

ORDINANCE NO. 21-94

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS THE BEAR CREEK CANYON ADDITION NO. 1 ANNEXATION CONSISTING OF 1369.653 ACRES LOCATED SOUTHWEST OF HIGHWAY 24 AND 21ST STREET

WHEREAS, pursuant to Article II, Section 30 of the Colorado Constitution and Section 31-12-101, *et seq.*, C.R.S., known as the Municipal Annexation Act of 1965, as amended (the "Annexation Act"), the City of Colorado Springs is the sole owner of that certain territory known as Bear Creek Canyon Addition No. 1, more specifically described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property"), which is not solely a public street or right-of-way; and

WHEREAS, in accord with Section 31-12-106(3) of the Annexation Act, the Property is eligible for annexation in accordance with Section 30(1)(c) of Article II of the Colorado Constitution and Sections 31-12-104(1)(a) and 105 of the Annexation Act; and

WHEREAS, pursuant to Section 31-12-106(3) of the Annexation Act the City Council of the City of Colorado Springs may annex the Property without complying with the notice and hearing provisions of Sections 31-12-108 and 109; and

WHEREAS, City Code section 7.5.403(A) provides that, unless waived, all requests for annexation must be accompanied by a land use master plan; and

WHEREAS, because the Property is City-owned and part of the Parks, Recreation, Trails, Open Space and Cultural Services master plan and the City has no present intent to develop the Property, City Council finds that City Code section 7.5.403(A) does not apply; and

WHEREAS, the City Council has determined that said area should be annexed forthwith as part of the City of Colorado Springs.

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

Section 1. The Property, known as the Bear Creek Canyon Addition No. 1 Annexation and more specifically described on the attached Exhibit "A", is hereby annexed to the City of Colorado Springs.

Section 2. When this annexation is complete, the Property shall become a part of the City of Colorado Springs for all intents and purposes on the effective date of this ordinance, provided that the conditions of Section 31-12-113(2) C.R.S. are satisfied, with the exception of general taxation, in which respect said annexation shall not be effective until on or after January 1 next ensuing.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

Introduced, read, passed on first reading and ordered published this 9th day of November 2021.

Finally passed: November 23, 2021



Council President

Mayor's Action:

- Approved on November 24, 2021.
- Disapproved on _____, based on the following objections:

John W. Suthers
Mayor

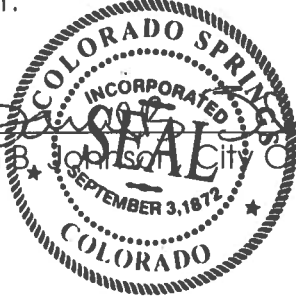
Council Action After Disapproval:

- 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



CAO: MS
COS: _____

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS THE BEAR CREEK CANYON ADDITION NO. 1 ANNEXATION CONSISTING OF 1369.653 ACRES LOCATED SOUTHWEST OF HIGHWAY 24 AND 21ST STREET” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on November 9th, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 23rd day of November 2021, and that the same was published by title and in full, in accordance with Section 3-80 of Article III of the Charter, 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 29th day of November 2021.



1st Publication Date: November 12th, 2021

2nd Publication Date: December 1st, 2021

Effective Date: December 6th, 2021

Initial: SBJ
City Clerk



EXHIBIT A
BEAR CREEK CANYON PARK ANNEXATION FILING NO.1 – REZONE

(10) PARCELS OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 15, SECTION 16, THE EAST 1/2 OF SECTION 20, SECTION 21, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, AND THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

TOWNSHIP FOURTEEN SOUTH (T14S) RANGE SIXTY-SEVEN WEST (R67W) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.)

SECTION SIXTEEN (SEC. 16) ALL 640.0 ACRES, +/-

CONTAINING SIX HUNDRED [SIC] AND 00 [SIC] HUNDRETHS (640.0) ACRES, MORE OR LESS, ACCORDING TO U.S. GOVERNMENT SURVEY.

PARCEL 2

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION TWENTY (20), THE WEST HALF OF THE NORTHWEST QUARTER, AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION TWENTY-ONE (21), ALL IN TOWNSHIP (14) SOUTH, RANGE SIXTY-SEVEN (67) WEST, CONTAINING ONE HUNDRED AND SIXTY ACRES, MORE OR LESS.

PARCEL 3

THE NORTH WEST QUARTER OF THE NORTH EAST QUARTER OF SECTION TWENTY-NINE AND THE AND THE SOUTH HALF OF THE SOUTH EAST QUARTER AND THE NORTH EAST QUARTER OF THE SOUTH EAST QUARTER OF SECTION TWENTY, IN TOWNSHIP FOURTEEN SOUTH OF RANGE SIXTY-SEVEN WEST OF THE SIXTH PRINCIPAL MERIDIAN IN COLORADO CONTAINING ONE HUNDRED AND SIXTY ACRES.

PARCEL 4

AN UNDIVIDED SEVEN EIGHTHS (7/8) INTEREST IN AND TO THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2SW1/4) OF SECTION TWENTY-ONE (21) AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION TWENTY-EIGHT (28) AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4NE1/4) OF SECTION TWENTY-NINE (29) ALL IN TOWNSHIP FOURTEEN (14) SOUTH OF RANGE SIXTY-SEVEN (67), WEST OF THE SIXTH (6TH) PRINCIPAL MERIDIAN, BEING ABOUT 140 ACRES, MORE OR LESS, IN BEAR CREEK CANYON, SOUTHWEST OF COLORADO SPRINGS, COLORADO.

CITY FILE NO.: CPC ZC 21-00095

PARCEL 5

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, AND THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, AND THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 22, ALL IN TOWNSHIP 14 SOUTH OF RANGE 67 WEST,

PARCEL 6

A PORTION OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPLE MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER;

THENCE NORTH 89°14'38" EAST, ALONG THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, A DISTANCE OF 755.53 FEET;

THENCE SOUTH 37°32'45" WEST, DEPARTING SAID NORTH LINE, A DISTANCE OF 81.31 FEET;

THENCE SOUTH 18°34'38" WEST, A DISTANCE OF 215.97 FEET;

THENCE SOUTH 15°57'14" WEST, A DISTANCE OF 41.30 FEET;

THENCE SOUTH 37°19'42" WEST, A DISTANCE OF 79.81 FEET;

THENCE SOUTH 19°19'50" WEST, A DISTANCE OF 180.93 FEET;

THENCE SOUTH 22°23'02" WEST, A DISTANCE OF 492.97 FEET;

THENCE SOUTH 09°52'21" WEST, A DISTANCE OF 40.76 FEET;

THENCE SOUTH 17°15'59" WEST, A DISTANCE OF 30.50 FEET;

THENCE SOUTH 43°34'18" WEST, A DISTANCE OF 49.86 FEET;

THENCE SOUTH 02°03'48" EAST, A DISTANCE OF 108.53 FEET;

THENCE SOUTH 12°58'48" WEST, A DISTANCE OF 139.10 FEET TO THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID SOUTHWEST ONE-QUARTER;

THENCE SOUTH 88°59'49" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 223.90 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER;

THENCE NORTH 01°12'04" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1342.56 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 612,142 SQUARE FEET OR 14.0528 ACRES, MORE OR LESS.

PARCEL 7



LEGAL DESCRIPTION CONT.....

A PORTION OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 15 ,
TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPLE MERIDIAN, COUNTY OF EL
PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER, 15;

THENCE NORTH 89°14'38" EAST, ALONG THE NORTHERLY LINE OF SAID SOUTHWEST OF
SECTION 15, A DISTANCE OF 755.53 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUE NORTH 89°14'38" EAST, ALONG SAID NORTH LINE OF THE SOUTHWEST
ONE-QUARTER, A DISTANCE OF 274.13 FEET;

THENCE SOUTH 17°00'40" WEST, DEPARTING SAID NORTH LINE, A DISTANCE OF 149.03 FEET;

THENCE SOUTH 08°15'02" WEST, A DISTANCE OF 149.27 FEET;

THENCE SOUTH 04°14'22" WEST, A DISTANCE OF 175.40 FEET;

THENCE SOUTH 37°51'05" WEST, A DISTANCE OF 190.84 FEET;

THENCE SOUTH 18°19'22" WEST, A DISTANCE OF 376.90 FEET;

THENCE SOUTH 09°54'42" WEST, A DISTANCE OF 69.53 FEET;

THENCE SOUTH 16°24'50" WEST, A DISTANCE OF 74.10 FEET;

THENCE SOUTH 03°34'34" WEST, A DISTANCE OF 231.88 FEET TO A POINT ON THE SOUTH LINE
OF SAID NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 15;

THENCE SOUTH 88°59'49" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 416.68 FEET;

THENCE NORTH 12°58'48" EAST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 139.10 FEET;

THENCE NORTH 02°03'48" WEST, A DISTANCE OF 108.53 FEET;

THENCE NORTH 43°34'18" EAST, A DISTANCE OF 49.86 FEET;

THENCE NORTH 17°15'59" EAST, A DISTANCE OF 30.50 FEET;

THENCE NORTH 09°52'21" EAST, A DISTANCE OF 40.76 FEET;

THENCE NORTH 22°23'02" EAST, A DISTANCE OF 492.97 FEET;

THENCE NORTH 19°19'50" EAST, A DISTANCE OF 180.93 FEET;

THENCE NORTH 37°19'42" EAST, A DISTANCE OF 79.81 FEET;

THENCE NORTH 15°57'14" EAST, A DISTANCE OF 41.30 FEET;

THENCE NORTH 18°34'38" EAST, A DISTANCE OF 215.97 FEET;

THENCE NORTH 37°32'45" EAST, A DISTANCE OF 81.31 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 487,446 SQUARE FEET OR 11.1902 ACRES, MORE OR LESS.

PARCEL 8

A PORTION OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPLE MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 15;

THENCE NORTH 89°14'38" EAST, ALONG THE NORTHERLY LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 15, A DISTANCE OF 1029.66 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUE NORTH 89°14'38" EAST, ALONG THE NORTHERLY LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 750.20 FEET TO A 760.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 85°33'26" EAST;

THENCE SOUTHEASTERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 23°53'37" AN ARC DISTANCE OF 316.94 FEET;

THENCE SOUTH 30°42'21" WEST, A DISTANCE OF 34.62 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF OLD GOLD CAMP ROAD AS DESCRIBED IN BOOK 297 AT PAGE 289 OF SAID EL PASO COUNTY RECORDS, SAID POINT BEING ON A 460.27 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 01°06'41" EAST;

THENCE ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES:

1. THENCE SOUTHWESTERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 66°12'07" AN ARC DISTANCE OF 531.82 FEET TO A POINT OF TANGENT;
2. THENCE SOUTH 22°41'12" WEST, A DISTANCE OF 245.82 FEET;

THENCE NORTH 61°03'31" WEST, DEPARTING SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 237.92 FEET;

THENCE NORTH 30°17'23" EAST, A DISTANCE OF 47.12 FEET;

THENCE NORTH 61°20'06" WEST, A DISTANCE OF 178.07 FEET;

THENCE NORTH 31°08'44" EAST, A DISTANCE OF 79.63 FEET;

THENCE NORTH 57°34'42" WEST, A DISTANCE OF 105.64 FEET;

THENCE NORTH 04°14'22" EAST, A DISTANCE OF 175.40 FEET;

THENCE NORTH 08°15'02" EAST, A DISTANCE OF 149.27 FEET;

THENCE NORTH 17°00'40" EAST, A DISTANCE OF 149.03 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 480,111 SQUARE FEET OR 11.0218 ACRES, MORE OR LESS.

PARCEL 9

A PORTION OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPLE MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 15;

THENCE NORTH 89°14'38" EAST, ALONG THE NORTHERLY LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 15, A DISTANCE OF 1779.86 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUE NORTH 89°14'38" EAST, ALONG THE NORTHERLY LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 60.14 FEET TO A 700.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 85°14'27" EAST;

THENCE SOUTHEASTERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 29°39'34" AN ARC DISTANCE OF 362.36 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF OLD GOLD CAMP ROAD AS DESCRIBED IN BOOK 297 AT PAGE 289 OF SAID EL PASO COUNTY RECORDS;

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES:

1. THENCE NORTH 86°30'35" WEST, A DISTANCE OF 72.35 FEET TO A 460.27 FOOT RADIUS TANGENT CURVE TO THE LEFT;
2. THENCE WESTERLY ALONG SAID TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 04°36'06" AN ARC DISTANCE OF 36.97 FEET;

THENCE NORTH 30°42'21" EAST, DEPARTING SAID NORTHERLY RIGHT OF WAY LINE NON-TANGENT TO THE PREVIOUS CURVE, A DISTANCE OF 34.62 FEET TO A 760.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 61 °39'49" EAST;

THENCE NORTHWESTERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 23°53'37" AN ARC DISTANCE OF 316.94 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 21,933 SQUARE FEET OR 0.5035 ACRE, MORE OR LESS.

PARCEL 10

A PORTION OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 15, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPLE MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 15;

THENCE NORTH 89°14'38" EAST, ALONG THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, A DISTANCE OF 1029.66 FEET;

THENCE SOUTH 17°00'40" WEST, DEPARTING SAID NORTH LINE, A DISTANCE OF 149.03 FEET;

THENCE SOUTH 08°15'02" WEST, A DISTANCE OF 149.27 FEET;

THENCE SOUTH 04°14'22° WEST, A DISTANCE OD 175.40 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 57°34'42" EAST, A DISTANCE OF 105.64 FEET;

THENCE SOUTH 31 °08'44" WEST, A DISTANCE OF 79.63 FEET;

THENCE SOUTH 61°20'06" EAST, A DISTANCE OF 178.07 FEET;

THENCE SOUTH 30°17'23" WEST, A DISTANCE OF 47.12 FEET;

THENCE SOUTH 61°03'31" EAST, A DISTANCE OF 237.92 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF GOLD CAMP ROAD AS DESCRIBED IN BOOK 297, AT PAGE 289, OF SAID EL PASO COUNTY RECORDS;

THENCE ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES:

1. THENCE SOUTH 22°41'12" WEST, A DISTANCE OF 443.24 FEET TO A NON-TANGENT POINT OF CURVE TO THE RIGHT WHOSE CENTER BEARS NORTH 67°23'54" WEST;
2. THENCE SOUTHWESTERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1304.97 FEET, A CENTRAL ANGLE OF 4°40'30", AN ARC DISTANCE OF 106.48 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 15;

THENCE SOUTH 88°59'49" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 455.87 FEET;

THENCE NORTH 03°34'34" EAST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 231.88 FEET;

THENCE NORTH 16°24'50" EAST, A DISTANCE OF 74.10 FEET;

THENCE NORTH 09°54'42" EAST, A DISTANCE OF 69.53 FEET;

THENCE NORTH 18°19'22" EAST, A DISTANCE OF 376.90 FEET;

THENCE NORTH 37°51'05" EAST, A DISTANCE OF 190.84 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 371,658 SQUARE FEET OR 8.5321 ACRES, MORE OR LESS.

THE ABOVE OVERALL DESCRIPTION PRODUCES A CALCULATED AREA OF 59,661,001 SQUARE FEET (1,369.65278 ACRES), MORE OR LESS



ROBERT L. MEADOWS, PLS 38977
PREPARED FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC.
2435 RESEARCH PKWY, SUITE 300
COLORADO SPRINGS, CO 80920
PH. (719)575-0100