

ORDINANCE NO. 16-\_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 15-30 TO CORRECT THE LEGAL DESCRIPTION RELATED TO THE ANNEXATION TO THE CITY OF COLORADO SPRINGS OF THAT AREA KNOWN AS DUBLIN TOWNE CENTRE ANNEXATION.

WHEREAS, on March 24, 2015 the City Council of the City of Colorado Springs by Resolution No. 26-15 found the Petition for Annexation of That Area Known as Dublin Towne Centre to be in Substantial Compliance with Section 31-12-107(1) C.R.S. and Set a Hearing Date of April 28, 2015 for the Colorado Springs City Council to Consider the Annexation of the Area; and

WHEREAS, pursuant to notice required under Section 31-12-108 C.R.S., the Municipal Annexation Act of 1965 as amended, hereinafter referred to as the Annexation Act, the City Council of Colorado Springs held a hearing pertaining to said annexation on April 28, 2015; and

WHEREAS, on April 28, 2015, City Council by Resolution No. 44-15 made findings of fact and conclusions of law based thereon and determinations pertaining to said annexation, and determined that said area should be annexed as part of the City of Colorado Springs; and

WHEREAS, by Ordinance No. 15-30, which finally passed on May 12, 2015, City Council annexed that area known as Dublin Towne Centre as part of the City of Colorado Springs; and

WHEREAS, subsequent to said annexation and prior to the recording of the annexation plat in accordance with section 31-12-113(2) C.R.S. it was determined that due to a surveying error the legal description included as part of the annexation ordinance (Ordinance No. 15-30) and the annexation plat is incorrect; and

WHEREAS, City Council by enacting this ordinance intends to correct the error in the legal description to ensure that the entire area known as Dublin Towne Centre is annexed to the City of Colorado.

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

Section 1. Attached hereto and incorporated herein by reference as if fully set forth is Exhibit "A-rev," which is a corrected legal description of the area known as Dublin Towne Centre.

Section 2. Ordinance No. 15-30 is hereby amended by removing Exhibit "A" attached thereto and replacing it with attached Exhibit A-rev.

Section 3. In all other respects, except as amended hereby, Ordinance No. 15-30 is hereby ratified, and that Area Known as Dublin Towne Centre is annexed to the City of Colorado Springs.

Section 4. For all intents and purposes that Area Known as Dublin Towne Centre became a part of the City of Colorado Springs on the effective date of Ordinance No. 15-30, provided that the conditions of Section 31-12-113(2) C.R.S. are satisfied, with the exception of general taxation, in which respect said annexation made effective on or after the January 1 next ensuing.

Section 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

Introduced, read, passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2016.

**Finally passed:** \_\_\_\_\_  
\_\_\_\_\_ Council President

**Mayor's Action:**

- Approved on \_\_\_\_\_.
- Disapproved on \_\_\_\_\_, based on the following objections:

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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