

ORDINANCE NO. 16-49

AN ORDINANCE VACATING A PUBLIC RIGHT-OF-WAY
CONSISTING OF 0.12 ACRES LOCATED ON THE EAST
SIDE OF NORTH CHESTNUT STREET AT THE
SOUTHEAST CORNER OF NORTH CHESTNUT STREET
AND ELKTON DRIVE

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 consisting of 0.12 acres located on the east side of Chestnut Street at the southeast corner of North Chestnut Street and Elkton Drive, as depicted on Exhibit A, which is attached hereto and made a part hereof, subject to the retention of a public utility easement in accord with the terms and conditions set forth in the instrument recorded at Reception Number 212112548 of the official records of the El Paso County, Colorado Clerk and Recorder.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by Charter.

Section 3. 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.

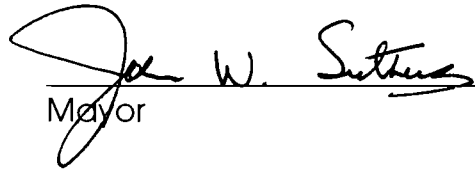
Introduced, read, passed on first reading and ordered published this 12th day of April, 2016.

Finally passed: April 26, 2016


Council President

Mayor's Action:

- Approved on April 27, 2016.
- 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:



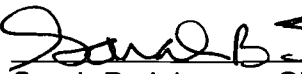
Sarah B. Johnson, City Clerk

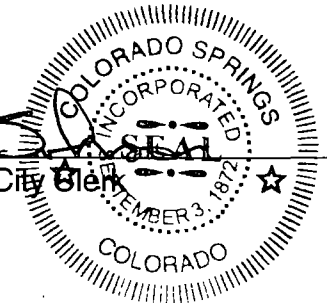


OK
TB

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE VACATING A PUBLIC RIGHT-OF-WAY CONSISTING OF 0.12 ACRES LOCATED ON THE EAST SIDE OF NORTH CHESTNUT STREET AT THE SOUTHEAST CORNER OF NORTH CHESTNUT STREET AND ELKTON DRIVE”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on April 12, 2016; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 26th day of April, 2016, 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 27th day of April, 2016.


Sarah B. Johnson, City Clerk



1st Publication Date: April 15, 2016

2nd Publication Date: May 4, 2016

Effective Date: May 9, 2016 Initial: SB3
City Clerk

LEGAL DESCRIPTION:

THAT PORTION OF CHESTNUT STREET ADJACENT TO THE DRISCOLL SUBDIVISION, IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK H-6 AT PAGE 91, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, SAID DRISCOLL SUBDIVISION; THENCE S89°03'00"W ALONG THE SOUTH LINE THEREOF EXTENDED, WHICH BEARING IS THE BASIS OF ALL BEARINGS IN THIS DESCRIPTION, 10.00'; THENCE N00°23'25"W, 457.86'; THENCE ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 76°26'52", A RADIUS OF 92.00', A LENGTH OF 122.75', AND WHOSE CHORD BEARS N51°10'52"E; THENCE ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 64°08'36", A RADIUS OF 100.00', A LENGTH OF 111.95', AND WHOSE CHORD BEARS S47°49'33"W; THENCE S00°23'25"E, 457.76' TO THE POINT OF BEGINNING, AND CONTAINING 5366 SQUARE FEET (0.12 ACRES).