

Ordinance No. 88-127

AN ORDINANCE ESTABLISHING A PK (PUBLIC PARKS) USE ZONE AND AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO PARCEL 71A CONSISTING OF 693.847 ACRES, MORE OR LESS, WITHIN THE BANNING LEWIS RANCH ANNEXATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. There is hereby established and created the PK (CR) zone classification for those premises and territory located in El Paso County, Colorado, described in the legal description of Parcel 71A attached hereto, marked Exhibit A and by reference made a part hereof, pursuant to Chapter 14 (Zoning) of the Code of the City of Colorado Springs 1980, as amended, subject to conditions of record as described in Section 2 of this ordinance.

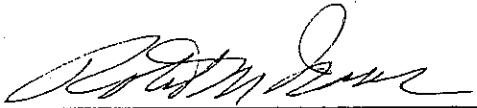
Section 2. The following conditions of record apply to Parcel 71A:

1. Jimmy Camp Creek open space amenity is planned as a part of the Banning-Lewis Ranch Master Plan. Prior to any permanent park development, a detailed Master Plan will be developed by the City of Colorado Springs Park and Recreation Department in accordance with the department's plan review process.
2. Due to the inherent natural features of the park, any planned uses and development shall be of a passive nature to avoid disturbance of significant natural site features of fragile ecological systems. Passive uses may include but not be limited to hiking/biking and equestrian uses, picnicking, natural/human history interpretation programs and nonstructured recreational activities.
3. Active and structured recreational uses which would damage the natural environmental quality of the Jimmy Camp Creek Park shall be prohibited. These include formal, structured, active uses and facilities (i.e., soccer, football, baseball/softball, tennis, basketball). Parking and lighting development should be limited to facilities providing for the necessary safety, health and welfare of park users. Any use that may impair maintaining the site as a natural amenity is prohibited.

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

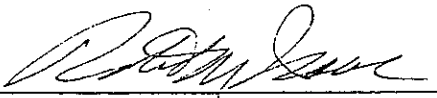
Introduced, read, passed on first reading and ordered published this 26th day of July, 1988.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Finally passed, adopted and approved this 9th day of August, 1988.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

I HEREBY CERTIFY, that the foregoing ordinance entitled "AN ORDINANCE ESTABLISHING A PK (PUBLIC PARKS) USE ZONE AND AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO PARCEL 71A CONSISTING OF 693.847 ACRES, MORE OR LESS, WITHIN THE BANNING LEWIS RANCH ANNEXATION"

was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on July 26, 1988; that said ordinance was passed at a regular meeting of the City Council of said City, held on the 9th day of August, 1988, and that the same was published by summary, in accordance with Section 14 of Article III of the City Charter, in the Colorado Springs Gazette Telegraph, 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 9th day of August, 1988.

  
\_\_\_\_\_  
City Clerk

EXHIBIT A

PARCEL 71A

A tract of land located in the S1/2 of Section 26 and in Section 35, all in T13S, R65W of the 6th P.M. and in the W1/2 of Section 2 and in Section 3, all in T14S, R65W of the 6th P.M., County of El Paso, State of Colorado, described as follows:

Commencing at the Southeast Corner of Section 34, T13S, R65W of the 6th P.M., from which the Northeast Corner of said Section 34 bears N01°14'52"E (basis of bearing - true meridian), 5298.00 feet, thence N24°40'25"E, 8116.01 feet to the TRUE POINT OF BEGINNING;

Thence S10°24'04"W, 497.88 feet;

Thence Southerly, 443.45 feet along the arc of a curve concave to the East, said arc having a radius of 2500.00 feet, a central angle of 10°09'47" and being subtended by a chord that bears S05°19'00"W, 442.86 feet;

Thence S80°18'49"W, 244.10 feet;

Thence S75°12'58"W, 515.00 feet;

Thence S43°23'01"W, 194.72 feet;

Thence S20°14'29"W, 588.27 feet;

Thence S04°52'01"W, 726.10 feet;

Thence S25°01'55"E, 193.91 feet;

Thence S52°50'57"E, 177.64 feet;

Thence S25°53'12"E, 161.49 feet;

Thence S43°30'42"E, 364.64 feet;

Thence S62°26'34"E, 61.35 feet;

Thence S43°44'16"E, 268.94 feet;

Thence S89°01'08"E, 43.40 feet;

Thence N41°08'21"E, 123.12 feet;

Thence N26°08'24"E, 549.42 feet;

Thence N11°07'48"E, 443.26 feet;

Thence N00°23'14"E, 314.21 feet;

Thence N27°40'34"E, 207.48 feet;

Thence Southeasterly, 480.42 feet along the arc of a curve concave to the Northeast, said arc having a radius of 2500.00 feet a central angle of 11°00'37" and being subtended by a chord that bears S28°29'50"E, 479.68 feet;

Thence S34°03'41"E, 48.17 feet to the approximate Centerline of Jimmy Camp Creek;

The following courses and distances are along the approximate Centerline of said Jimmy Camp Creek:

Thence S32°07'00"W, 553.16 feet;

Thence S08°17'37"W, 843.28 feet;

Thence S26°37'27"W, 308.87 feet;

Thence S49°16'03"W, 567.56 feet;

Thence S13°30'53"E, 272.87 feet;

Thence S34°09'50"W, 202.00 feet;

Thence S23°09'00"W, 408.41 feet;

Thence S61°03'42"E, 275.72 feet;

Thence S07°00'47"E, 95.70 feet;

Thence S50°13'38"W, 523.45 feet;

Thence S07°45'03"W, 235.98 feet;

Thence S72°38'43"E, 355.88 feet;

Thence S48°30'41"E, 30.18 feet to the Southwest Corner of the NW1/4 of the SE1/4 of said Section 35;

Thence S18°23'45"W, 53.30 feet;

Thence S55°24'33"W, 455.76 feet;

Thence S85°39'27"W, 174.72 feet;

Thence S76°38'41"W, 171.91 feet;  
Thence S48°45'05"W, 281.20 feet;  
Thence S18°29'12"W, 135.21 feet;  
Thence S11°22'30"E, 249.55 feet  
Thence S51°11'55"E, 97.22 feet;  
Thence N84°15'06"E, 56.93 feet;  
Thence S12°13'26"E, 75.08 feet;  
Thence S11°14'33"W, 43.96 feet;  
Thence S57°47'52"W, 343.39 feet;  
Thence N89°11'45"W, 145.80 feet;  
Thence S59°09'20"W, 107.18 feet;  
Thence S48°47'53"W, 149.09 feet;  
Thence S56°22'39"W, 119.06 feet;  
Thence S33°15'19"W, 249.20 feet;  
Thence S10°18'34"E, 260.11 feet;  
Thence S23°44'29"E, 573.49 feet;  
Thence S21°04'10"W, 825.94 feet;  
Thence S03°42'20"W, 366.09 feet;  
Thence S75°08'52"W, 510.43 feet;  
Thence S41°00'33"W, 458.21 feet;  
Thence S21°21'14"W, 551.92 feet;  
Thence S04°34'08"W, 225.20 feet;  
Thence S41°41'11"W, 113.80 feet;  
Thence S71°25'21"W, 86.45 feet;  
Thence S80°12'33"W, 696.18 feet;  
Thence S47°09'19"W, 562.80 feet;

PARCEL 71A (continued)

Page 4

Thence S84°37'25"W, 578.82 feet;

Thence N73°06'18"W, 188.89 feet;

Thence N58°44'00"W, 263.04 feet;

Thence S86°27'50"W, 323.85 feet;

Thence S58°01'58"W, 187.55 feet;

Thence S08°50'38"W, 340.05 feet;

Thence S22°36'24"E, 231.06 feet;

Thence S58°53'16"E, 317.45 feet;

Thence S02°40'39"E, 74.49 feet;

Thence S62°19'46"W, 106.65 feet;

Thence S81°38'09"W, 328.50 feet;

Thence N74°45'59"W, 197.01 feet;

Thence leaving the approximate Centerline of said Jimmy Camp Creek N27°57'57"W, 1601.17 feet to a point of curve to the right;

Thence Northwesterly, 296.47 feet along the arc of said curve to a point tangent, said arc having a radius of 6000.00 feet, a central angle of 2°49'52" and being subtended by a chord that bears N26°33'01"W, 296.44 feet;

Thence N25°08'05"W, 1997.51 feet to a point of curve to the right;

Thence Northwesterly, 83.56 feet along the arc of said curve to the Southeasterly right-of-way line of U.S. Highway No. 24, said arc having a radius of 5800.00 feet, a central angle of 0°49'31" and being subtended by a chord that bears N24°43'20"W, 83.56 feet;

Thence Northeasterly, 932.43 feet along the Southeasterly right-of-way line of said U.S. Highway No. 24 and along the arc of a curve concave to the Northwest to a point tangent, said arc having a radius of 2915.00 feet, a central angle of 18°19'39" and being subtended by a chord that bears N39°25'50"E, 928.46 feet;

Thence S88°10'34"E, 1248.40 feet;

Thence N87°19'22"E, 1271.69 feet;

Thence N62°46'18"E, 564.11 feet;

Thence N47°45'22"E, 570.66 feet to the North line of the NE1/4 of said Section 3;

Thence N89°42'24"E, 786.22 feet along the North line of the NE1/4 of said Section 3 to the Northeast Corner of said Section 3;

Thence N34°07'07"E, 244.59 feet;

Thence N08°52'30"E, 138.89 feet;

Thence N03°32'33"E, 211.76 feet;

Thence N08°27'02"E, 458.73 feet;

Thence N08°14'56"E, 467.11 feet;

Thence N10°50'53"E, 820.29 feet;

Thence N26°53'34"E, 103.28 feet;

Thence N17°09'18"E, 123.20 feet;

Thence N04°47'55"E, 166.96 feet;

Thence N05°55'59"W, 233.23 feet;

Thence N57°41'41"E, 115.59 feet;

Thence S75°33'16"E, 274.90 feet;

Thence S87°51'04"E, 200.54 feet;

Thence N43°28'19"E, 103.60 feet;

Thence N06°15'36"W, 102.49 feet;

Thence N45°49'59"W, 162.30 feet;

Thence N34°00'29"E, 71.68 feet;

Thence N71°59'21"E, 100.17 feet;

Thence N41°36'46"E, 72.35 feet;

Thence N03°55'37"E, 92.85 feet;

Thence N01°24'44"W, 186.64 feet to the Southeast Corner of that tract of land conveyed to The Springs Company as described in Special Warranty Deed recorded in Book 5223 at Page 3 of the records of El Paso County, Colorado;

The following courses and distances are along the Easterly line of that tract of land as described in said Book 5223 at Page 3;



Thence  $N00^{\circ}14'10''E$ , 290.00 feet;

Thence  $N56^{\circ}40'00''E$ , 60.00 feet;

Thence  $N48^{\circ}30'00''W$ , 190.00 feet;

Thence  $N33^{\circ}18'00''W$ , 300.00 feet;

Thence  $N05^{\circ}11'00''W$ , 340.00 feet;

Thence  $N56^{\circ}57'00''E$ , 210.00 feet;

Thence  $N10^{\circ}49'00''E$ , 160.00 feet;

Thence  $N86^{\circ}13'00''E$ , 65.00 feet;

Thence  $S38^{\circ}23'00''E$ , 220.00 feet;

Thence  $N82^{\circ}59'00''E$ , 65.00 feet;

Thence  $N01^{\circ}46'00''W$ , 264.50 feet to the Northeast Corner of that tract of land as described in said Book 5223 at Page 3;

Thence leaving the Easterly line of that tract of land as described in said Book 5223 at Page 3,  $N15^{\circ}25'47''W$ , 51.12 feet;

Thence  $N39^{\circ}15'21''E$ , 112.99 feet;

Thence  $N48^{\circ}13'08''W$ , 99.72 feet;

Thence  $N02^{\circ}21'44''E$ , 144.44 feet;

Thence  $N38^{\circ}59'05''E$ , 127.24 feet

Thence  $N66^{\circ}00'12''E$ , 184.26 feet;

Thence  $N17^{\circ}08'09''E$ , 187.57 feet;

Thence  $N05^{\circ}08'23''W$ , 155.07 feet;

Thence  $N30^{\circ}45'23''W$ , 214.26 feet;

Thence  $N04^{\circ}49'42''W$ , 132.62 feet;

Thence  $N38^{\circ}05'40''W$ , 468.03 feet;

Thence Northeasterly, 132.21 feet along the arc of a curve concave to the Southeast, said arc having a radius of 2000.00 feet, a central angle of  $3^{\circ}47'15''$  and being subtended by a chord that bears  $N53^{\circ}48'22''E$ , 132.19;

Thence  $N55^{\circ}40'37''E$ , 964.26 feet;

Thence Easterly, 1170.73 feet along the arc of a curve concave to the South, said arc having a radius of 1500.00 feet, a central angle of  $44^{\circ}43'07''$  and being subtended by a chord that bears  $N78^{\circ}02'32''E$ , 1141.24 feet;

Thence  $S79^{\circ}36'58''E$ , 96.29 feet to the TRUE POINT OF BEGINNING

Area = 693.847 acres, more or less.