

ORDINANCE NO. 19-9

AN ORDINANCE VACATING PORTIONS OF A PUBLIC  
RIGHT-OF-WAY KNOWN AS ZIRCON DRIVE CONSISTING  
OF 0.41 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 known as Zircon Drive consisting of 0.41 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.

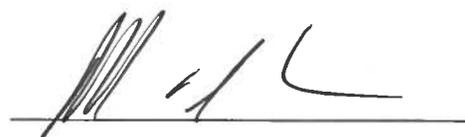
Section 2. Council accepts and reserves from this vacation public utility easements over, under and through the vacated portions of rights-of-way described in Exhibit A and depicted in Exhibit B, subject to those terms and conditions as set forth in that certain instrument filed in the public records of El Paso County, Colorado at Reception No. 217138897.

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 22<sup>nd</sup> day of January, 2019.

**Finally passed:** February 12<sup>th</sup>, 2019



Council President

**Mayor's Action:**

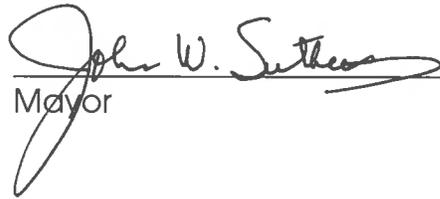
- Approved on February 14, 2019.
- Disapproved on \_\_\_\_\_, based on the following objections:

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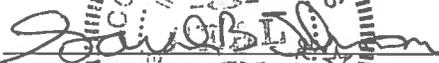
  
\_\_\_\_\_  
Mayor

**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



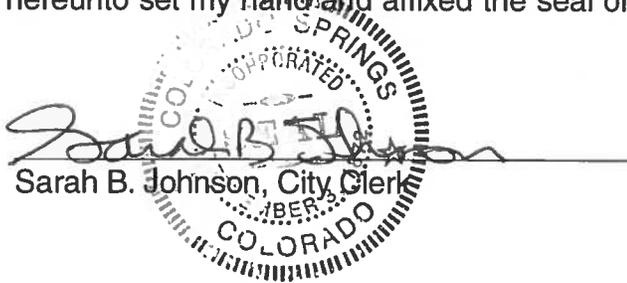
COS:   
CAO: TJF

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY KNOWN AS ZIRCON DRIVE CONSISTING OF 0.41 OF AN ACRE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 22<sup>nd</sup>, 2019; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 12<sup>th</sup> day of February, 2019, 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 14<sup>th</sup> day of February, 2019.

1<sup>st</sup> Publication Date: January 25<sup>th</sup>, 2019  
2<sup>nd</sup> Publication Date: February 20<sup>th</sup>, 2019

Effective Date: February 25<sup>th</sup>, 2019



Sarah B. Johnson, City Clerk

Initial: SBJ  
City Clerk



20 Boulder Crescent, STE 110  
Colorado Springs, CO 80903  
Mail to: PO Box 1360  
Colorado Springs, CO 80901  
719.955.5485

**VACATION PLAT OF PORTION OF A ZIRCON DRIVE RIGHT-OF-WAY  
LEGAL DESCRIPTION**

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 28, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO. THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (NW1/4) BEING MONUMENTED WITH A 2-1/2" ALUMINUM CAP STAMPED "LS 22095", FROM WHICH THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER (NW1/4) BEING MONUMENTED WITH A 2-1/2" ALUMINUM CAP STAMPED "LS 22095", BEARS N89°48'32"E, A DISTANCE OF 2659.71 FEET.

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE 1/4, NW 1/4) OF SECTION 28, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER (NW 1/4) OF SECTION 28;  
THENCE S00°00'09"E ALONG THE EAST LINE OF AFORESAID NORTHWEST QUARTER A DISTANCE OF 1324.63 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF (N 1/2) OF SAID NORTHWEST QUARTER (NW 1/4), THENCE S89°48'15"W ALONG THE SOUTH LINE OF AFORESAID NORTH HALF (N 1/2) A DISTANCE OF 119.08 FEET TO THE SOUTHEAST CORNER OF THE RIGHT-OF-WAY DEDICATION OF ZIRCON DRIVE AS DESCRIBED IN "ENCLAVES AT MOUNTAIN VISTA RANCH FILING NO. 1" AS RECORDED UNDER RECEPTION NO. 218714147 IN THE RECORDS OF EL PASO COUNTY, COLORADO AND THE POINT OF BEGINNING;

THENCE CONTINUING S89°48'15"W ALONG THE SOUTHERLY LINE OF ZIRCON DRIVE RIGHT-OF-WAY, 297.63 FEET;  
THENCE N00°11'45"W A DISTANCE OF 57.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF ZIRCON DRIVE;

THENCE THE FOLLOWING SIX (6) COURSES ALONG ZIRCON DRIVE RIGHT-OF-WAY:

- 1) THENCE N89°48'15"E A DISTANCE OF 189.49 FEET;
- 2) THENCE N32°53'43"E A DISTANCE OF 14.92 FEET;
- 3) THENCE N89°48'15"E A DISTANCE OF 75.00 FEET;
- 4) THENCE S33°17'13"E A DISTANCE OF 14.92 FEET;
- 5) THENCE N89°48'15"E DISTANCE OF 16.85 FEET;
- 6) THENCE S00°11'45"E A DISTANCE OF 57.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 18,004 S.F. (0.413 ACRES MORE OR LESS).

