

## RESOLUTION NO. 46-16

A RESOLUTION FINDING A PETITION FOR ANNEXATION OF THE AREA KNOWN AS KUM & GO STORE 685 ANNEXATION CONSISTING OF 7.711 ACRES TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S. AND SETTING A HEARING DATE OF JUNE 14, 2016 FOR THE COLORADO SPRINGS CITY COUNCIL TO CONSIDER THE ANNEXATION OF THE AREA

WHEREAS, a petition for annexation of the area known as Kum & Go Store 685 Annexation consisting of 7.711 acres and as more specifically described in Exhibit A (the "Petition for Annexation") was filed with the City Clerk on July 20, 2015; and

WHEREAS, on August 11, 2015, the City Clerk referred the Petition for Annexation to City Council as a communication; and

WHEREAS, on August 11, 2015, 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, COLORADO**

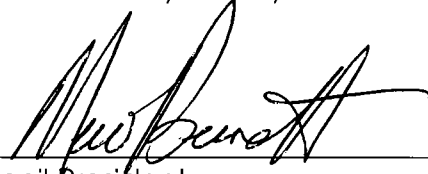
Section 1. The City Council finds the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.

Section 2. The City Council hereby sets a public hearing on the Petition for Annexation for June 14, 2016, at 1:00 P.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 10<sup>th</sup> day of May, 2016.



Council President



October 26, 2015

RE: Kum & Go Store 685 Annexation

A Parcel of land situate in the Southeast Quarter of the Southeast Quarter of Section 12, Township 13 South, Range 66 West of the Sixth Principal Meridian and the Southwest Quarter of the Southwest Quarter of Section 7, Township 13 South, Range 65 West of the Sixth Principal Meridian, County of El Paso, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 7 as depicted on the Annexation Plat of Stetson Hills Master Plan - Phase II recorded January 8, 2002 at Reception Number 202004228 of the Records of El Paso County Clerk and Recorder; Thence N87°49'40"E along the South Line of said Section 7 a distance of 141.61 feet to the West Line of said Annexation and a point of non-tangent curve to the right; thence continuing along said West Line of Annexation 80.98 feet along the arc of said curve, said arc having a radius of 100.00 feet, a central angle of 46°23'59" and being subtended by a chord which bears N66°44'36"E a distance of 78.79 feet to a point of non-tangency; Thence N00°03'23"W continuing along said West Line of Annexation a distance of 90.21 feet to the North Line of Dublin and Powers Annexation Plat No. 2 as depicted on Plat recorded on September 26, 2003 at Reception Number 203226699 of said Records of El Paso County Clerk and Recorder and the POINT OF BEGINNING;

Thence along the North Line of said Dublin and Powers Annexation Plat No. 2 and Dublin and Powers Annexation Plat as depicted in Plat recorded on April 23, 1999 at Reception Number 99063329 of said Records of El Paso County Clerk and Recorder the following three (3) courses being contiguous with the City of Colorado Springs Corporate Boundary:

- 1) S89°56'50"W a distance of 568.77 feet to a point of curve to the right;
- 2) 175.43 feet along the arc of said curve, said arc having a radius of 214.00 feet, a central angle of 46°58'10" and being subtended by a chord which bears N66°34'05"W a distance of 170.56 feet to a point of tangency;
- 3) N43°05'00"W a distance of 188.00 feet to a point of non-tangent curve to the right being also the Southeast Corner of Hittle Addition as depicted in Annexation Plat recorded December 28, 2012 at Reception Number 212713286 of said Records of El Paso County Clerk and Recorder;

Thence along the Southeasterly Line of said Hittle Addition and Hittle Addition No. 2 as depicted in Annexation Plat recorded December 28, 2012 at Reception Number 212713287 of said Records of El Paso County Clerk and Recorder the following five (5) courses being contiguous with said City of Colorado Springs Corporate Boundary:

- 1) 39.27 feet along the arc of said curve, said arc having a radius of 25.00 feet, a central angle of 90°00'00" and being subtended by a chord which bears N01°55'08"E a distance of 35.36 feet to a point of non-tangency;
- 2) N46°55'14"E a distance of 113.24 feet to a point of non-tangent curve to the right;
- 3) 116.50 feet along the arc of said curve, said arc having a radius of 270.00 feet, a central angle of 24°43'22" and being subtended by a chord which bears N59°16'49"E a distance of 115.60 feet to a point of non-tangency;
- 4) N71°38'17"E a distance of 284.55 feet to a point of non-tangent curve to the left;
- 5) 229.87 feet along the arc of said curve, said arc having a radius of 183.62 feet, a central angle of 71°43'36" and being subtended by a chord which bears N35°46'54"E a distance of 215.15 feet to a point of non-tangency;

Thence leaving the City of Colorado Springs Corporate Boundary N89°55'53"E a distance of 173.78 feet to the East Right of Way Line as depicted in Warranty Deed recorded August 17, 1987 in Book 5409 at Page 1021 in said Records of El Paso County Clerk and Recorder;

Thence S00°04'07"E along said East Line a distance of 199.33 feet to the Northeast Corner of that Parcel as depicted in Quitclaim Deed recorded October 11, 1994 in Book 6541 at Page 924 in said Records of El Paso County Clerk and Recorder;

Thence along the East Line of said Parcel the following four (4) courses:

- 1) S00°04'06"E a distance of 281.72 feet to a point of non-tangent curve to the left;
- 2) 157.08 feet along the arc of said curve, said arc having a radius of 100.00 feet, a central angle of 89°59'56" and being subtended by a chord which bears S45°04'07"E a distance of 141.42 feet to a point of non-tangency;
- 3) S00°03'56"E a distance of 45.00 feet to the North Line of said Annexation Plat of Stetson Hills Master Plan - Phase II;
- 4) S00°03'56"E along the West Line of said Annexation being contiguous to said City of Colorado Springs Corporate Boundary a distance of 14.80 feet to the POINT OF BEGINNING.

Containing 335,873 square feet or 7.711 acres, more or less.

**BASIS OF BEARINGS:** Bearings are based on the West Line of Lot 24, Templeton Gap Heights Filing No. 3 being monumented at both the north and south ends by a number 5 rebar with a yellow plastic cap marked "PLS 38012" and having an assumed bearing of S00°03'18"E and a distance of 366.12 feet with all bearings contained herein relative thereto.



Dana L. Sperling  
Professional Land Surveyor  
Colorado License Number 38012