

ORDINANCE NO. 19-58

AN ORDINANCE VACATING A PUBLIC RIGHT-OF-WAY OF AN EAST-WEST RUNNING ALLEY LOCATED SOUTH OF LOT 13 IN THE BRISTOLS SUBDIVISION OF BLOCKS 229 AND 231 ADDITION NO. 1 IN THE CITY OF COLORADO SPRINGS CONSISTING OF 0.034 OF AN ACRE

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 public right-of-way of an east-west running alley located south of Lot 13 in the Bristols Subdivision of Blocks 229 and 231 Addition No. 1 in the City of Colorado Springs consisting of 0.034 of an acre, 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 accepts 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. 217138897.

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 27th day of August, 2019.


Finally passed: September 10th, 2019



Council President

Mayor's Action:

- Approved on Sept. 13, 2019.
- 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:




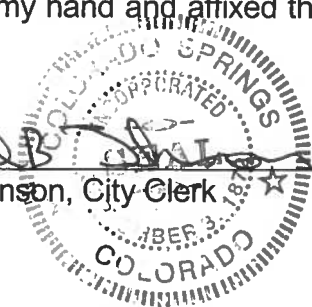
Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE VACATING A PUBLIC RIGHT-OF-WAY OF AN EAST-WEST RUNNING ALLEY LOCATED SOUTH OF LOT 13 IN THE BRISTOLS SUBDIVISION OF BLOCKS 229 AND 231 ADDITION NO. 1 IN THE CITY OF COLORADO SPRINGS CONSISTING OF 0.034 OF AN ACRE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on August 27th, 2019; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 10th day of September, 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 12th day of September, 2019.


Sarah B. Johnson, City Clerk



1st Publication Date: August 30th, 2019
2nd Publication Date: September 18th, 2019

Effective Date: September 23rd, 2019

Initial: SBJ
City Clerk

LEGAL DESCRIPTION:

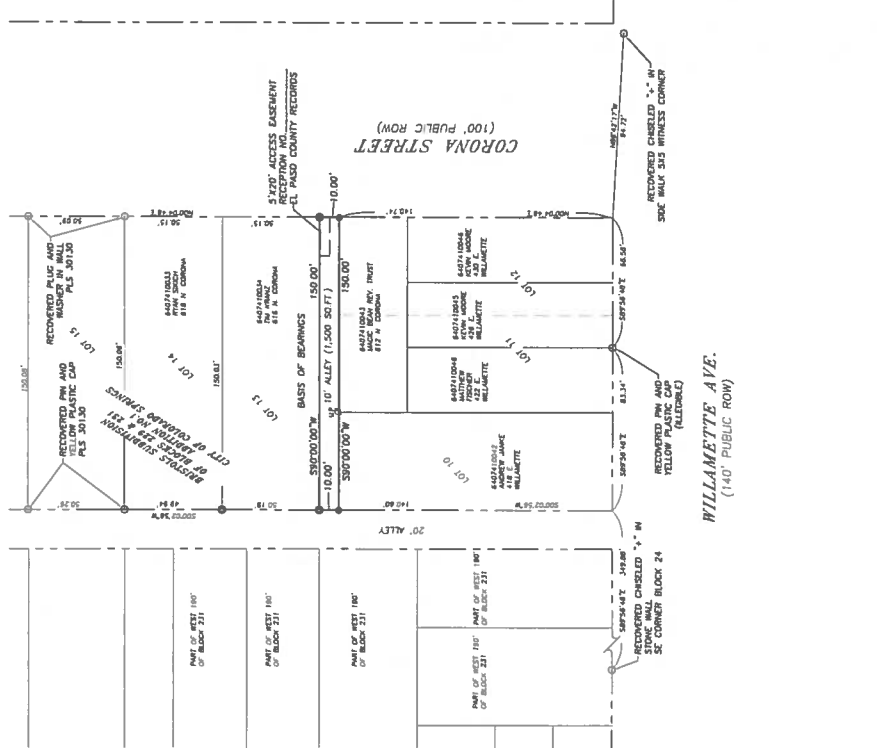
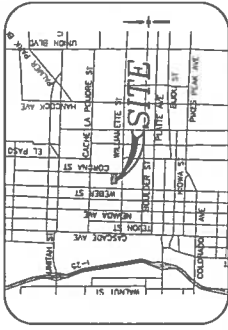
ALL OF THE TEN FEET WIDE ALLEY LOCATED ADJACENT TO LOTS 10, 11, 12 AND 13 OF BLOCK 231,
BRISTOLS SUBDIVISION OF LOTS 229 AND 231 OF ADDITION NO.1 TO THE CITY OF COLORADO SPRINGS
RECORDED IN PLAT BOOK A, PAGE 23 OF THE RECORDS OF EL PASO COUNTY, COLORADO.

TRACT CONTAINS 1,500 SQ. FT. OF LAND MORE OR LESS.

EXHIBIT A

JANKE ALLEY VACATION

AN ALLEY LOCATED BETWEEN LOTS 10, 11, 12 AND LOT 13, SUBDIVISION OF PART OF BLOCKS NO. 229 AND 231 TOWN OF COLORADO SPRINGS, LOCATED IN THE SE 1/4 OF SECTION 7, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M., IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, STATE OF COLORADO
SHEET 1 OF 1



SURVEYOR'S CERTIFICATION:
THE UNDERSIGNED REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO HEREBY STATES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN TO NORMAL STANDARDS AND CARE OF A PROFESSIONAL LAND SURVEYOR PRACTICING IN THE STATE OF COLORADO. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM AWARE OF THE CONTENTS OF THIS PLAT AND THE RECORDS OF THIS JOB OF THE COLORADO REVISED STATUTES, 1973, AS AMENDED, HAVE BEEN MET TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

JAMES F. LONE
LAND SURVEYOR IN THE
STATE OF COLORADO
FOR AND ON BEHALF OF
RESCUE LAND SURVEYING LLC

FILING APPROVAL:
BE IT SHOWN BY THESE PRESENTS:

MADE AND ADOPTED BY THE CITY COUNCIL ON THIS _____ DAY OF _____, 20____, IN A PUBLIC HEARING CONVENED AT THE CITY CLERK'S OFFICE, 1000 W. WASHINGTON STREET, COLORADO SPRINGS, COLORADO. DOES HEREBY VACATE THE LAND SET FORTH ON THIS VACATION PLAT AND SHALL BE KNOWN AS "JANKE ALLEY VACATION" LOCATED IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING VACATION PLAT OF "JANKE ALLEY VACATION".

MAYOR JOHN BUNTERS _____
CITY CLERK _____

STATE OF COLORADO _____
COUNTY OF EL PASO _____

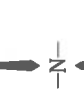
THIS INSTRUMENT WAS FORWARDED BY _____ BY _____ AS MAYOR, AND BY _____ WITNESSES BY HAND AND OFFICIAL SEAL.

NOTARY SIGNATURE _____
BY COMMISSION EXPIRES _____ DATE _____

CITY PLANNING DIRECTOR _____ DATE _____

CITY ENGINEER _____ DATE _____

UTILITIES EXECUTIVE DIRECTOR _____ DATE _____



- LEGEND**
- RECOVERED 1" PIPE AT GRADE
 - RECOVERED 1" PIPE AT GRADE
 - UTILITY POLE
 - RECOVERED 4" WATER 1/2" CAP
 - RECOVERED MONUMENT AS SHOWN
 - RECOVERED 1" PIPE AT GRADE
 - UTILITY POLE

RECORDING:
STATE OF COLORADO)
COUNTY OF EL PASO) ss
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK _____ M. THIS _____ DAY OF _____ 20____ A.E. AND IS DULY RECORDED UNDER RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

EL PASO COUNTY CLERK AND RECORDER CHUCK BROEDMAN

NOTES: ACCORDING TO COLORADO LAW, YOU MUST CONSIDER ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON THIS SURVEY BE BROUGHT MORE THAN 100 YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

REP: 6/24/19 CITY COMMENTS
SHEET 1 OF 1
CITY FILE #ELPCF 19-99944

