'00" AND ARC DISTANCE OF 307.22 FEET;

THENCE SOUTH 63°48'49" WEST A DISTANCE OF 71.39 FEET;

THENCE SOUTH 84°44'16" WEST A DISTANCE OF 55.74 FEET;

THENCE NORTH 55°00'00" WEST A DISTANCE OF 50.55 FEET TO A 555.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 27°27'21" WEST;

THENCE WESTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 20°27'48" AN ARC DISTANCE OF 198.22 FEET TO A 290.00 FEET COMPOUND CURVE;

THENCE WESTERLY, ALONG SAID COMPOUND CURVE, THROUGH A CENTRAL ANGLE OF 30°23'14" AND ARC DISTANCE OF 153.80 FEET TO A 425.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 06°56'03" WEST;

THENCE WESTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 54°07'48" AN ARC DISTANCE OF 401.52 FEET;

THENCE SOUTH 89°25'00" WEST A DISTANCE OF 75.53 FEET TO A 325.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 87°39'31" WEST;

THENCE NORTHWESTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 67°20'38" AN ARC DISTANCE OF 382.00 FEET TO A 305.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS NORTH 73°19'25" WEST;

THENCE NORTHERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 45°00'31" AN ARC DISTANCE OF 239.59 FEET;

PETITION FOR INCLUSION OF PROPERTY
into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT

DN 3787261.1

768143) ALSO BEING THE WESTERLY LINE OF THAT CERTAIN EASEMENT GRANTED BY THE UNITED STATES AIR FORCE ACADEMY FOR ROAD, STREET AND HIGHWAY RECORDED AUGUST 11, 1958 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER IN BOOK 1691 PAGE 594 SAID POINT; THENCE CONTINUE SOUTH 66°17'28" WEST A DISTANCE OF 300.00 FEET TO THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE NORTHWESTERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING EIGHT (8) COURSES;

1. THENCE NORTH 23°42'32" WEST A DISTANCE OF 336.78 FEET;
2. THENCE NORTH 66°17'28" EAST A DISTANCE OF 50.00 FEET;
3. THENCE NORTH 23°42'32" WEST A DISTANCE OF 854.90 FEET TO A TANGENT 1,810.08 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTHWESTERLY;
4. THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°00'57" AN ARC DISTANCE OF 600.75 FEET;
5. THENCE NORTH 42°43'29" WEST A DISTANCE OF 1,023.31 FEET;
6. THENCE NORTH 47°16'31" EAST A DISTANCE OF 50.00 FEET;
7. THENCE NORTH 42°43'29" WEST A DISTANCE OF 904.60 FEET TO A TANGENT 1,482.69 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTHEASTERLY;
8. THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°16'48" AN ARC DISTANCE OF 84.88 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE SOUTH 72°29'30" WEST A DISTANCE OF 837.91 FEET;

THENCE NORTH 77°50'00" WEST A DISTANCE OF 94.68 FEET;

THENCE SOUTH 72°10'00" WEST A DISTANCE OF 100.53 FEET;

THENCE SOUTH 42°10'00" WEST A DISTANCE OF 59.52 FEET;

THENCE SOUTH 72°50'00" WEST A DISTANCE OF 78.94 FEET TO A 450.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS NORTH 82°19'52" WEST;

THENCE NORTHERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 10°27'21" AN ARC DISTANCE OF 82.12 FEET;

THENCE NORTH 17°09'44" EAST A DISTANCE OF 71.27 FEET;

THENCE NORTH 01°30'00" EAST A DISTANCE OF 121.80 FEET;

THENCE NORTH 01°40'00" WEST A DISTANCE OF 80.27 FEET;

PETITION FOR INCLUSION OF PROPERTY
into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT

DN 3787261.1

THENCE NORTH 10°30'00" EAST A DISTANCE OF 60.00 FEET TO A 380.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS NORTH 39°32'36" WEST;

THENCE NORTHEASTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 43°56'32" AN ARC DISTANCE OF 291.44 FEET;

THENCE NORTH 28°00'00" EAST A DISTANCE OF 182.90 FEET;

THENCE NORTH 26°03'00" EAST A DISTANCE OF 183.50;

THENCE SOUTH 63°04'42" EAST A DISTANCE OF 50.40 FEET;

THENCE NORTH 73°16'22" EAST A DISTANCE OF 404.96 FEET TO THE PREVIOUSLY CITED WESTERLY RIGHT-OF-WAY OF THE FORMER ATCHISON TOPEKA AND SANTA FE RAILROAD;

THENCE SOUTHERLY, ALONG SAID RAILROAD RIGHT-OF-WAY, THE FOLLOWING (2) TWO COURSES;

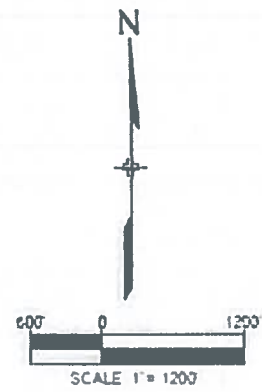
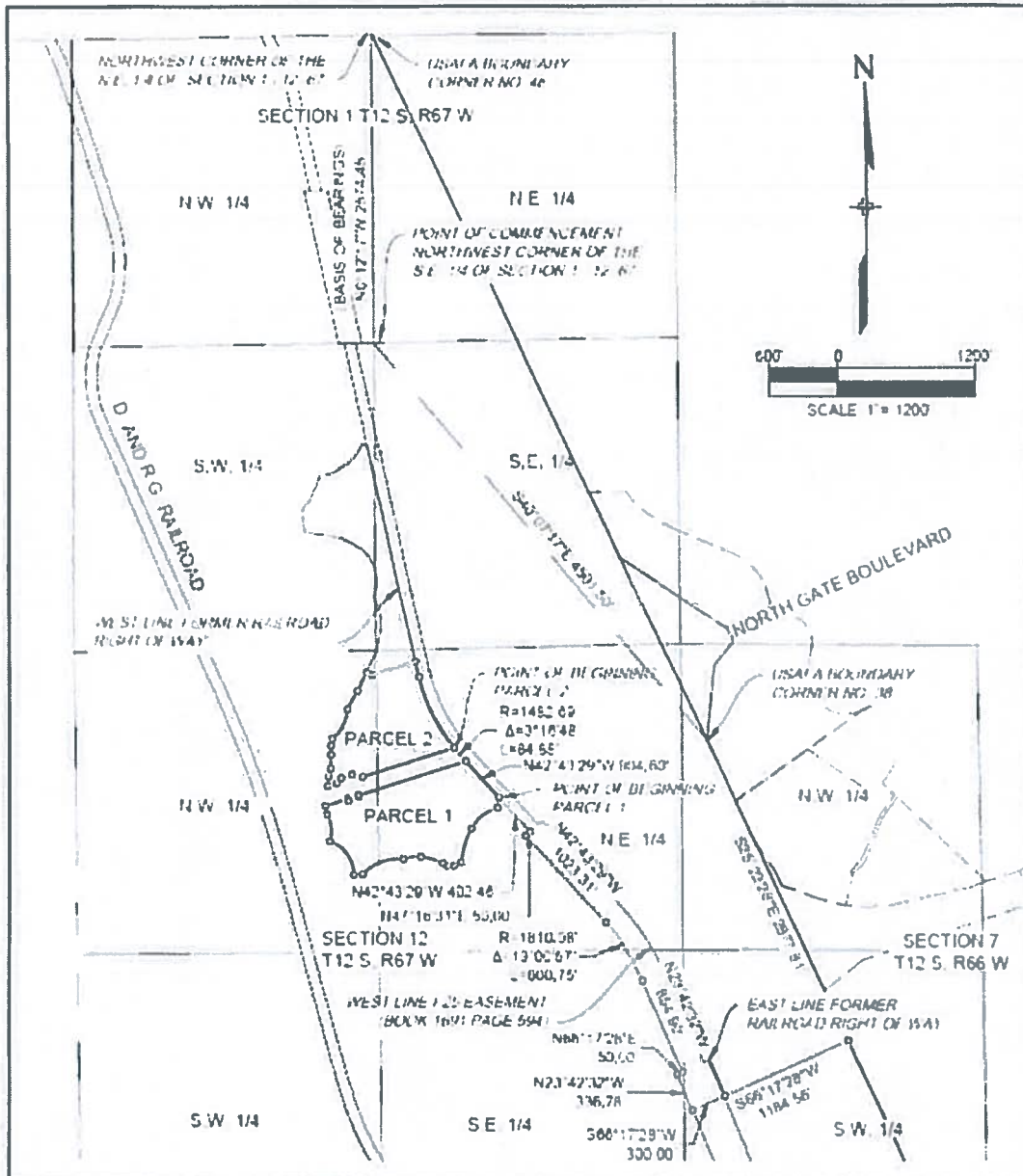
1. THENCE SOUTH 12°37'36" EAST A DISTANCE OF 136.09 FEET TO A TANGENT 1,482.69 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTHEASTERLY;
2. THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°49'05" AN ARC DISTANCE OF 693.99 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 673,649 SQUARE FEET (15.46486 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.

THE ABOVE DESCRIBED PARCELS PRODUCE A COMBINED CALCULATED AREA OF 1,572,422 SQUARE FEET (36.09786 ACRES), MORE OR LESS AND IS REPRESENTED ON THE ATTACHED GRAPHICAL EXHIBIT.

PETITION FOR INCLUSION OF PROPERTY
into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT

DN 3787261.1



Matrix
 DESIGN GROUP

2435 Research Parkway Suite 300
 Colorado Springs, CO 80920
 Phone 719-575-0100
 Fax 719-575-0208

GRAPHICAL EXHIBIT

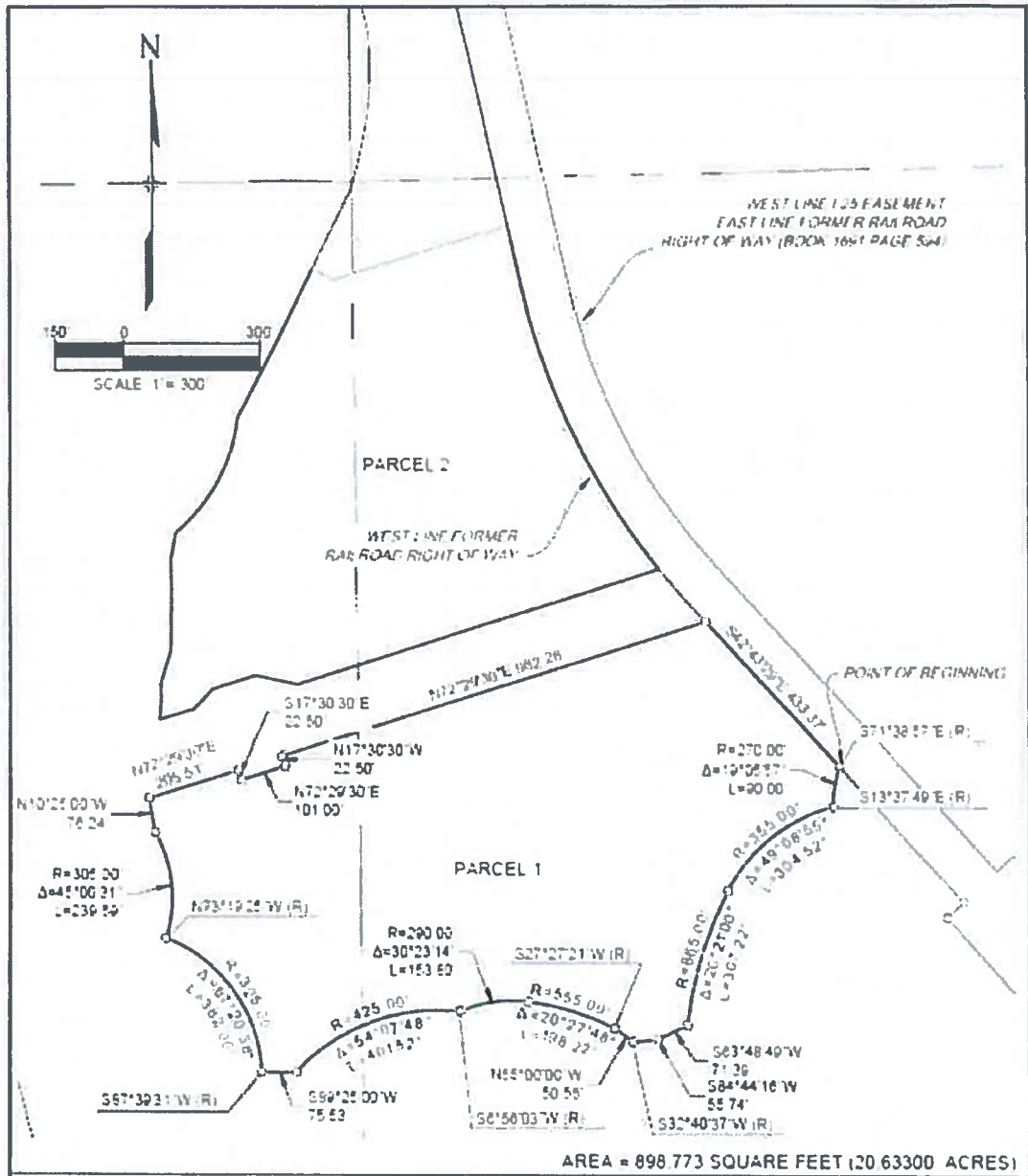
LEASE PARCELS

| | | |
|-----------------|-------------------------------------|---------------|
| CHECKED BY: RLM | DATE: MAY 10 2010 JN 15 1000 001 | SHEET: 1 of 3 |
|-----------------|-------------------------------------|---------------|


\SERIES\PROJECTS\161000.DWG\TRUE NORTH COMMONS\1600 SURVEY\LEGAL DESCRIPTIONS\TRANSFER PARCELS\2010 TRANSFER PARCELS\PARCEL 1 AND 2.DWG

PETITION FOR INCLUSION OF PROPERTY
 into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT

DN 3787261.1



AREA = 898 773 SQUARE FEET (20 63300 ACRES)

| | | | | |
|---|---|-------------------------------------|--------------------------|--|
|  | 3435 Research Parkway Suite 300 Colorado Springs, CO 80920 Phone 719-575-0100 Fax 719-575-0208 | | GRAPHICAL EXHIBIT | |
| | PARCEL 1 | | | |
| | CHECKED BY RLM | DATE MAY 16 2019 JUN 19 1030 001 | SHEET 2 of 3 | |

\\EPG\PROJECTS\181070-001 TRIN NORTH COMMONS\750 SURVEY\LEGAL DESCRIPTIONS\TRANSFER PARCELS\2019 TRANSFER PARCELS\PARCEL 1 AND 2.DWG

PETITION FOR INCLUSION OF PROPERTY
 into USAFA VISITORS CENTER BUSINESS IMPROVEMENT DISTRICT

**NOTICE OF INCLUSION HEARING
USAFA VISITOR'S CENTER BUSINESS IMPROVEMENT DISTRICT**

NOTICE IS HEREBY GIVEN that there has been filed with the City of Colorado Springs, Colorado, a petition praying for the inclusion of certain lands into the USAFA Visitor's Center Business Improvement District.

1. The name and address of the petitioner mentioned in such petition are as follows:

Petitioner/Owner: The United States of America, acting by and through the
Secretary of the Air Force
Address: 2261 Hughes Avenue, Suite 155
Joint Base
San Antonio – Lackland, TX 78236

Legal Description:

PARCEL 1

A PARCEL OF LAND LOCATED IN THE NORTH ONE-HALF OF SECTION 12, TOWNSHIP 12 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 67 WEST BEING MONUMENTED ON THE NORTH END BY A FOUND 6 INCH CONCRETE MONUMENT EMBEDDED WITH A 3-1/2 INCH METAL DISC STAMPED WITH SYMBOLOGY INDICATING IT BEING THE NORTH ONE-QUARTER CORNER OF SECTION 1 AND "1970 U.S. AIR FORCE 6786 BDY 47" AND ON THE SOUTH END BY FOUND REBAR CAPPED WITH A 3-1/4 INCH METAL AND 6 INCH CONCRETE MONUMENT EMBEDDED WITH A BRASS DISC STAMPED WITH SYMBOLOGY INDICATING IT BEING THE CENTER OF SECTION 1 AND "U.S. DEPT. OF INTERIOR - BUREAU OF LAND MANAGEMENT 1966" - BEARING SOUTH 0°12'17" EAST A DISTANCE OF 2674.46 FEET

COMMENCE AT THE CENTER OF SAID SECTION 1; THENCE SOUTH 40°07'17" EAST A DISTANCE OF 4,501.50 FEET TO AN ANGLE POINT ON THE EXTERIOR OF THE UNITED STATES AIR FORCE ACADEMY PROPERTY BEING MONUMENTED BY A 6 INCH CONCRETE MONUMENT EMBEDDED WITH A 3-1/2 INCH METAL DISC STAMPED "1970 U.S. AIR FORCE 6786 BDY 38"; THENCE SOUTH 25°23'28" EAST, ALONG SAID THE EXTERIOR A DISTANCE OF 2,877.81 FEET; THENCE SOUTH 66°17'28" WEST A DISTANCE OF 1,184.56 FEET TO THE EASTERLY RIGHT-OF-WAY OF THE FORMER ATCHISON TOPEKA AND SANTA FE RAILROAD AS DEPICTED IN THAT CERTAIN BOUNDARY SURVEY OF THE UNITED STATES AIR FORCE ACADEMY RECORDED DECEMBER 3, 1970 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDERS IN PLAT BOOK O2 PAGE 84 (RECEPTION NUMBER 768143) ALSO BEING THE WESTERLY LINE OF THAT CERTAIN EASEMENT GRANTED BY THE UNITED STATES AIR FORCE ACADEMY FOR ROAD, STREET AND HIGHWAY RECORDED AUGUST 11, 1958 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER IN BOOK 1691 PAGE 594 SAID POINT; THENCE CONTINUE SOUTH 66°17'28" WEST A DISTANCE OF 300.00 FEET TO THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE NORTHWESTERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING SEVEN (7) COURSES;

1. THENCE NORTH 23°42'32" WEST A DISTANCE OF 336.78 FEET;
2. THENCE NORTH 66°17'28" EAST A DISTANCE OF 50.00 FEET;
3. THENCE NORTH 23°42'32" WEST A DISTANCE OF 854.90 FEET TO A TANGENT 1,810.08 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTHWESTERLY;
4. THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°00'57" AN ARC DISTANCE OF 600.75 FEET;
5. THENCE NORTH 42°43'29" WEST A DISTANCE OF 1,023.31 FEET;
6. THENCE NORTH 47°16'31" EAST A DISTANCE OF 50.00 FEET;
7. THENCE NORTH 42°43'29" WEST A DISTANCE 402.46 FEET TO A 270.00 FOOT NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 71°38'57" EAST, SAID POINT ALSO BEING THE **POINT OF BEGINNING**

OF THE FOLLOWING DESCRIBED LAND;

THENCE SOUTHERLY, ALONG SAID ARC, THROUGH A CENTRAL ANGLE OF 19°05'57", AN ARC DISTANCE OF 90.00 FEET TO A 355.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 13°37'49" EAST;

THENCE SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 49°08'55" AN ARC DISTANCE OF 304.52 FEET TO A 865.00 FEET COMPOUND CURVE;

THENCE SOUTHERLY, ALONG SAID COMPOUND CURVE, THROUGH A CENTRAL ANGLE OF 20°21'00" AND ARC DISTANCE OF 307.22 FEET;

THENCE SOUTH 63°48'49" WEST A DISTANCE OF 71.39 FEET;

THENCE SOUTH 84°44'16" WEST A DISTANCE OF 55.74 FEET;

THENCE NORTH 55°00'00" WEST A DISTANCE OF 50.55 FEET TO A 555.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 27°27'21" WEST;

THENCE WESTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 20°27'48" AN ARC DISTANCE OF 198.22 FEET TO A 290.00 FEET COMPOUND CURVE;

THENCE WESTERLY, ALONG SAID COMPOUND CURVE, THROUGH A CENTRAL ANGLE OF 30°23'14" AND ARC DISTANCE OF 153.80 FEET TO A 425.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 06°56'03" WEST;

THENCE WESTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 54°07'48" AN ARC DISTANCE OF 401.52 FEET;

THENCE SOUTH 89°25'00" WEST A DISTANCE OF 75.53 FEET TO A 325.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS SOUTH 87°39'31" WEST;

THENCE NORTHWESTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 67°20'38" AN ARC DISTANCE OF 382.00 FEET TO A 305.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS NORTH 73°19'25" WEST;

THENCE NORTHERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 45°00'31" AN ARC DISTANCE OF 239.59 FEET;

THENCE NORTH 10°25'00" WEST A DISTANCE OF 76.24 FEET;

THENCE NORTH 72°29'30" EAST A DISTANCE OF 205.53 FEET;

THENCE SOUTH 17°30'30" EAST A DISTANCE OF 22.50 FEET;

THENCE NORTH 72°29'30" EAST A DISTANCE OF 101.00 FEET;

THENCE NORTH 17°30'30" WEST A DISTANCE OF 22.50 FEET;

THENCE NORTH 72°29'30" EAST A DISTANCE OF 982.26 FEET TO THE PREVIOUSLY CITED WESTERLY RIGHT-OF-WAY OF THE FORMER ATCHISON TOPEKA AND SANTA FE RAILROAD;

THENCE SOUTH 42°43'29" EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 433.37 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 898,773 SQUARE FEET (20.63300 ACRES), MORE OR LESS.

TOGETHER WITH:

PARCEL 2

A PARCEL OF LAND LOCATED IN THE NORTH ONE-HALF OF SECTION 12, TOWNSHIP 12 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 67 WEST BEING MONUMENTED ON THE NORTH END BY A FOUND 6 INCH CONCRETE MONUMENT EMBEDDED WITH A 3-1/2 INCH METAL DISC STAMPED WITH SYMBOLOGY INDICATING IT BEING THE NORTH ONE-QUARTER CORNER OF SECTION 1 AND "1970 U.S. AIR FORCE 6786 BDY 47" AND ON THE SOUTH END BY FOUND REBAR CAPPED WITH A 3-1/4 INCH METAL AND 6 INCH CONCRETE MONUMENT EMBEDDED WITH A BRASS DISC STAMPED WITH SYMBOLOGY INDICATING IT BEING THE CENTER OF SECTION 1 AND "U.S. DEPT. OF INTERIOR - BUREAU OF LAND MANAGEMENT 1966" - BEARING SOUTH 0°12'17" EAST A DISTANCE OF 2674.46 FEET;

COMMENCE AT THE CENTER OF SAID SECTION 1; THENCE SOUTH 40°07'17" EAST A DISTANCE OF 4,501.50 FEET TO AN ANGLE POINT ON THE EXTERIOR OF THE UNITED STATES AIR FORCE ACADEMY PROPERTY BEING MONUMENTED BY A 6 INCH CONCRETE MONUMENT EMBEDDED WITH A 3-1/2 INCH METAL DISC STAMPED "1970 U.S. AIR FORCE 6786 BDY 38"; THENCE SOUTH 25°23'28" EAST, ALONG SAID THE EXTERIOR A DISTANCE OF 2,877.81 FEET; THENCE SOUTH 66°17'28" WEST A DISTANCE OF 1,184.56 FEET TO THE EASTERLY RIGHT-OF-WAY

OF THE FORMER ATCHISON TOPEKA AND SANTA FE RAILROAD AS DEPICTED IN THAT CERTAIN BOUNDARY SURVEY OF THE UNITED STATES AIR FORCE ACADEMY RECORDED DECEMBER 3, 1970 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDERS IN PLAT BOOK O2 PAGE 84 (RECEPTION NUMBER 768143) ALSO BEING THE WESTERLY LINE OF THAT CERTAIN EASEMENT GRANTED BY THE UNITED STATES AIR FORCE ACADEMY FOR ROAD, STREET AND HIGHWAY RECORDED AUGUST 11, 1958 IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER IN BOOK 1691 PAGE 594 SAID POINT; THENCE CONTINUE SOUTH 66°17'28" WEST A DISTANCE OF 300.00 FEET TO THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE NORTHWESTERLY, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING EIGHT (8) COURSES;

1. THENCE NORTH 23°42'32" WEST A DISTANCE OF 336.78 FEET;
2. THENCE NORTH 66°17'28" EAST A DISTANCE OF 50.00 FEET;
3. THENCE NORTH 23°42'32" WEST A DISTANCE OF 854.90 FEET TO A TANGENT 1,810.08 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTHWESTERLY;
4. THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°00'57" AN ARC DISTANCE OF 600.75 FEET;
5. THENCE NORTH 42°43'29" WEST A DISTANCE OF 1,023.31 FEET;
6. THENCE NORTH 47°16'31" EAST A DISTANCE OF 50.00 FEET;
7. THENCE NORTH 42°43'29" WEST A DISTANCE OF 904.60 FEET TO A TANGENT 1,482.69 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTHEASTERLY;
8. THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°16'48" AN ARC DISTANCE OF 84.88 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE SOUTH 72°29'30" WEST A DISTANCE OF 837.91 FEET;
THENCE NORTH 77°50'00" WEST A DISTANCE OF 94.68 FEET;
THENCE SOUTH 72°10'00" WEST A DISTANCE OF 100.53 FEET;
THENCE SOUTH 42°10'00" WEST A DISTANCE OF 59.52 FEET;
THENCE SOUTH 72°50'00" WEST A DISTANCE OF 78.94 FEET TO A 450.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS NORTH 82°19'52" WEST;
THENCE NORTHERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 10°27'21" AN ARC DISTANCE OF 82.12 FEET;
THENCE NORTH 17°09'44" EAST A DISTANCE OF 71.27 FEET;
THENCE NORTH 01°30'00" EAST A DISTANCE OF 121.80 FEET;
THENCE NORTH 01°40'00" WEST A DISTANCE OF 80.27 FEET;
THENCE NORTH 10°30'00" EAST A DISTANCE OF 60.00 FEET TO A 380.00 FOOT RADIUS NON-TANGENT CURVE WHOSE CENTER BEARS NORTH 39°32'36" WEST;
THENCE NORTHEASTERLY, ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 43°56'32" AN ARC DISTANCE OF 291.44 FEET;
THENCE NORTH 28°00'00" EAST A DISTANCE OF 182.90 FEET;
THENCE NORTH 26°03'00" EAST A DISTANCE OF 183.50;
THENCE SOUTH 63°04'42" EAST A DISTANCE OF 50.40 FEET;
THENCE NORTH 73°16'22" EAST A DISTANCE OF 404.96 FEET TO THE PREVIOUSLY CITED WESTERLY RIGHT-OF-WAY OF THE FORMER ATCHISON TOPEKA AND SANTA FE RAILROAD;
THENCE SOUTHERLY, ALONG SAID RAILROAD RIGHT-OF-WAY, THE FOLLOWING (2) TWO COURSES;

1. THENCE SOUTH 12°37'36" EAST A DISTANCE OF 136.09 FEET TO A TANGENT 1,482.69 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTHEASTERLY;
2. THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°49'05" AN ARC DISTANCE OF 693.99 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 673,649 SQUARE FEET (15.46486 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.

2. The prayer of the petition is that the above property be included within the USAFA Visitor's Center Business Improvement District.

3. The area sought to be included into the District is located entirely within the City of Colorado Springs.

Accordingly, notice is hereby given to all interested persons to appear at the public hearing of the City Council of the City of Colorado Springs at 10:00 a.m. on Tuesday, October 8, 2019 (first reading) and 10:00 a.m. on Tuesday, October 22 (second reading) at 107 N. Nevada Avenue, Colorado Springs, Colorado, and show cause, if any they have, why such petition should not be granted.

By Order of the Colorado Springs City Clerk
By: /s/ Sarah b. Johnson, City Clerk

Published On: October 8, 2019
Published In: The Gazette

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF El Paso

I, Lorre Cosgrove, being first duly sworn, deposes and says that she is the Legal Sales Representative of The Colorado Springs Gazette, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Colorado Springs Gazette; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper 1 time(s) to wit 10/08/2019

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

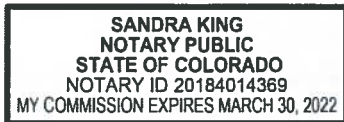


Lorre Cosgrove
Sales Center Agent

Subscribed and sworn to me this 10/08/2019, at said City of Colorado Springs, El Paso County, Colorado.
My commission expires March 30, 2022.



Sandra King
Notary Public
The Gazette



Document Authentication Number
20184014369-964388

