

RIGHT-OF-WAY VACATION OF A PORTION OF MT. WASHINGTON AVENUE & ST. ELMO COURT

A RIGHT-OF-WAY VACATION OF A PORTION OF MT. WASHINGTON AVENUE, ST. ELMO COURT, AND ADJACENT PUBLIC ALLEYS
LOCATED WITHIN A PORTION OF THE NE1/4 OF THE NW1/4 OF SECTION 30,
TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO



LEGAL DESCRIPTION:

PARCEL A:
A portion of Mt. Washington Avenue, and the twenty (20') foot public alleys adjacent to Mt. Washington Avenue, as shown upon the plat of lywild, recorded under Plat Book A, Page 115 in the Official Records of El Paso County, Colorado, and all of St. Elmo Court as shown upon the Amended Plat of The W.H. Terry's Resubdivision of Lots 4 & 5, Block 4, lywild, recorded under Plat Book T, Page 38 of said Official Records, being more particularly described as follows:

BEGINNING at the Southeast corner of that parcel described in Reception No. 217074341 of said Official Records; thence along the Westerly right-of-way line of said Mt. Washington Avenue, N57°45'03"E (Bearings are relative to the South line of Lots 9-12, Block 4, as shown upon the "Plat of lywild", recorded at Book A, Page 115 of the El Paso County Official Records, being monumented at the West end by a found No. 4 rebar with an illegible 1-1/4" yellow plastic cap, and at the East end by a found No. 5 rebar with 1-1/4" yellow plastic cap, stamped "ALESSI PLS 30130", and measured to bear N88°50'23"E, a distance of 400.00 feet.), a distance of 227.41 feet; thence N50°39'17"E, a distance of 35.55 feet; thence N49°45'16"E, a distance of 43.95 feet; thence N43°31'29"E, a distance of 153.68 feet, to the most Easterly corner of that parcel described in Reception No. 217026808 of said Official Records; thence along the Southerly right-of-way line of the twenty foot (20') alley adjacent to said parcel, S88°47'35"W, a distance of 142.52 feet; thence S88°42'08"W, a distance of 100.51 feet to the Northeast corner of that parcel described in Reception No. 210016079 of said Official Records; thence leaving said Southerly right-of-way line, N01°17'52"W, a distance of 21.40 feet, to a point lying on the South line of that parcel described in Reception No. 203162086 of said Official Records; thence along the Northerly right-of-way of said alley, N88°49'39"E, a distance of 135.50 feet; thence N88°49'46"E, a distance of 75.00 feet; thence N88°49'39"E, a distance of 51.69 feet, to the Southeast corner of that parcel described in Reception No. 217149462 in said Official Records; thence along the Westerly right-of-way line of said Mt. Washington Avenue, N43°17'36"E, a distance of 168.15 feet; thence N43°17'36"E, a distance of 112.10 feet to the most Easterly corner of that parcel described in Reception No. 217149463 of said Official Records; thence along the Southerly right-of-way line of E. St. Elmo Avenue, as shown upon said lywild plat, N88°49'39"E, a distance of 70.06 feet to the most Northwesterly corner of that parcel described in Reception No. 217150967 of said Official Records; thence along the Easterly right-of-way line of said Mt. Washington Avenue, S43°17'36"W, a distance of 349.57 feet, to the most Westerly corner of Lot 6, Block 4, of said lywild plat; thence along the Northerly right-of-way line of the twenty foot (20') alley adjacent to said Lot 6, N88°50'23"E, a distance of 275.24 feet to the Southeast corner of that parcel described in Reception No. 217143652 of said Official Records; thence along the Westerly right-of-way line of said St. Elmo Court, thence N00°40'47"W, a distance of 49.95 feet; thence N88°57'13"E, a distance of 20.00 feet; thence N00°40'47"W, a distance of 199.64 feet, to the Northeast corner of that parcel described in said Official Records; thence along said Southerly right-of-way line of E. St. Elmo Avenue, N88°49'39"E, a distance of 40.00 feet, to the Northwest corner of that parcel described in Reception No. 210003225 of said Official Records; thence along the Easterly right-of-way line of said St. Elmo Court, S00°40'47"E, a distance of 249.56 feet, to the Southeast corner of that parcel described in Reception No. 216050704 of said Official Records; thence along the Northerly right-of-way line of said adjacent twenty foot (20') public alley, N88°50'23"E, a distance of 80.00 feet; thence N89°02'20"E, a distance of 280.72 feet, to the Southeast corner of that parcel described in Reception No. 1870137 of said Official Records; thence along the Westerly right-of-way line of S. Nevada Avenue as shown upon the plat of Starsmore Subdivision, recorded under Plat Book D4, Page 154 of said Official Records, S00°42'43"W, a distance of 22.02 feet, to the Northeast corner of Lot 1, Block 1 of said Starsmore Subdivision; thence along the Southerly right-of-way line of said adjacent twenty foot (20') public alley, S88°27'06"W, a distance of 280.00 feet; thence S88°50'23"W, a distance of 399.99 feet; thence S88°43'22"W, a distance of 34.49 feet, to the Northwest corner of that parcel described in Reception No. 206101026 of said Official Records; thence along the Easterly right-of-way line of said Mt. Washington Avenue, S43°10'56"W, a distance of 144.88 feet; thence S50°48'31"W, a distance of 72.74 feet; thence S00°38'04"E, a distance of 13.86 feet; thence S00°40'09"E, a distance of 88.01 feet, to the Southwest corner of that parcel described in Reception No. 215105064; thence along the Northerly right-of-way line E. Cheyenne Road as shown upon said lywild plat, S88°43'08"W, a distance of 211.10 feet, to the POINT OF BEGINNING.

Containing 75,560 S.F. or 1.735 acres, more or less.

PARCEL B:
A portion of Mt. Washington Avenue as shown upon the plat of lywild, recorded under Plat Book A, Page 115, along with a portion of right-of-way dedicated by Book Z2, Page 76 of the Official Records of El Paso County, State of Colorado, being more particularly described as follows:

BEGINNING at the Northwest corner of that parcel described in Reception No. 200135923 of said Official Records; thence along the Westerly boundary line of said parcel, S43°14'00"W (Bearings are relative to the South line of Lots 9-12, Block 4, as shown upon the "Plat of lywild", recorded at Book A, Page 115 of the El Paso County Official Records, being monumented at the West end by a found No. 4 rebar with an illegible 1-1/4" yellow plastic cap, and at the East end by a found No. 5 rebar with 1-1/4" yellow plastic cap, stamped "ALESSI PLS 30130", and measured to bear N88°50'23"E, a distance of 400.00 feet.), a distance of 38.76 feet; thence leaving said Westerly boundary line, N46°46'17"W, a distance of 50.02 feet, to the most Easterly corner of that parcel described in Reception No. 215104781 of said Official Records; thence along the Westerly right-of-way line of said Mt. Washington Avenue, N43°14'50"E, a distance of 194.57 feet; thence N43°17'46"E, a distance of 131.56 feet to a point of curvature; thence along the arc of a non-tangent curve, having a radial bearing of N46°41'14"W, a radius of ten feet (10'), a central angle of 132°55'16", and an arc length of 23.20 feet, to the most Northeast corner of that parcel described in Reception No. 215131260 of said Official Records; thence along the Southerly right-of-way line of E. Ramona Avenue, as shown upon said lywild plat, S89°35'31"E, a distance 52.45 feet, to a point lying on the Westerly right-of-way line of S. Nevada Avenue, being formerly known as Canon City Road, as shown upon said lywild plat; thence along said Westerly right-of-way line, S00°40'06"E, a distance of 40.24 feet, to the most Northerly corner of that parcel described in Reception No. 95014947 of said Official Records; thence along the Easterly right-of-way line of said Mt. Washington Avenue, S43°11'06"W, a distance of 301.37, to the POINT OF BEGINNING.

Containing 17,880 S.F. or 0.410 acres, more or less.

DEDICATION:

The undersigned City of Colorado Springs, Colorado, A Home Rule City and Colorado Municipal Corporation, acting by and through John W. Suthers, Mayor, does hereby vacate the land set forth on this vacation plat and it shall be known as "_____ " located in the City of Colorado Springs, County of El Paso, State of Colorado.

IN WITNESS WHEREOF:

City of Colorado Springs, Colorado, A Home Rule City and Colorado Municipal Corporation has executed this instrument on this ___ day of _____, 2018 A.D.

City of Colorado Springs

By: _____
John W. Suthers, Mayor

Attest:

By: _____
City Clerk

NOTARIAL:

STATE OF COLORADO }
COUNTY OF EL PASO } SS

The foregoing instrument was acknowledged before me this _____ day of _____, 2018 A.D. by John W. Suthers, Mayor, of the City of Colorado Springs, a home rule city and Colorado Municipal Corporation.

Witness my hand and seal _____

Address _____

My Commission expires _____

CITY APPROVAL:

On behalf of the City of Colorado Springs, the undersigned hereby approves for the accompanying "Vacation Plat of _____ " in the City of Colorado Springs, El Paso County, Colorado.

City Engineer _____ Date _____ Manager of City Planning _____ Date _____

City Clerk _____ Date _____ Utilities Executive Director _____ Date _____

NOTES:

- This survey does not constitute a title search by Clark Land Surveying, Inc. to determine ownership, easements or rights of way of record. For all information regarding said matters of record, Clark Land Surveying, Inc. relied upon a Commitment for Title Insurance, issued by Old Republic National Title Insurance Company, Commitment No. SC55068457-5, dated March 15, 2018 at 5:00 P.M.
- Bearings are relative to the South line of Lots 9-12, Block 4, as shown upon the "Plat of lywild", recorded at Book A, Page 115 of the El Paso County Official Records, being monumented at the West end by a found No. 4 rebar with an illegible 1-1/4" yellow plastic cap, and at the East end by a found No. 5 rebar with 1-1/4" yellow plastic cap, stamped "ALESSI PLS 30130", and measured to bear N88°50'23"E, a distance of 400.00 feet.
- Any underground utilities shown have been located from field survey information, existing drawings and/or utility locate markings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from the information available. This surveyor has not physically located the underground utilities.
- Easements and other record documents shown or noted on this survey were examined as to location and purpose and were not examined as to restrictions, exclusions, conditions, obligations, terms, or as to the right to grant the same.
- This property is located within the Regulatory Floodway and Zone AE (special flood hazard area inundated by 100-year flood, base flood elevations determined), with a determined base flood elevation of 5950' (NGVD 29), as established by FEMA per FIRM panel 08041C0737F, effective date March 17, 1997.
- The lineal units used in this drawing are U.S. Survey Feet.
- Field work for this survey was completed on February 23, 2018.

SURVEYOR'S CERTIFICATION:

The undersigned Colorado Registered Professional Land Surveyor does hereby certify that the accompanying plat was surveyed and drawn under his direct responsibility and supervision and to the normal standard of practice by surveyors in the State of Colorado and accurately shows the described tract of land thereof, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of his professional knowledge, belief and opinion.

This statement is neither a warranty nor guarantee, either expressed or implied.



Stewart L. Mopes, Jr.
Colorado Professional Land Surveyor No. 38243
For and on behalf of Clark Land Surveying, Inc.

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 _____, 2018, A.D., and is duly recorded under

Reception No. _____ of the records of El Paso County, Colorado.

SURCHARGE: _____ CHUCK BROERMAN, RECORDER

SEE: _____ BY: _____ Deputy

Clark Land Surveying, Inc.
www.clarkis.com
177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719.582.1270

No.	Revisions	By	Date
4	Addressed plat comments	NSB	10/8/2018
3	Revised plat comments	NSB	9/12/2018
2	Revised vacation limits	NSB	7/2/2018
1	Revised vacation limits	NSB	6/14/2018

Notes: According to Colorado law you must commence 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 any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

RIGHT-OF-WAY VACATION

A PORTION OF THE NE 1/4 OF THE NW 1/4 OF SECTION 30
TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

Project 180185
Drawn By: NSB
Checked By: SLM
Date: 05/14/2018
Sheet 1 of 3

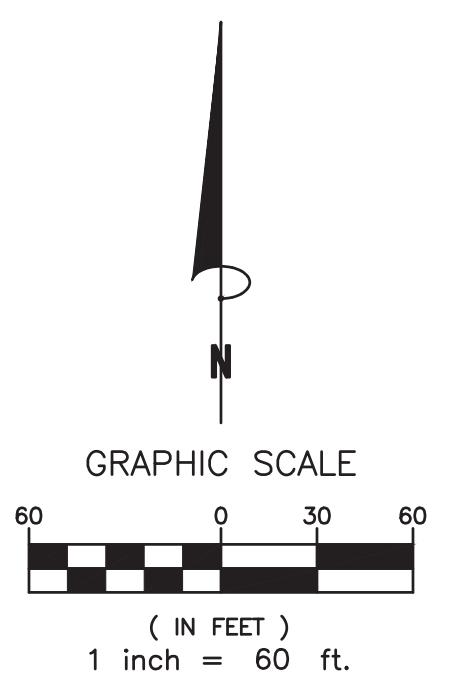
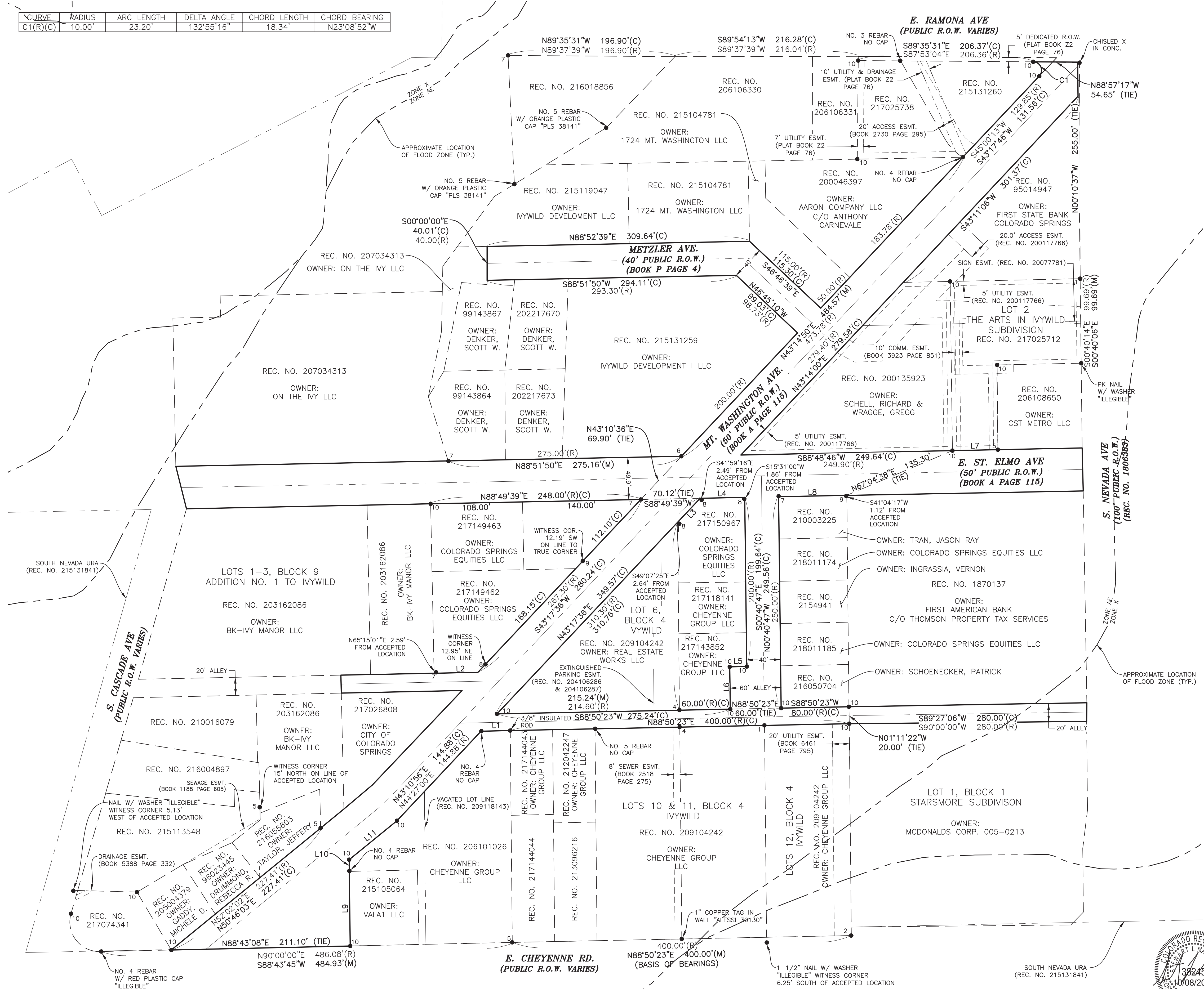
AS PLATTED

LEGEND

- FOUND MONUMENT (AS NOTED)
- (1) NO. 5 REBAR W/ 1-1/4" YELLOW PLASTIC CAP "ILLEGIBLE"
- (2) NO. 5 REBAR W/ 1-1/4" YELLOW PLASTIC CAP "ALESSI PLS 30130"
- (3) NO. 5 REBAR W/ 1-1/4" YELLOW PLASTIC CAP "MARIOTH 22573"
- (4) NO. 4 REBAR W/ 1-1/4" YELLOW PLASTIC CAP "ALESSI PLS 30130"
- (5) NO. 4 REBAR W/ 1-1/4" YELLOW PLASTIC CAP "ILLEGIBLE"
- (6) 1/2" IRON PIPE (NO CAP)
- (7) 1" IRON PIPE (NO CAP)
- (8) 2" IRON PIPE (NO CAP)
- (9) 4" IRON PIPE (NO CAP)
- (10) NO. 5 REBAR W/ 1-1/4" GREEN PLASTIC CAP "PLS 38245"
- (R) DENOTES RECORD
- (M) DENOTES MEASURED
- (C) DENOTES CALCULATED

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1(R)(C)	10.00'	23.20'	132°55'16"	18.34'	N23°08'52"W

LINE	BEARING	DISTANCE
L1(M)	N88°49'24"E	34.11'
L1(R)	N90°00'00"E	34.10'
L2(C)	N88°49'39"E	51.69'
L3(C)	N43°17'36"E	38.82'
L3(R)	N43°17'36"E	39.90'
L4(C)	N88°49'39"E	52.52'
L4(R)	N88°49'39"E	52.20'
L5(C)	N88°57'13"E	20.00'
L5(R)	N88°57'13"E	20.00'
L6(C)	S00°40'47"E	49.95'
L6(R)	S00°40'47"E	50.00'
L7(C)	S88°48'46"W	53.58'
L7(R)	S88°47'57"W	53.62'
L8(C)	N88°49'39"E	80.45'
L8(R)	N88°49'39"E	80.00'
L9(C)	N00°40'09"W	88.01'
L9(R)	N00°00'00"W	88.00'
L10(C)	N00°38'04"W	13.86'
L10(R)	N00°38'00"W	13.86'
L11(C)	N50°48'31"E	72.74'
L11(R)	N52°04'35"E	72.74'



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No.	Description	By	Date
4	Addressed plat comments	NSB	10/8/2018
3	Addressed plat comments	NSB	9/12/2018
2	Revised vacation limits	NSB	7/02/2018
1	Revised vacation limits	NSB	6/14/2018

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RIGHT-OF-WAY VACATION
A PORTION OF THE NE 1/4 OF THE NW 1/4 OF SECTION 30 TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M. CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

Project **180185**
Drawn By: NSB
Checked By: SLM
Date: 05/14/2018
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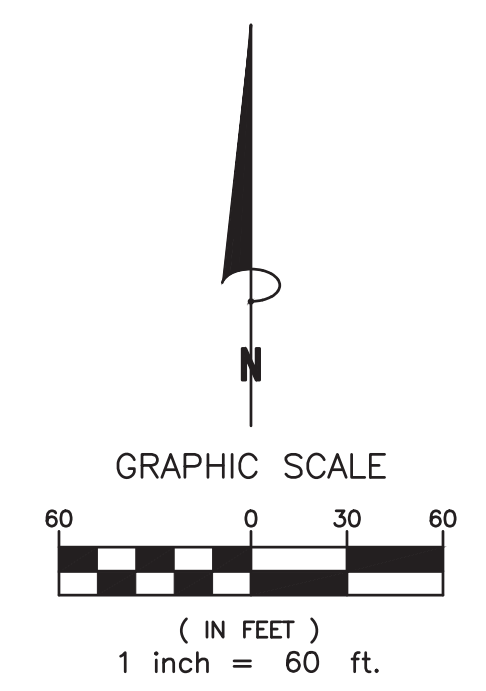
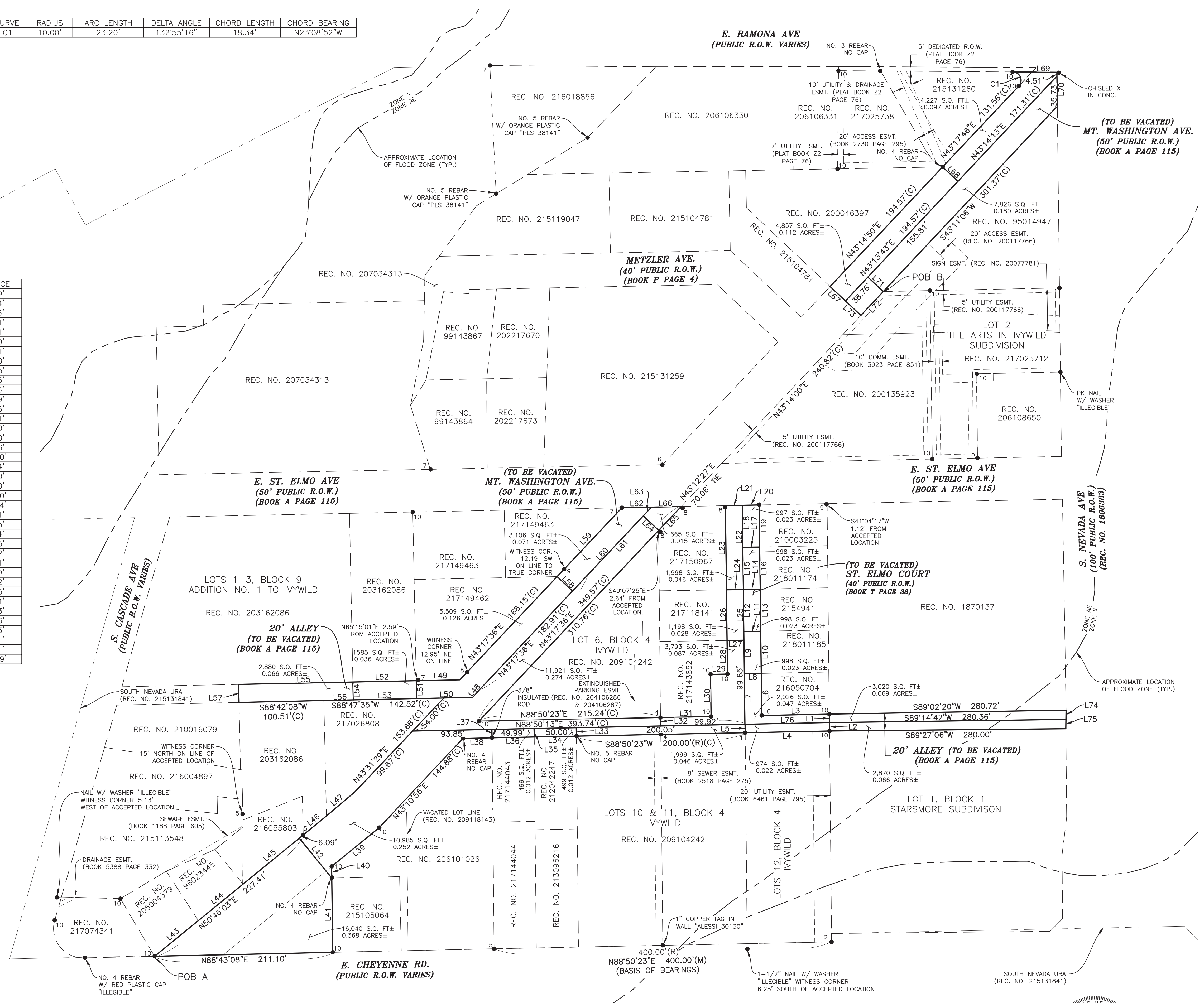
AS VACATED

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- (R) DENOTES RECORD
(M) DENOTES MEASURED
(C) DENOTES CALCULATED

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	10.00'	23.20'	132°55'16"	18.34'	N23°08'52"W

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1(C)	S01°11'22"E	10.00'	L38(C)	S88°43'22"W	34.49'
L2(C)	S01°11'22"E	10.00'	L39(C)	S50°48'31"W	72.74'
L3(C)	S88°50'23"W	80.00'	L40(C)	S00°38'04"E	13.86'
L4(C)	S88°50'23"W	100.00'	L41(C)	S00°40'09"E	88.01'
L5(C)	S00°51'42"E	10.00'	L42(C)	S39°13'57"E	61.01'
L6(C)	N00°40'47"W	49.91'	L43(C)	N50°46'03"E	67.00'
L7(C)	N00°40'47"W	60.08'	L44(C)	N50°46'03"E	68.31'
L8(C)	N89°19'13"E	20.00'	L45(C)	N50°46'03"E	92.10'
L9(C)	N00°40'47"W	49.91'	L46(C)	N50°39'17"E	35.55'
L10(C)	N00°40'47"W	49.91'	L47(C)	N49°45'16"E	43.95'
L11(C)	N89°19'13"E	20.00'	L48(C)	N42°42'50"E	14.35'
L12(C)	N00°40'47"W	49.91'	L49(C)	N88°49'39"E	51.69'
L13(C)	N00°40'47"W	49.91'	L50(C)	S88°47'35"W	66.25'
L14(C)	N89°19'13"E	20.00'	L51(C)	S01°10'21"E	21.11'
L15(C)	S00°40'47"E	49.58'	L52(C)	N88°49'46"E	75.00'
L16(C)	N00°40'47"W	49.91'	L53(C)	S88°47'35"W	75.00'
L17(C)	N89°19'13"E	20.00'	L54(C)	S01°10'21"E	21.16'
L18(C)	N00°40'47"W	74.77'	L55(C)	S88°49'39"W	135.50'
L19(C)	N00°40'47"W	49.92'	L56(C)	S88°47'35"W	34.94'
L20(C)	N88°49'39"E	20.00'	L57(C)	N01°17'52"W	21.40'
L21(C)	N88°49'39"E	20.00'	L58(C)	S46°42'24"E	25.00'
L22(C)	N00°40'47"W	99.99'	L59(C)	N43°17'36"E	112.10'
L23(C)	N00°40'47"W	99.92'	L60(C)	N43°15'56"E	112.04'
L24(C)	N89°19'13"E	20.00'	L61(C)	N43°15'56"E	97.81'
L25(C)	N00°40'47"W	59.91'	L62(C)	N88°49'39"E	34.95'
L26(C)	S00°40'47"E	59.91'	L63(C)	N43°15'56"E	14.24'
L27(C)	N89°19'13"E	20.00'	L64(C)	N46°44'04"W	25.05'
L28(C)	S00°40'47"E	39.91'	L65(C)	N43°17'36"E	38.82'
L29(C)	N88°57'13"E	20.00'	L66(C)	N88°49'39"E	35.11'
L30(C)	S00°40'47"E	49.95'	L67(C)	N46°46'17"W	24.99'
L31(C)	N88°50'23"E	60.00'	L68(C)	S88°57'27"W	34.82'
L32(C)	N01°09'47"W	10.01'	L69(C)	N89°35'31"W	52.45'
L33(C)	N01°13'08"W	9.99'	L70(C)	N00°40'06"W	40.24'
L34(C)	S88°50'23"W	50.00'	L71(C)	S46°46'17"E	25.03'
L35(C)	S01°09'47"E	9.99'	L72(C)	S43°14'00"W	38.76'
L36(C)	S88°50'23"W	49.99'	L73(C)	N46°46'17"W	25.03'
L37(C)	N01°09'47"W	9.98'	L74(C)	S00°42'43"W	11.01'
			L75(C)	S00°42'43"W	11.01'
			L76(C)	S88°50'23"W	100.09'



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2	Revised vacation limits	NSB	7/02/2018
1	Revised vacation limits	NSB	6/14/2018

Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after any action based upon any defect in this survey is commenced more than ten years from the date of the certification shown herein.

RIGHT-OF-WAY VACATION
A PORTION OF THE NE 1/4 OF THE NW 1/4 OF SECTION 30 TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M. CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

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FIGURE 7