EXHIBIT B

RIGHT-OF-WAY VACATION

METZLER AVENUE & CREEKWALK COURT

ALL BEING A PORTION OF THE NW1/4 OF SECTION 30,
TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

LEGEND

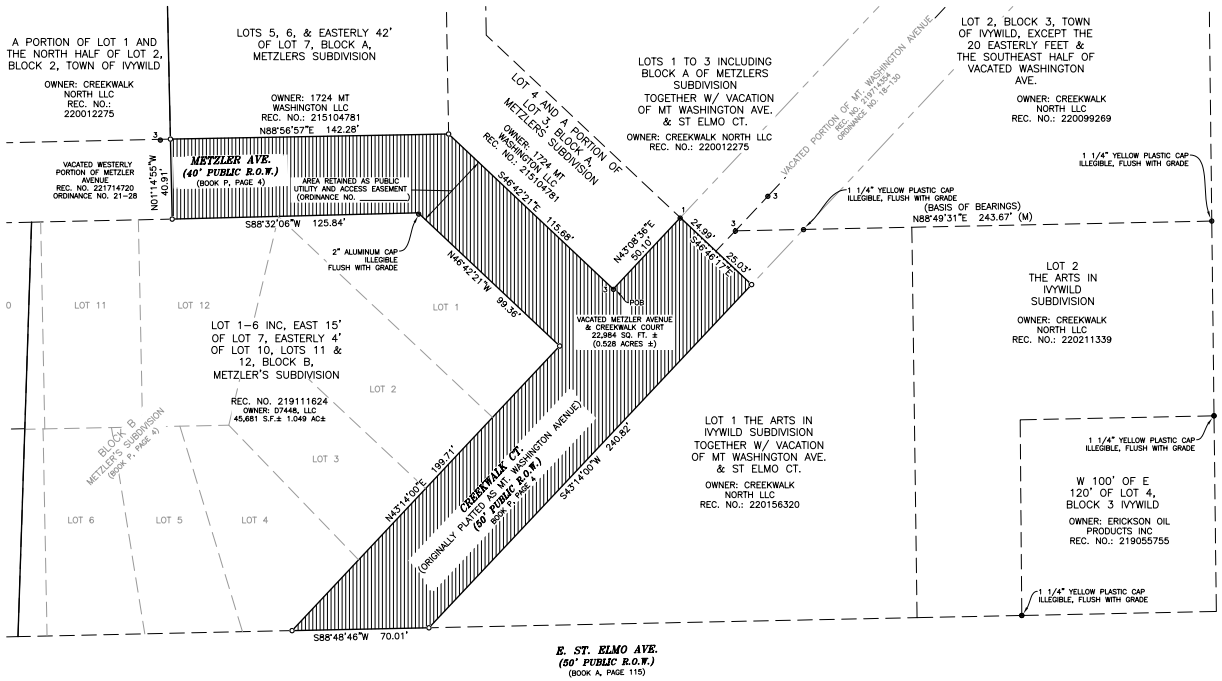
●		FOUND MONUMENT (AS NOTED)
	1	#5 REBAR W/ 1-1/4" GREEN PLASTIC CAP, PLS 38245, FLUSH
	2	#5 REBAR, FLUSH
	3	MAG NAIL & 1" BRASS DISK PLS 38245, FLUSH IN CONCRETE
○		SET MONUMENT #5 REBAR W/ 1-1/4" GREEN PLASTIC CAP, PLS 38245, FLUSH
(C)		CALCULATED BEARING AND/OR DISTANCE.
(M)		MEASURED BEARING AND/OR DISTANCE.

LEGAL DESCRIPTION:

A portion of Metzler Avenue, a forty-foot (40') public right-of-way, as shown upon the plat of Metzler's Subdivision, recorded November 5, 1923, in Plat Book P, Page 4 in the Official Records of El Paso County, State of Colorado, and Creekwalk Court (originally platted as Mt. Washington Ave), a fifty-foot (50') public right-of-way, as shown upon the plat of Metzler's Subdivision, recorded November 3, 1923 in Book P, Page 4, in said Official Records, lying within the NW1/4 of Section 30, Township 14 South, Range 66 West of the 6th Principal Meridian, being more particularly described as follows:

BEGINNING at the Southernmost corner of Lot 4, Block A, said Metzler's Subdivision; thence along the Southeast line of said Lot 4, N43°08'36"E, (Bearings are relative to the north line of Lots 1 & 2, The Arts in Ivywild Subdivision being monumented at both ends by a 1 1/4" yellow plastic cap, illegible, flush with grade, having a measured bearing and distance of N88°49'31"E a measured distance of 243.67 feet), a distance of 50.10 feet, to a point on the southwest line of the land described in that Quit Claim Deed recorded January 28, 2020 under Reception No. 220012275, in said Official Records; thence along said southwest line, S46°46'17"E, a distance of 24.99, to the Westernmost Northwest corner of the land described in that Special Warranty Deed recorded October 2, 2020 under Reception No. 220156320; thence along the West line of said land, S46°46'17"E, a distance of 25.03 feet; thence continuing along the West line of said land, S43°14'00"W, a distance of 240.82 feet, to the Southwest corner of said land, said point also lying on the North right-of-way line of East Saint Elmo Avenue; thence leaving said West line along the said north right-of-way line, S88°48'46"W, a distance of 70.01 feet, to an angle point on the south line of Lot 4, Block B, said Metzler's Subdivision; thence along the south line of lots 4, 3, 2, and 1, Block B, said Metzler's Subdivision, N43°14'00"E, a distance of 199.71 feet, to the Northeast corner of said Lot 1; thence along the Northeast line of said Lot 1, N46°42'21"W, a distance of 99.36 feet, to an angle point on the North line of said Lot 1; thence along the North line of Lots 1 and 12, Block B, said Metzler's Subdivision, S88°32'06"W, a distance of 125.84 feet, to the Southeast corner of the vacated right-of-way shown on that Right-of-Way Vacation Metzler Avenue, Westerly Portion, recorded April 1, 2021 under Reception No. 221714720, in said Official Records; thence along the east line of said right-of-way vacation, N01°14'55"W, a distance of 40.91 feet, to a point on the South line of Lot 7 ,Block A, said Metzler's Subdivision; thence along the South line of Lot 1 7, 6, and 5, Block A, said Metzler's Subdivision, N88°56'57"E, a distance of 142.28 feet, to the Southwest corner of Lot 4, Block A, said Metzler's Subdivision; thence along the South line of said Lot 4, S46°42'21"E, a distance of 115.68 feet, to the POINT OF BEGINNING.

Containing 22,984 Sq. Ft. or 0.528 acres, more or less.



GRAPHIC SCALE
30 0 15 30
(IN FEET)
1 inch = 30 ft.

BE IT KNOWN BY THESE PRESENTS:

Pursuant to Ordinance No. _____ made and adopted by the City Council on ____ day of _____, 20____, the City of Colorado Springs, Colorado, a home rule city and Colorado municipal corporation, does hereby vacate the land set forth on this vacation plat and shall be known as "RIGHT-OF-WAY VACATION METZLER AVENUE & CREEKWALK COURT" located in the City of Colorado Springs, County of El Paso, State of Colorado.

CITY APPROVAL:

On behalf of the City of Colorado Springs, the undersigned hereby approves for filing the accompanying vacation plat of RIGHT OF WAY VACATION METZLER AVENUE & CREEKWALK COURT.

_____
Mayor

Attest: _____
City Clerk

State of Colorado }
County of El Paso } SS

This instrument was acknowledged before me on _____, 20____ by _____, as Mayor, and by _____, as City Clerk, of the City of Colorado Springs.

Witness my hand and official seal.

_____
Notary Signature

My commission expires: _____

_____ _____
City Planning Director Date

_____ _____
City Engineer Date

_____ _____
Utilities Executive Director Date

NOTES:

1. This survey does not constitute a title search by Clark Land Surveying, Inc. to determine ownership, easements or rights of way of record. No title commitment was provided by the client at the time of this survey.
2. Bearings are relative to the north line of Lots 1 & 2, The Arts in Ivywild Subdivision being monumented at both ends by a 1 1/4" yellow plastic cap, illegible, flush with grade, having a measured bearing and distance of N88°49'31"E a measured distance of 243.67 feet.
3. Any underground utilities shown have been located from field survey information, existing drawings and/or utility locate markings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from the information available. This surveyor has not physically located the underground utilities.
4. Easements and other record documents shown or noted on this survey were examined as to location and purpose and were not examined as to restrictions, exclusions, conditions, obligations, terms, or as to the right to grant the same.
5. The vacated portions of right-of-way are subject to the reservation of easements as set forth in Section 2 of the City of Colorado Springs Ordinance No. _____.
6. FEDERAL EMERGENCY MANAGEMENT AGENCY, FEMA FIRMette published May 24, 2021, referencing Flood Insurance Rate Map, Map Number 08041C0737G, with an effective date of December 7, 2018, indicates this parcel of land is located in Zone AE (Special flood hazard area with base flood elevations determined)
7. The lineal units used in this drawing are U.S. Survey Feet.
8. Field work for this survey was completed on May 16, 2019.
9. The vacated portion of the existing right of way per this plat shall be retained as a public utility and access easement. With the retention of a public utility easement subject to those terms and conditions as specified in the instrument recorded at Reception Number 212112548 of the records of El Paso County, Colorado, except Dual Easements as defined by City Code section 7.7.607.
10. The vacated Right-Of-Way shall revert to adjacent owners per El Paso County Assessor analysis. Roadway improvements on both sides of the street within the vacated Right-Of-Way, Curb, Gutter and Asphalt Paving shall be Maintained by Canyon Creek Metropolitan District #1.

SURVEYOR'S CERTIFICATION:

The undersigned Colorado Registered Professional Land Surveyor does hereby certify that the accompanying plat was surveyed and drawn under his direct responsibility and supervision and to the normal standard of practice by surveyors in the State of Colorado and accurately shows the described tract of land thereof, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of his professional knowledge, belief and opinion.

This statement is neither a warranty nor guarantee, either expressed or implied.

Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

RECORDING:

STATE OF COLORADO }
COUNTY OF EL PASO } SS

I hereby certify that this instrument was filed for record in my office at _____ o'clock ____M.,
this _____ day of _____, 2021, A.D., and is duly recorded under
Reception No._____ of the records of El Paso County, Colorado.

SURCHARGE: _____ CHUCK BROERMAN, RECORDER

FEE: _____ BY: _____
Deputy

CITY FILE NO. CPC V 21-00113

Clark Land Surveying Inc
177 S. Tiffany Dr., Unit 1 ● Pueblo West, CO 81007 ● 719.582.1270
www.clarkls.com

Revisions			
No.	Description	By	Date
2	Corrected legal description	SCG	10/19/2021
1	Addressed client comments	SCG	8/18/2021

Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

RIGHT-OF-WAY VACATION PLAT
A PORTION OF THE NW1/4 OF SECTION 30,
TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

Project No:	210665	Drawn By: SCG	Date: 7/9/2021
		Checked By: SLM	Sheet 1 of 1