

ORDINANCE NO. 20-21

AN ORDINANCE VACATING PORTIONS OF A PUBLIC
RIGHT-OF-WAY DESCRIBED AS 15-FEET OF THE ALLEY
ADJACENT TO LOT 1 AND LOT 2, BLOCK 2 OF THE
RESUBDIVISION OF ARENSDALE, CITY OF COLORADO
SPRINGS CONSISTING OF 0.05 OF AN ACRE

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 described as 15-feet of the alley adjacent to Lot 1 and Lot 2, Block 2 of the resubdivision of Arensdale, City of Colorado Springs consisting of 0.05 of an acre, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof subject to the reservations of easement set forth in Section 2, below.

Section 2. Council excepts and reserves from this vacation public utility easements over, under and through the vacated portions of rights-of-way described in Exhibit A and depicted in Exhibit B, subject to those terms and conditions as set forth in that certain instrument filed in the public records of El Paso County, Colorado at Reception No. 212112548.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by Charter.

Section 4. 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.

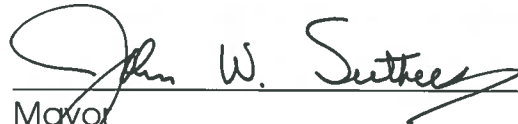
Introduced, read, passed on first reading and ordered published this 28th day of April, 2020.

Finally passed: May 12th, 2020


Council President

Mayor's Action:

- Approved on May 14, 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: 

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY DESCRIBED AS 15-FEET OF THE ALLEY ADJACENT TO LOT 1 AND LOT 2, BLOCK 2 OF THE RESUBDIVISION OF ARENSDALE, CITY OF COLORADO SPRINGS CONSISTING OF 0.05 OF AN ACRE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on April 28th, 2020; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 12th day of May, 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 14th day of May, 2020.


Sarah B. Johnson, City Clerk



1st Publication Date: May 1st, 2020
2nd Publication Date: May 20th, 2020

Effective Date: May 25th, 2020

Initial: SBJ
City Clerk



LEGAL DESCRIPTION:

LEGAL DESCRIPTION OF FIFTEEN FOOT WIDE ALLEY TO BE VACATED

ALL OF THAT PORTION OF THE FIFTEEN FOOT WIDE ALLEY ADJACENT TO THE NORTHERLY BOUNDARY OF LOT 1 AND LOT 2, BLOCK 2, RESUBDIVISION OF ARENSDALE AS RECORDED IN PLAT BOOK G AT PAGE 32 OF THE RECORDS OF THE EL PASO COUNTY, COLORADO CLERK AND RECORDER; THAT PORTION OF SAID ALLEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 2; THENCE N 58° 17' 14" W (AN ASSUMED BEARING TO WHICH ALL OTHERS HEREIN ARE RELATIVE) ALONG THE NORTHERLY BOUNDARY OF SAID LOT 1 AND LOT 2, A DISTANCE OF 182.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND ALSO BEING A POINT ON THE EASTERLY RIGHT OF WAY OF 36th STREET; THENCE N 58° 49' 18" E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 16.77 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 14, ASSEMBLY GROUNDS OF NATIONAL CHAUTAUQUA ASSOCIATION RESUBDIVISION AS RECORDED IN PLAT BOOK K AT PAGE 38 OF THE RECORDS OF THE EL PASO COUNTY, COLORADO CLERK AND RECORDER; THENCE S 58° 17' 14" E ALONG THE SOUTHERLY BOUNDARIES OF LOTS 1 THROUGH 7, INCLUSIVE, IN SAID BLOCK 14 TO THE NORTHWEST CORNER OF THAT PORTION OF THE VACATED ALLEY AS DESCRIBED IN INSTRUMENT RECORDED UNDER RECEPTION NUMBER 208712900 OF SAID COUNTY RECORDS; THENCE S 35° 45' 22" W ALONG THE WESTERLY BOUNDARY OF SAID ALLEY VACATION, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.05 ACRES, MORE OR LESS.

Prepared by:

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EXHIBIT A

