

ORDINANCE NO. 21-28

AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY DESCRIBED AS THE WESTERN PORTION OF METZLER AVENUE AS PLATTED IN METZLER'S SUBDIVISION CONSISTING OF 0.157 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 the western portion of Metzler Avenue as platted in Metzler's Subdivision consisting of 0.157 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.

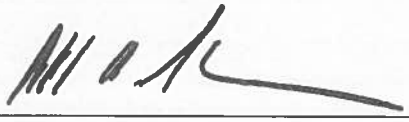
Section 2. Council excepts and reserves from this vacation public utility easements over, under and through the vacated portions of rights-of-way described in Exhibit A and depicted in Exhibit B, subject to those terms and conditions as set forth in that certain instrument filed in the public records 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 23rd day of February 2021.

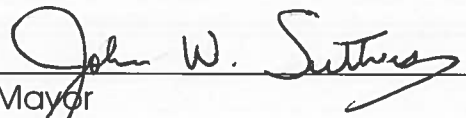
Finally passed: March 9th 2021



Council President

Mayor's Action:

- Approved on March 12, 2021.
- 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: TJF

I HEREBY CERTIFY, that the foregoing ordinance entitled "AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY DESCRIBED AS THE WESTERN PORTION OF METZLER AVENUE AS PLATTED IN METZLER'S SUBDIVISION CONSISTING OF 0.157 OF AN ACRE" was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on February 23rd, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 9th day of March 2021, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Gazette on March 12th, 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 11th day of March 2021.


Sarah B. Johnson
Sarah B. Johnson, City Clerk

1st Publication Date: March 1st, 2021
2nd Publication Date: March 15th, 2021

Effective Date: March 20th, 2021

Initial: SBJ
City Clerk

RIGHT-OF-WAY VACATION

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, 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:

COMMENCING at the Easternmost corner of Block B, of said Metzler's Subdivision; thence along the Northeast line of said Block B, N46°44'36"W (Bearings are relative to the Southeast line of Block B, Metzler's Subdivision, recorded under Plat Book P, Page 4 of the Official Records of El Paso County, State of Colorado, being monumented at the South end by a found 1" iron pipe, being 0.5 feet below grade, and at the North end by a found 1-1/2" iron pipe with a concrete nail, being 0.2 feet below grade, and measured to bear N43°16'27"E, a distance of 200.07 feet), a distance of 98.89 feet, to the Northeast corner of said Block B; thence along the North line of said Block B, S88°43'58"W, a distance of 126.12 feet, to the **POINT OF BEGINNING**; thence continuing along said north line, S88°43'58" a distance of 167.27 feet, to a point on the East line of that parcel described in the Quit Claim Deed recorded under Reception Number 207034313, of said Official Records; thence along said East line, N01°01'26"W, a distance of 40.91 feet, to a point on the South line of Block A, of said Metzler's Subdivision; thence along said South line, N88°43'58"E, a distance of 167.11 feet; thence leaving said South line, S01°14'55"E, a distance of 40.91 feet to a point on the **POINT OF BEGINNING**.

Containing 6,840 Sq. Ft. or 0.157 acres, more or less.

