

ORDINANCE NO. 20-65

AN ORDINANCE VACATING PORTIONS OF A PUBLIC
RIGHT-OF-WAY KNOWN AS BANNING LEWIS PARKWAY
CONSISTING OF 6.446 ACRES

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 known as Banning Lewis Parkway consisting of 6.446 acres, as described and depicted in Exhibit A, which is attached hereto and made a part hereof.

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 22nd day of September 2020.


Finally passed: October 13th 2020



Council President

Mayor's Action:

- Approved on October 15, 2020.
- Disapproved on _____, based on the following objections:



Mayor

Council Action After Disapproval:

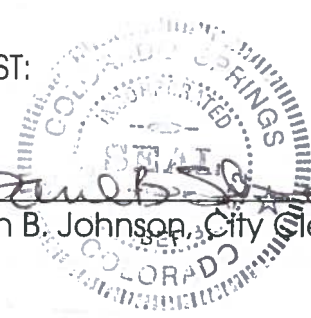
- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.


Council President

ATTEST:




Sarah B. Johnson, City Clerk



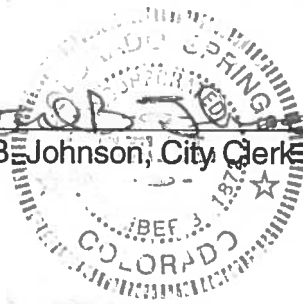
COS: 
CAO: TJF

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY KNOWN AS BANNING LEWIS PARKWAY CONSISTING OF 6.446 ACRES”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on September 22nd 2020; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 13th day of October 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 15th day of October 2020.



Sarah B. Johnson, City Clerk



1st Publication Date: September 25th, 2020

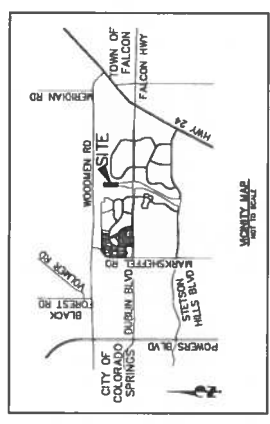
2nd Publication Date: October 21st, 2020

Effective Date: October 26th, 2020

Initial: SBJ

City Clerk

**VACATION PLAT OF
BANNING LEWIS RANCH FILING NO. 3 R.O.W.
A VACATION OF A PORTION OF BANNING LEWIS PARKWAY AS PLATTED IN BANNING LEWIS RANCH FILING NO. 3 RECORDED
UNDER RECEPTION NO. 209064513 RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 10, TOWNSHIP 13 SOUTH,
RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO**



GENERAL NOTES:

1. THE DATE OF PREPARATION IS DECEMBER 2, 2018.
2. FLOODPLAIN STATUTORY: THE BANNING LEWIS RANCH FILING NO. 3 RIGHT OF WAY VACATION IS WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN AS DETERMINED BY THE EFFECTIVE DECEMBER 7, 2014 (2014-C-4).

SURVEYOR'S STATEMENT:

THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY STATES AND DECLARES THAT THE ACCOMPANYING VACATION PLAT WAS SURVEYED AND PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYING ACT 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.

DOUGLAS P. REBELT, PROFESSIONAL LAND SURVEYOR DATE _____
FOR AND ON BEHALF OF CLASSIC CONSULTING
ENGINEERS AND SURVEYORS, LLC

NOTICE:

THIS VACATION PLAT HAS BEEN CHANGED BY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THE TIME PERIOD SPECIFIED IN THIS SURVEY. ANY DEFECT, IN WHOLE OR IN PART, MAY BE CHALLENGED BY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THE TIME PERIOD SPECIFIED IN THIS SURVEY. THIS VACATION PLAT IS VOID IF NOT RECORDED WITHIN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

BE IT KNOWN BY THESE PRESENTS THAT THE CITY OF COLORADO SPRINGS, COLORADO, AUTHORIZED THE VACATION OF THE BANNING LEWIS RANCH FILING NO. 3 RIGHT OF WAY VACATION PLAT UNDER RECEPTION NO. 209064513 RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 10, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, ACCORDINGLY ON BEHALF OF THE CITY OF COLORADO SPRINGS, THIS _____ DAY OF _____, 2018, A.D. BY _____ MAYOR _____

ATTEST: CITY CLERK _____

STATE OF COLORADO } ss
COUNTY OF EL PASO }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2018, A.D. BY _____

WITNESS MY HAND AND OFFICIAL SEAL _____

BY COMMISSION EXPRESSES: _____ NOTARY PUBLIC _____

CITY APPROVAL:

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE THE FOREGOING VACATION PLAT OF "VACATION PLAT OF BANNING LEWIS RANCH FILING NO. 3 R.O.W."

CITY PLANNING DIRECTOR _____ DATE _____

CITY ENGINEER _____ DATE _____

UTILITY EXECUTIVE DIRECTOR _____ DATE _____

CLERK AND RECORDER:

STATE OF COLORADO } ss
COUNTY OF EL PASO }

HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AND IS DEEPLY RECORDED AT RECEPTION NO. _____ FILE NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BRIDGEMAN, RECORDER
BY: DEPUTY _____
SURESHWAR, _____
FILE _____

VACATION PLAT OF BANNING LEWIS RANCH FILING NO. 3 R.O.W.
JOB NO. 2570.03
DECEMBER 2, 2018
SHEET 1 OF 2



4338 Colorado Blvd, Suite 100
Colorado Springs, Colorado 80906
(719) 596-8700
(719) 596-8700 Fax

PRELIMINARY
THIS DOCUMENT HAS NOT BEEN
PLAT CHECKED

LEGAL DESCRIPTION:

A PORTION OF A VACATION OF A PORTION OF BANNING LEWIS PARKWAY AS PLATTED IN BANNING LEWIS RANCH FILING NO. 3 RECORDED UNDER RECEPTION NO. 209064513 RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 10, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHERLY BOUNDARY OF BANNING LEWIS RANCH FILING NO. 3 RECORDED UNDER RECEPTION NO. 209064513 RECORDS OF EL PASO COUNTY, COLORADO BEING 21674181' AND 21674181' WITH CORNERS AT THE INTERSECTION OF BANNING LEWIS PARKWAY AND 1-1/2' ALMAMBU SLOPE CAP WITH A DISTANCE OF 21674181' TO THE NORTHERLY CORNER AND A DISTANCE OF 21674181' TO THE SOUTHERLY CORNER.

COMPARING AT THE INTERSECTION OF BANNING LEWIS PARKWAY AND 1-1/2' ALMAMBU SLOPE CAP WITH A DISTANCE OF 21674181' TO THE NORTHERLY CORNER AND A DISTANCE OF 21674181' TO THE SOUTHERLY CORNER, THE WESTERLY RIGHT OF WAY LINE OF BANNING LEWIS RANCH FILING NO. 3 RECORDED UNDER RECEPTION NO. 209064513 RECORDS OF EL PASO COUNTY, COLORADO BEING 21674181' WITH CORNERS AT THE INTERSECTION OF BANNING LEWIS PARKWAY AND 1-1/2' ALMAMBU SLOPE CAP WITH A DISTANCE OF 21674181' TO THE NORTHERLY CORNER AND A DISTANCE OF 21674181' TO THE SOUTHERLY CORNER.

THESE INSTRUMENTS, ON THE NORTHERLY RIGHT OF WAY LINE OF SAID BANNING LEWIS PARKWAY A DISTANCE OF 14200 FEET TO THE POINT OF BEGINNING, THEREON TO THE NORTHERLY AND EASTERLY RIGHT OF WAY LINE OF SAID BANNING LEWIS RANCH FILING NO. 3 RECORDED UNDER RECEPTION NO. 209064513 RECORDS OF EL PASO COUNTY, COLORADO BEING THE FOLLOWING FEET (') COURSES:

1. 500.0000' N, A DISTANCE OF 13416.00 FEET;
2. 500.0000' E, A DISTANCE OF 2002.00 FEET;
3. 500.0000' S, A DISTANCE OF 2333.00 FEET;
4. 500.0000' W, A DISTANCE OF 2333.00 FEET;

THENCE INTERSECTION OF 10200 FEET TO A POINT OF CURVE; THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 500.00 FEET, AN ARC ANGLE OF 90.0000 DEGREES, A CHORD BEING 707.1068 FEET; THENCE INTERSECTION OF 2002.00 FEET TO A POINT OF CURVE; THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, AN ARC ANGLE OF 90.0000 DEGREES, A CHORD BEING 707.1068 FEET; THENCE INTERSECTION OF 2002.00 FEET TO THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 64.448 ACRES.

