

RESOLUTION NO. 07 - 25

A RESOLUTION ADOPTING FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE ELIGIBILITY FOR ANNEXATION OF PROPERTY KNOWN AS KARMAN LINE ADDITION NO. 5 ANNEXATION HEREINAFTER MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A"

WHEREAS, in accord with Section 31-12-101, *et seq.*, C.R.S., known as the Municipal Annexation Act of 1965, as amended (the "Annexation Act"), the City Clerk of the City of Colorado Springs received a petition for annexation and an annexation plat for certain territory known as the Karman Line Addition No. 5 Annexation, more specifically described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, said petition was signed by persons comprising one hundred percent (100%) of the landowners of the Property to be annexed and owning one hundred percent (100%) of the Property, excluding public streets and alleys, in compliance with the provisions of Article II, Section 30 of the Colorado Constitution, and Section 31-12-107(1) of the Annexation Act; and

WHEREAS, on December 10, 2024, the City Council, acting by resolution, found the petition for annexation to be in substantial compliance with Section 31-12-107(1) C.R.S of the Annexation Act and Section 30 of Article II of the Colorado Constitution, set a hearing to consider the annexation of the Property to the City of Colorado Springs on January 14, 2025, in Council Chambers, City Hall, 107 North Nevada Avenue, Colorado Springs, Colorado, and directed the City Clerk to give notice of said hearing in the manner prescribed in Section 31-12-108 of the Annexation Act; and

WHEREAS, in support of the annexation the following affidavits were filed with City Council: the City Clerk's affidavit (the "Clerk's Affidavit"), an affidavit of Roland Sevigny, Planning Supervisor for the City of Colorado Springs (the "Planner's Affidavit"), and an affidavit from Stewart Mapes, a registered professional land surveyor (the "Surveyor's Affidavit").

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

Section 1. City Council finds:

(a) that the City Council of the City of Colorado Springs has conducted a hearing to consider the annexation of the Property, described in Exhibit "A" and commonly known as the Karman Line Addition No. 5 Annexation, on January 14, 2025 at City of Colorado Springs, in Council Chambers, City Hall, 107 North Nevada Avenue, Colorado Springs, Colorado, in accord with the Annexation Act;

(b) that at said hearing, City Council considered the annexation petition and annexation plat, testimony presented, the Clerk's Affidavit, the Planner's Affidavit, the Surveyor's Affidavit, the record of the City Planning Commission's decision recommending annexation, all other relevant information presented;

(c) that the City Clerk has provided notice as directed and said notice complies with the requirements of Section 31-12-108 of the Annexation Act;

(d) that the Annexation Impact Report identified in Section 31-12-108.5 of the Annexation Act was filed with the Clerk to the Board of County Commissioners and the El Paso County Development Services Department as the Property proposed to be annexed is comprised of more than ten (10) acres;

(e) that the Property proposed to be annexed is unincorporated;

(f) that the legal description of the Property on Exhibit "A" is the same as the area described in the annexation petition and the annexation plat;

(g) that at least one-sixth (1/6th) of the boundary of the perimeter of the Property proposed to be annexed is contiguous with the existing boundary of the City of Colorado Springs;

(h) that a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality as provided for in Section 31-12-104(b) of the Annexation Act;

(i) no land held in identical ownership within the Property proposed to be annexed has been divided into separate parts or parcels by the boundaries of such annexation without the written consent of the landowner except as such tracts or parcels are separated by a dedicated street, road or other public way;

(j) that no annexation of all or any part of the Property has been commenced by any other municipality;

(k) the proposed annexation will not result in the detachment of an area from any school district and attachment of the same area to another school district;

(l) the proposed annexation will not extend boundaries of the city limits of the City of Colorado Springs more than three (3) miles in any direction from the municipal boundary;

(m) in establishing the boundaries of the Property proposed to be annexed, if a portion of a platted street or alley is annexed, the entire width of said street or alley is included within the Property proposed to be annexed;

(n) the applicable requirements of Section 31-12-105 of the Annexation Act have been satisfied;

(o) no petition for election has been received nor is an election otherwise required under the provisions of Section 31-12-107(2) of the Annexation Act;

(p) the annexation of the Property, commonly known as the Karman Line Addition No. 5 Annexation and legally described in Exhibit "A" attached hereto, meets the requirements of and fully complies with Part 1 of Article 12 of Title 31 C.R.S., the Municipal Annexation Act of 1965 as amended, and Section 30 of Article II of the Colorado Constitution;

(q) the Property is eligible for annexation to the City of Colorado Springs.

Dated at Colorado Springs, Colorado this 14th day of January 2025.


Randy Helms, Council President

ATTEST:


Sarah B. Johnson, City Clerk



LEGAL DESCRIPTION
KARMAN LINE ADDITION NO. 5

December 12, 2024

The City of Colorado Springs, Colorado, a home rule city and Colorado Municipal Corporation, being the petitioner of the following described tract of land to wit:

A portion of the Northeast 1/4 of Section 11 and the North 1/2 of Section 12, Township 15 South, Range 65 West and the North 1/2 of Section 7, the North 1/2 of Section 8 and the North 1/2 of Section 9, Township 15 South, Range 64 West of the Sixth Principal Meridian, being more particularly described as follows:

COMMENCING at the North 1/4 Corner of said Section 11; thence along the North-South center line of said Section, S00°10'13"E (Basis of Bearings is the North-South Centerline of the North 1/2 of Section 11, Township 15 South, Range 65 West of the Sixth Principal Meridian, being monumented at the North 1/4 Corner of said Section by a 3-1/4" aluminum cap, properly marked, stamped PLS 23044, flush with grade and at the Center 1/4 Corner of said Section by a 3-1/4" aluminum cap, properly marked, stamped PLS 23044, flush with grade and measured to bear S00°10'13"E, a distance of 2642.17 feet), a distance of 1392.61 feet, to the northwest corner of Bradley Road Right-of-Way as described in the Quitclaim Deed recorded on August 4, 2022 as Reception Number 222103960 in the records of the El Paso County, Clerk and Recorder, Colorado, also being the POINT OF BEGINNING; thence leaving said Center line along the following three (3) courses:

1. N76°49'30"E, a distance of 5868.34 feet;
2. along the arc of a curve to the right, having a radius of 4931.09 feet, a central angle of 13°09'59", a distance of 1133.16 feet;
3. N89°59'29"E, a distance of 3913.56 feet, to a point on the east line of Bradley Road as described in Reception Number 222103960;

thence leaving said east line, N89°59'29"E, a distance of 12202.94 feet; thence S89°42'25"W, a distance of 12202.32 feet to a point on said east line of Bradley Road; thence leaving said east line along the following three (3) courses:

1. S89°42'25"W, a distance of 3930.14 feet;
2. along the arc of a curve to the left, having a radius of 4931.09 feet, a central angle of 14°09'40", a distance of 1218.77 feet;
3. S75°32'45"W, a distance of 5798.59 feet, to the southwest corner of said Bradley Road Right-of-Way, also being a point on said center line of Section 11;

thence leaving said center line along the following six (6) courses:

1. N75°21'00"E, a distance of 5783.37 feet;
2. along the arc of a curve to the right, having a radius of 4931.09 feet, a central angle of 13°47'51", a distance of 1187.47 feet;
3. N89°08'51"E, a distance of 1682.73 feet;
4. N89°26'07"W, a distance of 1563.73 feet;

-
-
5. Along the arc of a curve to the left, having a radius of 4931.09 feet, a central angle of 13°32'32", a distance of 1165.50 feet;
 6. S77°01'21"W, a distance of 5882.93 feet, to the POINT OF BEGINNING.

Containing 776,725 Sq. Ft. or 17.831 acres, more or less.

Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245