

ORDINANCE NO. 16-6

AN ORDINANCE VACATING A PUBLIC RIGHT-OF-WAY
CONSISTING OF 1.48 ACRES LOCATED BETWEEN 6795
TEMPLETON GAP ROAD AND 6910 TEMPLETON GAP
ROAD

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 the public right-of-way as described on
Exhibit A, attached and made a part of this Ordinance, and accordingly that the same
is hereby vacated as follows:

Vacating a public right-of-way consisting of 1.48 acres located between 6795
Templeton Gap Road and 6910 Templeton Gap Road.

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
January, 2016.

Finally passed: January 26, 2016



Council President

Mayor's Action:

- Approved on January 28, 2016.
- 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

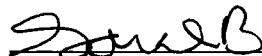


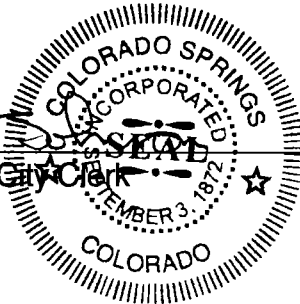
OK
TJS

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE
VACATING A PUBLIC RIGHT-OF-WAY CONSISTING OF 1.48 ACRES LOCATED
BETWEEN 6795 TEMPLETON GAP ROAD AND 6910 TEMPLETON GAP ROAD”**

was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 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 January, 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 28th day of January, 2016.


Sarah B. Johnson, City Clerk



1st Publication Date: January 15, 2016
2nd Publication Date: February 3, 2016

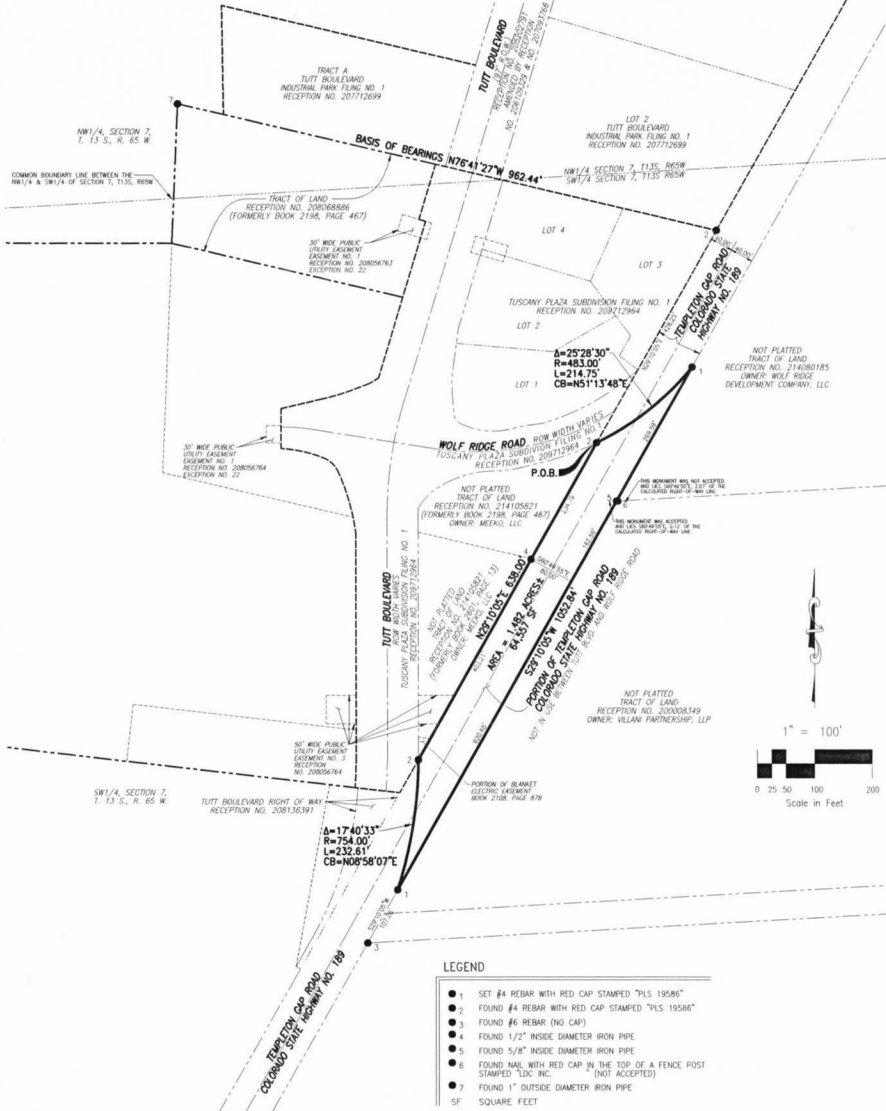
Effective Date: February 8, 2016

Initial: SBT
City Clerk

TEMPLETON GAP AT TUSCANY PLAZA VACATION PLAT NO. 1

Exhibit A

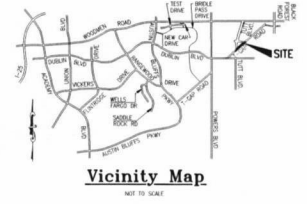
A VACATION OF A PORTION OF TEMPLETON GAP ROAD RIGHT-OF-WAY, ALSO KNOWN AS COLORADO STATE HIGHWAY NO. 189
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO



DESCRIPTION:

A portion of Templeton Gap Road right-of-way, also known as Colorado State Highway No. 189 located in the Southwest quarter of Section 7, Township 13 South, Range 65 West of the 6th P.M., El Paso County, Colorado, being more particularly described as follows:

BEGINNING at intersection of the Southeastly right-of-way line of Wolf Ridge Road as dedicated to the public in Tuscany Plaza Subdivision No. 1 as recorded at Reception No. 209712964 of the records of said El Paso County with the Northwestly right-of-way line of said Templeton Gap Road; thence on the Northwestly extension of said Southeastly right-of-way line, on a curve to the left having a central angle of $25^{\circ}28'30"$, a radius of 483.00 feet for an arc distance of 214.75 feet, whose chord bears $N51^{\circ}13'48"E$ to the Southeastly right-of-way line of said Templeton Gap Road; thence $S29^{\circ}10'05"W$ on said Southeastly right-of-way line, a distance of 1022.84 feet to the Southern extension of the Eastern right-of-way line of Tuttle Boulevard as dedicated to the public in said Tuscany Plaza Subdivision No. 1; thence on said Southern extension, on a curve to the left having a central angle of $17^{\circ}40'33"$, a radius of 754.00 feet for an arc distance of 232.61 feet, whose chord bears $N68^{\circ}58'07"E$ to the intersection with said Northwestly right-of-way line of said Templeton Gap Road at the Southeast corner of Tuttle Boulevard right of way as dedicated to the public in said Tuscany Plaza Subdivision No. 1; thence $N29^{\circ}10'05"W$ on said Northwestly right-of-way line, a distance of 638.00 feet to the POINT OF BEGINNING and containing 1.482 acres or 64,557 square feet of land, more or less.



FLOOD PLAIN CERTIFICATION:

No part of this property lies within a 100-year flood plain or in an identified "flood prone area" according to Map No. 0804100537 F, dated March 17, 1997 by the Federal Emergency Management Agency.

NOTES:

- This vacation plat does not constitute a title search by Rockwell Consulting, Inc. to determine ownership, easements, or Rights-of-Way records.
- Basis of Bearings is the Northern boundary line of the tract of land described in Book 2196 of Page 487 of the records of El Paso County, Colorado being $S79^{\circ}41'27"E$ a distance of 962.44 feet between two found monuments as shown.
- No part of this property lies within a 500-year flood plain according to Map No. 0804100537 F, dated March 17, 1997 by the Federal Emergency Management Agency.

KNOW ALL MEN BY THESE PRESENTS:

That the City of Colorado Springs, Colorado, authorized the vacation of the above described tract of land as set forth in this plat, by Ordinance No. _____ and the same time authorized the undersigned to acknowledge the same which is done accordingly on behalf of the City of Colorado Springs, this _____ day of _____, 2015 A.D.

BY: _____ Mayor ATTEST: _____ City Clerk

SURVEYOR'S CERTIFICATION:

The undersigned Registered Professional Land Surveyor in the State of Colorado, hereby certifies that the accompanying vacation plat was surveyed and drawn under his supervision and accurately shows the described Tract of Land, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as Amended, have been met to the best of his knowledge and belief.

ROCKWELL CONSULTING, INC.
John L. Bailey PLS No. 19586

FILING APPROVALS:

On behalf of the City of Colorado Springs, the undersigned hereby approve for filing the accompanying vacation plat of "TEMPLETON GAP AT TUSCANY PLAZA VACATION PLAT NO. 1".

Manager of City Planning _____ Date _____
City Engineer _____ Date _____
Director of Public Utilities _____ Date _____

RECORDING:

STATE OF COLORADO)
COUNTY OF EL PASO)
I hereby certify that this instrument was filed for record in my office at _____ o'clock _____ M. this _____ day of _____, 2015 A.D., and is duly recorded at Reception No. _____ of the Records of El Paso County, Colorado.
CHUCK BROEMAN, RECORDER
BY: _____ Deputy

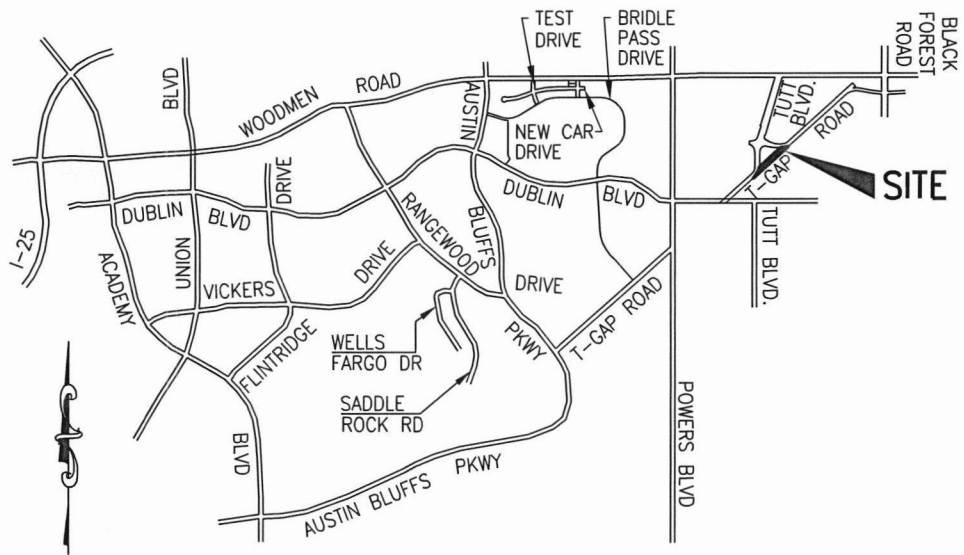
- ### LEGEND
- 1 SET #4 REBAR WITH RED CAP STAMPED "PLS 19586"
 - 2 FOUND #4 REBAR WITH RED CAP STAMPED "PLS 19586"
 - 3 FOUND #6 REBAR (NO CAP)
 - 4 FOUND 1/2" INSIDE DIAMETER IRON PIPE
 - 5 FOUND 5/8" INSIDE DIAMETER IRON PIPE
 - 6 FOUND NAIL WITH RED CAP IN THE TOP OF A FENCE POST STAMPED "LDC INC. (NOT ACCEPTED)"
 - 7 FOUND 1" OUTSIDE DIAMETER IRON PIPE
 - SF SQUARE FEET



NOTICE: 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. NO DEFECT MAY BE ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

FILE: 140246P.DWG 10/20/15
TEMPLETON GAP AT TUSCANY PLAZA VACATION PLAT NO. 1
DRAWN BY: JLB CHECKED BY: ALB DATE: 09/02/15
JLN 14-034 SHEET 1 OF 1

Figure 3



Vicinity Map

NOT TO SCALE

JOB NO. 14-034

FILE: 14034vp.DWG
DATE: 12/01/15



**ROCKWELL
CONSULTING, Inc.**

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