

RESOLUTION NO. 107 - 24

A RESOLUTION FINDING A PETITION FOR ANNEXATION OF THE AREA KNOWN AS PARK VISTA ADDITION NO. 10 CONSISTING OF 2.18 ACRES TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S., AND SETTING A HEARING DATE OF OCTOBER 8, 2024 FOR THE COLORADO SPRINGS CITY COUNCIL TO CONSIDER THE ANNEXATION OF THE AREA

WHEREAS, a petition for annexation of the area known as Park Vista Addition No. 10 consisting of 2.18 acres and as more specifically described in Exhibit A (the "Petition for Annexation") was filed with the City Clerk on March 18, 2024; and

WHEREAS, on April 9, 2024, the City Clerk referred the Petition for Annexation to City Council as a communication; and

WHEREAS, on April 9, 2024, City Council referred the Petition for Annexation to the City Administration for review and recommendation; and

WHEREAS, the City Administration has reviewed the Petition for Annexation and recommends that the City Council find the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.


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

Section 1. That the City Council finds the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.

Section 2. The City Council hereby sets a public hearing on the Petition for Annexation for October 8, 2024, at 10:00 A.M., at Council Chambers, City Hall Building, 107 N. Nevada Avenue, Colorado Springs, Colorado, for purposes of determining and finding whether the area proposed to be annexed meets applicable requirements of Section 31-12-104 and Section 31-12-105, C.R.S. and Section 30 of Article II of the Colorado Constitution, to determine the eligibility of the area for annexation and to determine whether the area should be annexed to the City of Colorado Springs.

Section 3. The City Clerk is hereby directed to give notice of the hearing in the manner described in Section 31-12-108, C.R.S.

Dated at Colorado Springs, Colorado this 27th day of August 2024.


Randy Helms, Council President

ATTEST:


Sarah B. Johnson, City Clerk



PETITION FOR ANNEXATION

PARK VISTA ADDITION FILING NO. 10 ANNEXATION

To the City Council of the City of Colorado Springs:

We, the undersigned, constituting and comprising the owners of 100%* of the area (territory) (excluding public streets and alleys) described in Exhibit I attached hereto and made a part of the Petition (the "Described Area"), do hereby petition that the Described Area be annexed to and become a part of the City of Colorado Springs and do represent and state:

1. It is desirable and necessary that the Described Area be annexed to the City of Colorado Springs.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S. 1973, as amended, exist or have been met as these sections apply to the annexation of the Described Area.
3. That the annexation of the Described Area complies with Section 30 of Article II of the Colorado Constitution.
4. That the undersigned request that the City of Colorado Springs approve the annexation of the Described Area.
5. That the legal description of the land owned by each Petitioner hereto is attached to and made part of this Petition.

The Petitioner(s) hereto understand and are cognizant of the fact that the City of Colorado Springs ("City") is not legally required to annex the Described Area, and that if the City does annex the Described Area, the annexation shall be upon the conditions and agreement of the Petitioner(s) as set forth in the Annexation Agreement.

NOW, THEREFORE, in consideration of the foregoing statement, and in further consideration of the benefits which will accrue to the Petitioner(s) and the obligations resulting to the City if the Described Area is annexed to the City, the Petitioner(s) agree and covenant that if the Described Area is annexed to the City, the Petitioner(s) will comply with all applicable provisions of the Code of the City of Colorado Springs 2001, as amended, and all applicable ordinances, resolutions, and regulations of the City now existing or as hereinafter amended.

The covenants and agreements herein above set forth shall run with the land owned by each Petitioner hereto which is subject to this annexation and shall extend to and be binding upon the heirs, assigns, legal representatives and successors to each Petitioner. Each Petitioner expressly accepts the aforesaid covenants and agreements by proceeding with the Petition for Annexation to the City.

JEFF A. CARTER
Name (Print)

[Signature]
Signature

03.04.24
Date

Jeff A. Carter, Manager, ORCHID LOTS LLC, a Colorado Limited Liability Company
15954 Jackson Creek Parkway, Suite B-281, Monument, CO 80132

LEGAL DESCRIPTION:

Lots 1, 2, 36, 37 and 38, Block Five, TOGETHER WITH portions of Orchid Street (60' public R.O.W.) lying Southeasterly, Rosalie Street (60' public R.O.W.) lying Northwesterly and Siferd Boulevard (60' public R.O.W.) lying Easterly of said Lots inclusive, and the adjacent intersection portions of said Siferd Boulevard, said Orchid Street and Hopeful Drive (60' public R.O.W.), all as platted within PARK VISTA ADDITION (Plat Book W, Page 69, El Paso County, Colorado records), described as follows:

Bearings are based on the Easterly right-of-way line of said Siferd Boulevard and is assumed to bear S 00°08'50" E;

BEGINNING at the most Westerly corner of said Lot 2; thence N43°03'30"E along the Northwesterly line of said Lot 2, 60.00 feet to the most Northerly corner of said Lot 2, said corner also being the most Southerly corner of said Lot 36; thence N46°56'30"W along the Southwesterly line of said Lot 36, 120.00 feet to the most Westerly corner of said Lot 36; thence N43°03'30"E along the Northwesterly line of said Lot 36, said line also being coincident with the Southeasterly right-of-way line of said Rosalie Street, 60.00 feet; thence N46°56'30"W, 60.00 feet to a point on the Northwesterly right-of-way line of said Rosalie Street; thence N43°03'30"E along said Rosalie Street's Northwesterly right-of-way line, 256.82 feet; thence on a curve to the left and along said Northwesterly right-of-way line, said curve having a central angle of 43°12'20", a radius of 20.00 feet, an arc length of 15.08 feet to a point on the Westerly right-of-way line of said Siferd Boulevard; thence N00°08'50"W along said Siferd Boulevard's Westerly right-of-way line, 46.28 feet; thence N89°51'10"E, 60.00 feet to a point on the Easterly right-of-way line of said Siferd Boulevard; thence Southerly on a non-tangent curve to the left along said Siferd Boulevard's Easterly right-of-way line, said curve having a central angle of 90°00'00", a radius of 20.00 feet, an arc length of 31.42 feet (the chord to said curve bears S45°08'50"E, a distance of 28.28 feet) to a point on the Northerly right-of-way line of said Hopeful Drive; thence S00°08'50"E, 60.00 feet to a point on the Southerly right-of-way line of said Hopeful Drive; thence Westerly on a non-tangent curve to the left and along said Hopeful Drive's Southerly right-of-way line, said curve having a central angle of 90°00'00", a radius of 20.00 feet, an arc length of 31.42 feet (the chord to said curve bears S44°51'10"W, a distance of 28.28 feet) to a point on the Easterly right-of-way line of said Siferd Boulevard; thence S00°08'50"E along said Siferd Boulevard's Easterly right-of-way line, 530.55 feet; thence S89°51'10"W, 60.00 feet to a point on the Westerly right-of-way line of said Siferd Boulevard; thence on a non-tangent curve to the left, said curve having a central angle of 136°47'40", a radius of 20.00 feet, an arc length of 47.75 feet (the chord to said curve bears N68°32'40"W, a distance of 37.19 feet) to a point on the Southeasterly right-of-way line of said Orchid Street; thence N43°03'30"E along the Northeasterly extension of Orchid Street's Southeasterly right-of-way line, 49.05 feet to a point on the Southeasterly extension of the Southwesterly line of said Lot 2; thence N46°56'30"W, 180.00 feet to the POINT OF BEGINNING;

Containing 2.178 acres (94,859 square feet), more or less.

AFFIDAVIT

STATE OF COLORADO)

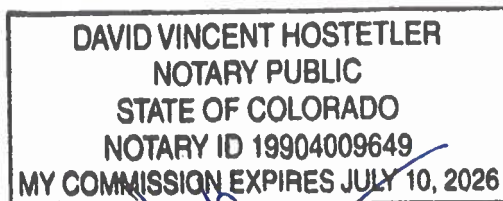
) ss.


COUNTY OF EL PASO)

The foregoing instrument was executed before me this 4th day of MARCH, 20 24,
by Jeff A. Carter, Manager of ORCHID LOTS LLC, a Colorado Limited Liability Company.

Witness my hand and official seal.

My Commission expires: 07-10-2026




Notary Public

The notarized signatures above serve as the Affidavit of Circulator acknowledging that each signature herein is the signature of the person it purports to be (C.R.S. 31-12-107(1)(cc)(IX)).