

RESOLUTION NO. 49 - 24

A RESOLUTION FINDING THE PETITION FOR ANNEXATION OF THE AREA KNOWN AS AIR LANE ADDITION NO. 1-3 CONSISTING OF 4.623 ACRES TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S. AND SETTING A HEARING DATE OF JULY 9, 2024, FOR THE COLORADO SPRINGS CITY COUNCIL TO CONSIDER THE ANNEXATION OF THE AREA

WHEREAS, petitions for annexation of the area known as Air Lane Addition No. 1-3 consisting of 4.623 acres, as more specifically described in Exhibit A, (the "Petition for Annexation") were filed with the City Clerk on November 30, 2023; and

WHEREAS, on December 12, 2023, the City Clerk referred the Petition for Annexation to City Council as a communication; and

WHEREAS, on December 12, 2023, 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.

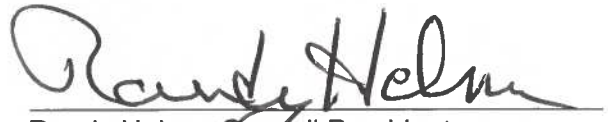
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

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 July 9, 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 28th day of May 2024.


Randy Helms, Council President

ATTEST:


Sarah B. Johnson, City Clerk



PETITION FOR ANNEXATION

Air Lane Addition No. 1

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 A attached hereto and made a part of the Petition the ("Described Area"), do hereby petition that the Described Area be annexed to and become 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 forgoing 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 Petition 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.

City of Colorado Springs

Gayle G. Sturdivant
Name (Print)

Gayle Sturdivant
Signature

7/27/2023
Date

Mailing Address

30 S. Nevada Ave., Suite 401
Colorado Springs, CO 80901

Legal Description: See Exhibit Air Lane Addition No. 1 Description

AFFIDAVIT

STATE OF COLORADO)

) ss.

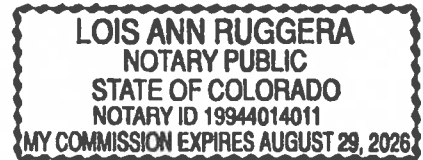
COUNTY OF EL PASO)

The foregoing instrument was executed before me this 17th day of July,
2023, by Gayle Sturdivant

Witness my hand and official seal.

My Commission expires: Aug 29, 2026

Lois A. Ruggera
Notary Public



The notarization 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))

PETITION FOR ANNEXATION

Air Lane Addition No. 2

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 A attached hereto and made a part of the Petition the ("Described Area"), do hereby petition that the Described Area be annexed to and become 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 forgoing 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 Petition 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.

City of Colorado Springs

Gayle G. Sturdivant
Name (Print)

Gayle Sturdivant
Signature

7/17/2023
Date

Mailing Address

30 S. Nevada Ave., Suite 401
Colorado Springs, CO 80901

Legal Description: See Exhibit Air Lane Addition No. 2 Description

AFFIDAVIT

STATE OF COLORADO)

) ss.

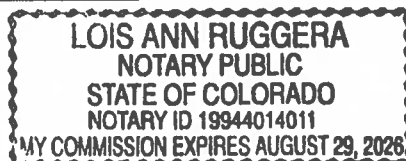
COUNTY OF EL PASO)

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2023, by Gayle Sturdivant

Witness my hand and official seal.

My Commission expires: Aug. 29, 2026

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Notary Public



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PETITION FOR ANNEXATION

Air Lane Addition No. 3

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 A attached hereto and made a part of the Petition the ("Described Area"), do hereby petition that the Described Area be annexed to and become 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.

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The covenants and agreements herein above set forth shall run with the land owned by each Petition 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.

City of Colorado Springs

Gayle G. Sturdivant
Name (Print)

Gayle Sturdivant
Signature

7/17/2023
Date

Mailing Address

30 S. Nevada Ave., Suite 401
Colorado Springs, CO 80901

Legal Description: See Exhibit Air Lane Addition No. 3 Description

AFFIDAVIT

STATE OF COLORADO)

) ss.

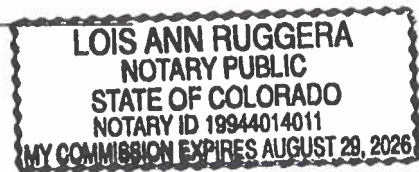
COUNTY OF EL PASO)

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2023, by Gaule Stordvant

Witness my hand and official seal.

My Commission expires: Aug. 29, 2026

Lois A. Ruggera
Notary Public

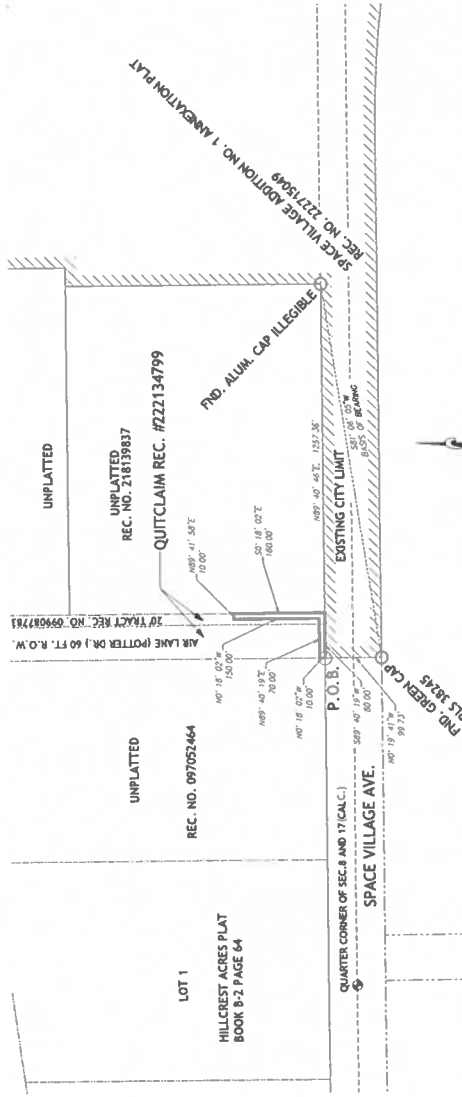


The notarization signatures above serve as the Affidavit of Circulator acknowledging that each signature herein is the signature of the person it purports to be (C.R.S. 31-12-107(1)(cc)(IX))

ANNEXATION PLAT

AIR LANE ADDITION NO. 1

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8 TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M., to the City of Colorado Springs, El Paso County, Colorado



BE IT KNOWN BY THESE PRESENTS:

THAT THE CITY OF COLORADO SPRINGS, COLORADO, A HOME RULE CITY AND COLORADO MUNICIPAL CORPORATION, BEING THE PETITIONER FOR THE ANNEXATION OF THE FOLLOWING DESCRIBED TRACT OF LAND TO WIT:

LEGAL DESCRIPTION:

A PORTION OF AIR LANE AS SHOWN ON PLOTTER DRIVE IN HILLCREST ACRES AT PLAT BOOK 8-2 PAGE 64 AND A PORTION OF A 20.00 FOOT TRACT AS RECORDED AT RECEPTION NUMBER 222134799 AND OUTLINED TO THE CITY OF COLORADO SPRINGS AT RECEPTION NUMBER 222134799 ALL OF THE RECORDS OF EL PASO COUNTY, COLORADO, TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M. IN EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SPACELAND ADDITION NO. 1 ANNEXATION PLAT AS RECORDED RECEPTION NUMBER 222134799 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

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CITY OF COLORADO SPRINGS APPROVAL:

By _____, Mayor of the City of Colorado Springs, the undersigned hereby approves for filing the accompanying annexation plat of "Air Lane Addition No. 1".

City Planning Director _____ Date _____

City Engineer _____ Date _____

The annexation of the real property shown on this plat is approved pursuant to an ordinance made and adopted by the City of Colorado Springs, El Paso County, Colorado, by actions of the City Council of the City of Colorado Springs at its meeting on _____ day of _____, 2024, A.D.

City Clerk _____ Date _____

CLERK AND RECORDER

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 _____, 2024, A.D. AND IS DULY RECORDED AT RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

STEVE SCHLESER

CLERK AND RECORDER

BY _____

DEPUTY

SURCHARGE

FEE: _____

AIR LANE ADDITION NO. 1
ANNEXATION PLAT

DATE: 10/11/23 JOB NUMBER: 2023028 REC'D: 10/11/23
SCALE: 1" = 100' DRAWN BY: Richard Sanders SHEET 1 OF 1

ANEX-23-0023

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS CERTIFICATION TO COLORADO LAW WITHIN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.