

ORDINANCE NO. 20-13

AN ORDINANCE VACATING PORTIONS OF A PUBLIC  
RIGHT-OF-WAY DESCRIBED AS BROOKSIDE  
WILLIAMSONS ALLEY WITHIN THE TOWN OF BROOK  
SIDE SUBDIVISION AND THE WILLIAMSON'S ADDITION  
TO IVYWILD SUBDIVISION CONSISTING OF 0.043 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 portions of a public right-of-way known as Brookside Williamsons alley within the Town of Brook Side subdivision and the Williamson's addition to Ivywild subdivision consisting of 0.043 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 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 11<sup>th</sup> day of February, 2020.

Finally passed: February 25<sup>th</sup>, 2020

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

**Mayor's Action:**

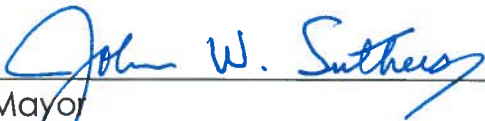
- Approved on February 27, 2020.
- Disapproved on \_\_\_\_\_, based on the following objections:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_


  
\_\_\_\_\_  
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




COS: \_\_\_\_\_  
CAO: TJF

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY DESCRIBED AS BROOKSIDE WILLIAMSONS ALLEY WITHIN THE TOWN OF BROOK SIDE SUBDIVISION AND THE WILLIAMSON’S ADDITION TO IVYWILD SUBDIVISION CONSISTING OF 0.043 OF AN ACRE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on February 11<sup>th</sup>, 2020; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 25<sup>th</sup> day of February, 2020, 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 27<sup>th</sup> day of February, 2020.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: February 14<sup>th</sup>, 2020

2<sup>nd</sup> Publication Date: March 4<sup>th</sup>, 2020

Effective Date: March 9<sup>th</sup>, 2020

Initial: SBJ  
City Clerk

Legal Description  
***Brookside Alley Vacation***

LEGAL DESCRIPTION:

A portion of the Public Alley, being variable in width, as shown upon the plat of 1520 South Nevada Subdivision, recorded May 17, 2003, under Reception Number 213713322 in the Official Records of El Paso County, State of Colorado, lying within the Southwest Quarter of Section 19, Township 14 South, Range 66 West of the 6th P.M., being more particularly described as follows:

BEGINNING at the Northeast corner of that parcel described in the Warranty Deed recorded under Reception Number 208014813 of said Official Records; thence along the North line of said parcel, S°88°36'56"W (Bearings are relative to the North line of that parcel described in the Warranty Deed recorded under Reception Number 208014813 of the Official Records of El Paso County, State of Colorado, being monumented at the East end by a found No. 4 rebar with no cap, flush with grade, and at the West end No. 4 rebar with a 1" yellow plastic cap, being illegible and flush with grade, and measured to bear S88°36'56", a distance of 150.08 feet.), a distance of 150.08 feet, to the Northwest corner of said parcel; thence along the East line of that parcel as described in the document recorded under Reception Number 208058705 of said Official Records, N01°02'00"W, a distance of 8.00 feet, to a point on the South line of that parcel described in the Quit Claim Deed recorded under Reception Number 206087223 of said Official Records; thence along said South line, and along the South line of that parcel described in the Quit Claim Deed recorded under Reception Number 206087225 of said Official Records, N88°36'56"E, a distance of 193.25 feet; thence leaving said South line, S01°23'04"E, a distance of 16.00 feet, to the Northeast corner of that parcel described in the Warranty Deed recorded under Reception Number 207047830 of said Official Records; thence along the North line of said parcel, S88°36'56"W, a distance of 43.26 feet, to the Northwest corner of said parcel; thence along the East line of that parcel described in said Warranty Deed recorded under Reception Number 208014813, N01°02'00"W, a distance of 8.00 feet, to the POINT OF BEGINNING.

Said parcel contains 1,892 S.F. or 0.043 acres, more or less.

