

ORDINANCE NO. 24 - 35

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS BLACK FOREST ROAD ADDITION NO. 2 ANNEXATION CONSISTING OF 21.879 ACRES LOCATED ALONG EXISTING BLACK FOREST ROAD SOUTH OF OLD RANCH ROAD TO THE INTERSECTION WITH RESEARCH PARKWAY

WHEREAS, pursuant to Article II, Section 30 of the Colorado Constitution and Section 31-12-101, *et seq.*, C.R.S., known as the Municipal Annexation Act of 1965, as amended (the "Annexation Act"), persons comprising one hundred percent (100%) of the landowners and owning one hundred percent (100%) of that certain territory known as the Black Forest Road Addition No. 2 Annexation, more specifically described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property") filed a Petition for Annexation with the City Clerk of the City of Colorado Springs; and

WHEREAS, the City Council of the City of Colorado Springs, after proper notice as required by Section 31-12-108 C.R.S., held a hearing on April 23, 2024, pertaining to the annexation of the Property in accord with Section 31-12-109; and

WHEREAS, in accord with Section 31-12-110 of the Annexation Act, the City Council determined, by resolution, that the applicable provisions of Section 30 of Article II of the Colorado Constitution and Section 31-12-104 and 105 of the Annexation Act have been met, an election is not required under Section 31-12-107(2) of the Annexation Act, and no additional terms and conditions are to be imposed on the annexation of the Property; and

WHEREAS, the City Council has determined that said area should be annexed forthwith as part of the City of Colorado Springs.

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

Section 1. The Property, known as the Black Forest Road Addition No. 2 Annexation and more specifically described on the attached Exhibit "A", is hereby annexed to the City of Colorado Springs.

Section 2. When this annexation is complete, the Property shall become a part of the City of Colorado Springs for all intents and purposes on the effective date of this ordinance, 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 shall not be effective until on or after January 1 next ensuing.

Section 3. 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 23rd day of April 2024.

Finally passed: May 14, 2024


Randy Helms, Council President

Mayor's Action:

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

Blessing A. Mobolade

Blessing A. Mobolade, 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.

Randy Helms, Council President

ATTEST:

Sarah B. Johnson

Sarah B. Johnson, City Clerk



CAO: MS
COS: _____

LEGAL DESCRIPTION :

A TRACT OF LAND SITUATED IN THE WEST ONE-HALF OF SECTIONS 29 and 32, THE EAST ONE-HALF OF SECTIONS 30 and 31 TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, BEING A PART OF THE RIGHT OF WAY DEEDED TO THE CITY OF COLORADO SPRINGS AS RECORDED AT RECEPTION NUMBER 222151628 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 30.00 FEET WEST OF AND 30.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 30 AND THE NORTH EAST CORNER OF **BRIARGATE ANNEXATION NUMBER 5** AS DESCRIBED AT RECEPTION NUMBER 000922672 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO ;

THENCE N89°57'59" E A DISTANCE OF 60.00 FEET TO THE WEST BOUNDARY LINE OF **PARK FOREST ESTATES FILING NO. 2** AS RECORDED AT PLAT BOOK B-2 AT PAGE 52 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

THENCE S00°03'22" E AND COINCIDENT WITH THE WEST BOUNDARY OF SAID **PARK FOREST ESTATES FILING NO. 2** AND 30 FEET EAST OF AND PARALLEL TO THE SECTION LINE BETWEEN SAID SECTIONS 29 AND 30 A DISTANCE OF 1294.61 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID **PARK FOREST ESTATES FILING NO. 2** AND THE NORTHWEST CORNER OF A TRACT AS RECORDED AT RECEPTION NUMBER 214093677 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

THENCE S00°03'04" E AND COINCIDENT WITH THE WEST BOUNDARY OF SAID TRACT AS RECORDED AT RECEPTION NUMBER 214093677 A DISTANCE OF 1323.69 MORE OR LESS TO THE SOUTHWEST CORNER OF SAID TRACT;

THENCE N89°29'10" E A DISTANCE OF 30.00 FEET TO THE EAST BOUNDARY LINE OF A 30.00 FOOT ADDITIONAL RIGHT OF WAY AS DEDICATED ON PLAT **EAGLE WING ESTATES** AS RECORDED AT RECEPTION NUMBER 204074316 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

THENCE S00°08'00" E AND COINCIDENT WITH THE SAID EAST RIGHT OF WAY LINE AND 60 FEET EAST OF AND PARALLEL TO THE SECTION LINE BETWEEN SAID SECTIONS 29 AND 30 A DISTANCE OF 1325.07 FEET MORE OR LESS TO THE CENTER LINE OF **BRIARGATE PARKWAY** AS PLATTED IN SAID **EAGLE WING ESTATES** AND **HIGHLAND PARK FILING NO 1** AS RECORDED AT RECEPTION NUMBER 200068416 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

THENCE S00°03'00" W AND COINCIDENT WITH THE EAST RIGHT OF WAY LINE OF A 30 FOOT ADDITIONAL RIGHT OF WAY AS DEDICATED ON THE PLAT OF SAID **HIGHLAND PARK FILING NO 1** AND 60 FEET EAST OF AND PARALLEL TO THE SECTION LINE BETWEEN SAID SECTIONS 29 AND 30 A DISTANCE OF 1326.26 FEET MORE OR LESS TO A POINT 60.00 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 29;

THENCE S00°03'34" E CONTINUING ON THE SAID EAST RIGHT OF WAY LINE AND 60 FEET EAST OF AND PARALLEL TO THE SECTION LINE BETWEEN SAID SECTIONS 31 AND 32 A DISTANCE OF 1318.10 FEET MORE OR LESS TO A POINT ON THE SOUTH LINE OF SAID **HIGHLAND PARK FILING NO 1**;

THENCE S89°32'05" W A DISTANCE OF 30.00 FEET TO A POINT 30.00 FEET EAST OF SAID SECTION LINE;

THENCE S00°03'34" E AND 30 FEET EAST OF AND PARALLEL TO THE SECTION LINE BETWEEN SAID SECTIONS 31 AND 32 A DISTANCE OF 1317.55 FEET MORE OR LESS TO A POINT LYING 30.00 FEET EAST OF THE WEST QUARTER CORNER OF SAID SECTION 32;

THENCE S00°11'43" E AND 30 FEET EAST OF AND PARALLEL TO THE SECTION LINE BETWEEN SAID SECTIONS 31 AND 32 A DISTANCE OF 720.02 FEET MORE OR LESS TO THE NORTHWEST CORNER OF **SILVER PONDS SUBDIVISION FILING NO. 1** AS RECORDED AT RECEPTION NUMBER 096082980 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

CONTINUED



ANNEXATION

Black Forest Road Addition No.2
Description

Drawn By: R. Kotwica Date: 08/03/2023

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CONTINUED

THENCE N89°22'50" E A DISTANCE OF 30.00 FEET TO THE EAST BOUNDARY LINE OF A 30.00 FOOT ADDITIONAL RIGHT OF WAY AS DEDICATED ON SAID **SILVER PONDS SUBDIVISION FILING NO. 1**;

THENCE S00°11'43" E AND COINCIDENT WITH THE EAST RIGHT OF WAY LINE OF A 30 FOOT ADDITIONAL RIGHT OF WAY AS DEDICATED ON THE PLAT OF SAID **SILVER PONDS SUBDIVISION FILING NO. 1** AND 60 FEET EAST OF AND PARALLEL TO THE SECTION LINE BETWEEN SAID SECTIONS 31 AND 32 A DISTANCE OF 667.60 FEET TO A POINT ON THE NORTH LINE OF A TRACT DEEDED TO THE CITY OF COLORADO SPRINGS AS RECORDED AT RECEPTION NUMBER 223010090 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

THENCE S45°13'51" E AND COINCIDENT WITH THE NORTHEAST BOUNDARY OF SAID CITY TRACT A DISTANCE OF 39.93 FEET TO A POINT ON THE NORTH LINE OF A 60.00 FOOT RIGHT OF WAY AS PLATTED IN SAID **SILVER PONDS SUBDIVISION FILING NO. 1**;

THENCE N89°18'49" E AND COINCIDENT WITH THE NORTH LINE OF SAID 60 FOOT RIGHT OF WAY A DISTANCE OF 2549.17 FEET TO THE EAST BOUNDARY LINE OF SAID **SILVER PONDS SUBDIVISION FILING NO. 1**;

THENCE S00°09'50" E AND COINCIDENT WITH THE EAST BOUNDARY OF SAID **SILVER PONDS SUBDIVISION FILING NO. 1** A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF SAID **SILVER PONDS SUBDIVISION FILING NO. 1**;

THENCE S89°18'49" W AND COINCIDENT WITH THE SOUTH LINE OF SAID 60 FOOT RIGHT OF WAY A DISTANCE OF 2510.92 FEET TO THE EAST BOUNDARY LINE OF A TRACT AS DEEDED TO THE CITY OF COLORADO SPRINGS AT RECEPTION NUMBER 222124940;

THENCE S00°39'55" E AND COINCIDENT WITH THE EAST BOUNDARY OF SAID TRACT A DISTANCE OF 128.49 FEET;

THENCE N87°24'13" W AND COINCIDENT WITH THE SOUTH LINE OF SAID TRACT A DISTANCE OF 67.60 FEET TO THE EAST LINE OF AN ADDITIONAL 30 FOOT RIGHT OF WAY AS RECORDED AT RECEPTION NUMBER 222079468 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

THENCE S00°11'43" E AND COINCIDENT WITH THE EAST BOUNDARY OF SAID ADDITIONAL 30 FOOT RIGHT OF WAY AND AN ADDITIONAL 30 FOOT RIGHT OF WAY AS RECORDED AT RECEPTION NUMBER 222124940 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

A DISTANCE OF 1037.95 FEET MORE OR LESS TO A POINT ON THE NORTH LINE OF **ANNEXATION PLAT WOODMEN HEIGHTS NUMBER 4** AS RECORDED AT RECEPTION NUMBER 204160921 IN THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;

THE FOLLOWING 3 COURSES ARE COINCIDENT WITH THE BOUNDARY OF SAID **ANNEXATION PLAT WOODMEN HEIGHTS NUMBER 4**;

THENCE S89°02'42" W A DISTANCE OF 30.00 FEET;

THENCE N00°11'43" W A DISTANCE OF 350.00 FEET;

THENCE S89°36'13" W A DISTANCE OF 60.00 FEET TO THE NORTHWEST CORNER OF SAID **ANNEXATION PLAT WOODMEN HEIGHTS NUMBER 4** AND A POINT ON THE EAST BOUNDARY OF SAID **BRIARGATE ANNEXATION NUMBER 5** AND 30 FEET WEST OF THE SECTION LINE BETWEEN SECTION S 31 AND 32;

THE FOLLOWING 6 COURSES ARE COINCIDENT WITH THE EAST BOUNDARY LINE OF SAID **BRIARGATE ANNEXATION NUMBER 5** AND ARE 30.00 FEET WEST OF AND PARALLEL WITH THE SAID SECTION LINES;

THENCE N00°11'43" W A DISTANCE OF 2288.92 FEET MORE OR LESS;

THENCE N00°03'34" W A DISTANCE OF 2637.29 FEET MORE OR LESS;

THENCE N00°03'00" E A DISTANCE OF 1325.72 FEET MORE OR LESS;

THENCE N00°08'00" W A DISTANCE OF 1324.78 FEET MORE OR LESS;

THENCE N00°03'04" W A DISTANCE OF 1322.94 FEET MORE OR LESS;

THENCE N00°03'22" W A DISTANCE OF 1294.79 FEET MORE OR LESS TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 951,821 SQUARE FEET, (21.851 ACRES), MORE OR LESS.

ALL BEARINGS ARE BASED ON A LINE FROM THE NORTHWEST CORNER OF SECTION 29 AND A 30.00 FOOT WITNESS CORNER TO THE NORTH 1/16TH CORNER IN TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., AND EL PASO COUNTY, COLORADO,

BEING MONUMENTED BY A FOUND 2 INCH PIPE ON THE NORTH END AND THE SOUTH END MONUMENTED BY A FOUND ALUMINUM CAP MARKED "RAMPART SURVEY SWC N $\frac{1}{8}$ S30-S29 30.00' TO COR. PLS26965" AND IS ASSUMED TO BEAR SOUTH 01°20'15" EAST.



ANNEXATION

Black Forest Road Addition No.2
Description

Drawn By: R. Kotwica Date: 08/03/2023

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I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS BLACK FOREST ROAD ADDITION NO. 2 ANNEXATION CONSISTING OF 21.879 ACRES LOCATED ALONG EXISTING BLACK FOREST ROAD SOUTH OF OLD RANCH ROAD TO THE INTERSECTION WITH RESEARCH PARKWAY”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on April 23, 2024; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 14th day of May 2024, and that the same was published in full, in accordance with Section 3-80 of Article III of the Charter, a newspaper published and in general circulation in the Gazette, 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 2024.


Sarah B. Johnson, City Clerk

1st Publication Date: April 26, 2024

2nd Publication Date: May 22, 2024

Effective Date: May 27, 2024

Initial: S03
City Clerk

