

ORDINANCE NO. 20-7

AN ORDINANCE VACATING PORTIONS OF A PUBLIC  
RIGHT-OF-WAY DESCRIBED AS THE NORTHERN-MOST  
TEN FEET OF EAST VERMIJO AVENUE BETWEEN  
SOUTH WEBER STREET AND SOUTH WAHSATCH  
AVENUE WITHIN THE TOWN OF COLORADO SPRINGS  
CONSISTING OF 0.087 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 described as the norther-most ten feet of East Vermijo Avenue between South Weber Street and South Wahsatch Avenue within The Town of Colorado Springs consisting of 0.087 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 and public improvement 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 14<sup>th</sup> day of January, 2020.

Finally passed: January 28<sup>th</sup>, 2020

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

**Mayor's Action:**

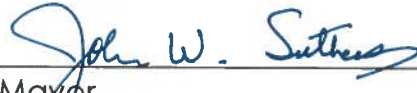
- Approved on January 31, 2020.
- Disapproved on \_\_\_\_\_, based on the following objections:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_


  
\_\_\_\_\_  
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: TJE

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY DESCRIBED AS THE NORTHERN-MOST TEN FEET OF EAST VERMIJO AVENUE BETWEEN SOUTH WEBER STREET AND SOUTH WAHSATCH AVENUE WITHIN THE TOWN OF COLORADO SPRINGS CONSISTING OF 0.087 OF AN ACRE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 14<sup>th</sup>, 2020; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 28<sup>th</sup> day of January, 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 31<sup>st</sup> day of January, 2020.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: January 17<sup>th</sup>, 2019

2<sup>nd</sup> Publication Date: February 5<sup>th</sup>, 2020

Effective Date: February 10<sup>th</sup>, 2020

Initial: SBJ  
City Clerk



JOB NO. 2104.13-02  
OCTOBER 25, 2019  
PAGE 1 OF 1

619 N. Cascade Avenue, Suite 200 (719) 785-0790  
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

**LEGAL DESCRIPTION:**

**PARCEL 1**

THE NORTHERLY 10.00 FEET OF VERMIJO AVENUE AS PLATTED IN TOWN OF COLORADO SPRINGS RECORDED IN PLAT BOOK A AT PAGE 3 RECORDS OF EL PASO COUNTY, COLORADO, LYING SOUTHERLY OF AND ADJACENT TO LOT 8 AS PLATTED IN SAID TOWN OF COLORADO SPRINGS.

CONTAINING A CALCULATED AREA OF 1,900 SQUARE FEET

**PARCEL 2**

THE NORTHERLY 10.00 FEET OF VERMIJO AVENUE AS PLATTED IN TOWN OF COLORADO SPRINGS RECORDED IN PLAT BOOK A AT PAGE 3 RECORDS OF EL PASO COUNTY, COLORADO, LYING SOUTHERLY OF AND ADJACENT TO LOT 9 AS PLATTED IN SAID TOWN OF COLORADO SPRINGS.

CONTAINING A CALCULATED AREA OF 1,900 SQUARE FEET

**CONTAINING A TOTAL CALCULATED AREA OF 3,800 SQUARE FEET**

**LEGAL DESCRIPTION STATEMENT:**

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING  
ENGINEERS AND SURVEYORS

Oct 25, 2019  
DATE

**EXHIBIT A**

**VACATION PLAT**  
**VERMIJO AVENUE VACATION**  
 A VACATION OF A PORTION OF VERMIJO AVENUE AS PLATTED IN THE TOWN OF COLORADO SPRINGS  
 RECORDED IN PLAT BOOK A AT PAGE 3, RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 18  
 TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN  
 CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

**LEGAL DESCRIPTION:**

PANEL 1  
 THE NORTHERLY 1000 FEET OF VERMIJO AVENUE AS PLATTED IN TOWN OF COLORADO SPRINGS  
 RECORDED IN PLAT BOOK A AT PAGE 3, RECORDS OF EL PASO COUNTY, COLORADO, LYING  
 SOUTHERLY OF AND ADJACENT TO LOT 8 AS PLATTED IN SAID TOWN OF COLORADO SPRINGS  
 CONTAINING A CALCULATED AREA OF 1,800 SQUARE FEET

PANEL 2  
 THE NORTHERLY 1000 FEET OF VERMIJO AVENUE AS PLATTED IN TOWN OF COLORADO SPRINGS  
 RECORDED IN PLAT BOOK A AT PAGE 3, RECORDS OF EL PASO COUNTY, COLORADO, LYING  
 SOUTHERLY OF AND ADJACENT TO LOT 9 AS PLATTED IN SAID TOWN OF COLORADO SPRINGS  
 CONTAINING A CALCULATED AREA OF 1,800 SQUARE FEET

CONTAINING A TOTAL CALCULATED AREA OF 3,600 SQUARE FEET

**GENERAL NOTES:**

1. THE DATE OF PREPARATION IS OCTOBER 30, 2018
2. COLORADO STATUTE 38-12-101, VERMIJO AVENUE VACATION, IS WITHIN A DESIGNATED  
 FLOOD HAZARD AREA AS DETERMINED BY THE FLOOD INSURANCE RATE MAP  
 COMMUNITY PANEL NUMBER 08016 OF THE FLOOD INSURANCE RATE MAP, EFFECTIVE  
 DECEMBER 1, 2018. (CODE 4)

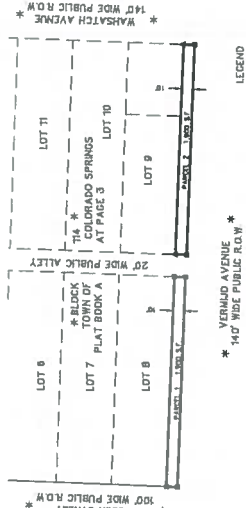
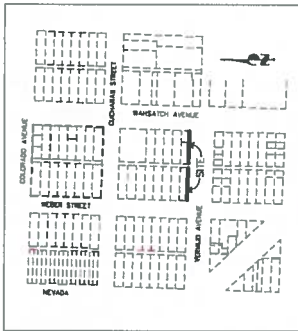
**SURVEYOR'S STATEMENT:**

I, DOUGLAS P. BESELY, A LICENSED LAND SURVEYOR LICENSED IN THE STATE OF COLORADO,  
 COUNTY OF EL PASO, COUNTY OF COLORADO, DO HEREBY CERTIFY THAT I HAVE PERSONALLY  
 AND DIRECTLY SUPERVISED THE SURVEY AND ACCURATELY SHOWN THE DEBEMED  
 AND ADJACENT TO LOT 8 AS PLATTED IN SAID TOWN OF COLORADO SPRINGS  
 STATUTES, 1973, AS AMENDED, HAVE BEEN MET TO THE BEST OF MY KNOWLEDGE AND  
 BELIEF.

DOUGLAS P. BESELY, PROFESSIONAL LAND SURVEYOR      DATE \_\_\_\_\_  
 10000 E. VERMIJO AVENUE, SUITE 100      CLASSIC CONSULTING  
 COLORADO SPRINGS, COLORADO 80906      ENGINEERS AND SURVEYORS, LLC

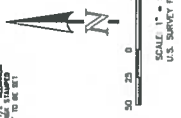
**NOTICE:**

ACCORDING TO COLORADO LAW YOU MUST EXERCISE ANY LEGAL ACTION BASED UPON  
 THIS INSTRUMENT WITHIN THE STATUTE OF LIMITATIONS PERIODS. ANY  
 DEFECT IN OR EVENTUALLY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY  
 WHICH OCCURRED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SIGN  
 PERSON.



**LEGEND**

- ST. BOUNDARY FEET
- \* NOT A PART OF THIS VACATION
- PLAT BOUNDARY
- 140' WIDE PUBLIC R.O.W.
- 20' WIDE PUBLIC ALLEY
- 100' WIDE PUBLIC R.O.W.



**BE IT KNOWN BY THESE PRESENTS:**

THAT I, DOUGLAS P. BESELY, A LICENSED LAND SURVEYOR LICENSED IN THE STATE OF COLORADO,  
 COUNTY OF EL PASO, COUNTY OF COLORADO, DO HEREBY CERTIFY THAT I HAVE PERSONALLY  
 AND DIRECTLY SUPERVISED THE SURVEY AND ACCURATELY SHOWN THE DEBEMED  
 AND ADJACENT TO LOT 8 AS PLATTED IN SAID TOWN OF COLORADO SPRINGS  
 STATUTES, 1973, AS AMENDED, HAVE BEEN MET TO THE BEST OF MY KNOWLEDGE AND  
 BELIEF.

**CITY APPROVAL:**

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY  
 APPROVE FOR FILING THE ACCOMPANYING VACATION PLAT OF "VERMIJO AVENUE  
 VACATION".

MAYOR \_\_\_\_\_

ATTEST \_\_\_\_\_

CITY CLERK \_\_\_\_\_

CITY OF COLORADO \_\_\_\_\_

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_ 20\_\_\_\_ BY \_\_\_\_\_ AS CITY CLERK, OF  
 THE CITY OF COLORADO SPRINGS.

WITNESSES MY HAND AND OFFICIAL SEAL

NOTARY SIGNATURE \_\_\_\_\_

BY COMMISSION EXPIRES \_\_\_\_\_

CITY PLANNING DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

UTILITIES EXECUTIVE DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**CLERK AND RECORDER:**

STATE OF COLORADO \_\_\_\_\_

COUNTY OF EL PASO \_\_\_\_\_

A HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE  
 AND IS BEING RECORDED AT RECEPTION NO. \_\_\_\_\_ ON \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_ OF THE  
 RECORDS OF EL PASO COUNTY, COLORADO.

BY \_\_\_\_\_

CHUCK BRIDGEMAN, RECORDER

FEES \_\_\_\_\_

SURCHARGE \_\_\_\_\_

**PRELIMINARY**  
THIS DOCUMENT HAS NOT BEEN  
PLAT CHECKED

VERMIJO AVENUE VACATION  
 OCTOBER 30, 2018  
 OCTOBER 30, 2019  
 SHEET 1 OF 1



1018 N. Cascade Avenue, Suite 202  
 Colorado Springs, Colorado 80905  
 (719) 578-8700  
 (719) 578-8700 (fax)