

ORDINANCE NO. 19-41

AN ORDINANCE VACATING PORTIONS OF PUBLIC  
RIGHT-OF-WAY LOCATED AT THE SOUTHEAST CORNER  
OF EAST MOTOR WAY AND SOUTH TEJON STREET  
CONSISTING OF 0.093 ACRES

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 located at the southeast corner of East Motor Way and South Tejon Street consisting of 0.093 acres, 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 easements set forth in Section 2, below.

Section 2. Council excepts and reserves from this vacation public utility easements and public improvement and public access easements over, under and through the vacated portions of right-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 28<sup>th</sup> day of May, 2019.


Finally passed: June 11<sup>th</sup>, 2019

  
\_\_\_\_\_  
Council President

**Mayor's Action:**

- Approved on June 13, 2019.
- 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

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE VACATING PORTIONS OF PUBLIC RIGHT-OF-WAY LOCATED AT THE SOUTHEAST CORNER OF EAST MOTOR WAY AND SOUTH TEJON STREET CONSISTING OF 0.093 ACRES” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on May 28<sup>th</sup>, 2019; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 11<sup>th</sup> day of June, 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 13<sup>th</sup> day of June, 2019.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: May 31<sup>st</sup>, 2019  
2<sup>nd</sup> Publication Date: June 19<sup>th</sup>, 2019

Effective Date: June 24<sup>th</sup>, 2019

Initial: SBS  
City Clerk

Exhibit A

## **Maverik on Motor Way**

The Legal Description for the proposed alley vacation:

### LEGAL DESCRIPTION:

A PORTION OF J.P. CURTIS RESUBDIVISION AND ADDITION TO BLOCK 1, BROOKSIDE, COUNTY OF EL PASO, STATE OF COLORADO, BEING IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING S01°57'03"W 36.44 FEET FROM A FOUND 3/4" BOLT (SAID 3/4" BOLT BEING N88°02'57"W 76.11 FEET FROM ANOTHER FOUND 3/4" BOLT AND IRON PIPE ON THE WESTERLY RIGHT OF WAY LINE OF ILIFF AVENUE AND SAID LINE BEING THE BASIS OF BEARINGS); THENCE N88°02'57"W 16.00 FEET; THENCE N01°57'03"E 251.32 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF EAST MOTOR WAY; THENCE N87°56'27"E ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 16.04 FEET; THENCE S01°57'03"W 252.44 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,030 S.F. OR 0.093 ACRES MORE OR LESS

**EXHIBIT A**

