

ORDINANCE NO. 21-09

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS THE JOVENCHI-1 ADDITION NO. 1 ANNEXATION CONSISTING OF 2.088 ACRES

WHEREAS, pursuant to Article II, Section 30 of the Colorado Constitution and Section 31-12-101, *et seq.*, C.R.S., known as the Municipal Annexation Act of 1965, as amended (the "Annexation Act"), persons comprising one hundred percent (100%) of the landowners and owning one hundred percent (100%) of that certain territory known as the Jovenchi-1 Addition No. 1 Annexation, more specifically described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property") filed a Petition for Annexation with the City Clerk of the City of Colorado Springs; and

WHEREAS, the City Council of the City of Colorado Springs, after proper notice as required by Section 31-12-108 C.R.S., held a hearing on January 12, 2021 pertaining to the annexation of the Property in accord with Section 31-12-109; and

WHEREAS, in accord with Section 31-12-110 of the Annexation Act, the City Council determined, by resolution, that the applicable provisions of Section 30 of Article II of the Colorado Constitution and Section 31-12-104 and 105 of the Annexation Act have been met, an election is not required under Section 31-12-107(2) of the Annexation Act, and no additional terms and conditions are to be imposed on the annexation of the Property; and

WHEREAS, the City Council has determined that said area should be annexed forthwith as part of the City of Colorado Springs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The Property, known as the Jovenchi-1 Addition No. 1 Annexation and more specifically described on the attached Exhibit "A", is hereby annexed to the City of Colorado Springs.

Section 2. When this annexation is complete, the Property shall become a part of the City of Colorado Springs for all intents and purposes on the effective

date of this ordinance, provided that the conditions of Section 31-12-113(2) C.R.S. are satisfied, with the exception of general taxation, in which respect said annexation shall not be effective until on or after January 1 next ensuing.

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

Introduced, read, passed on first reading and ordered published this 12th day of January, 2021.

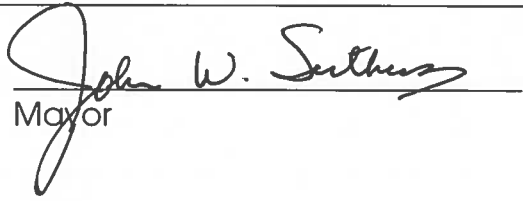
Finally passed: January 26th 2021



Council President

Mayor's Action:

- Approved on June 28, 2021.
- Disapproved on _____, based on the following objections:



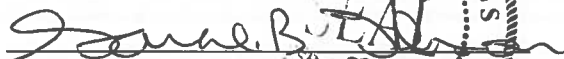
Mayor

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

I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS THE JOVENCHI-1 ADDITION NO. 1 ANNEXATION CONSISTING OF 2.088 ACRES” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 12th, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 26th day of January 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 Transcript on January 15th and the Gazette on February 1st, both newspapers 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 28th day of January 2021.



1st Publication Date: January 15th, 2021

2nd Publication Date: February 1st, 2021

Effective Date: February 6th, 2021

Initial: SBJ
City Clerk



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LEGAL DESCRIPTION: JOVENCHI-I

A PORTION OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTHERLY BOUNDARY OF DEER CREEK AT NORTHGATE FILING NO. 1, RECORDED UNDER RECEPTION NO. 201078881, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE WESTERLY END BY A 1-1/2 INCH ALUMINUM SURVEYORS CAP STAMPED "JR ENG LTD RLS 32820" FLUSH WITH GROUND AND AT THE EASTERLY END BY A ONE INCH RED PLASTIC CAP "LS 1593" FLUSH WITH GROUND IS ASSUMED TO BEAR S88°58'48"W, A DISTANCE OF 1806.87 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF DEER CREEK AT NORTHGATE FILING NO. 1, RECORDED UNDER RECEPTION NO. 201078881, RECORDS OF EL PASO COUNTY, COLORADO;

THENCE S44°57'12"E, A DISTANCE OF 3455.01 FEET TO A POINT ON CURVE SAID POINT BEING ON THE SOUTHERLY LINE FLYING HORSE RANCH ADDITION RECORDED UNDER RECEPTION NO. 204011499 AND THE NORTHERLY BOUNDARY OF PARCEL 1REVX-E AS DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 205019873 SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE ARC OF CURVE TO THE LEFT ON SAID SOUTHERLY LINE OF FLYING HORSE RANCH ADDITION AND SAID NORTHERLY BOUNDARY OF PARCEL 1REVX-E, WHOSE CENTER BEARS N19°52'01"W, HAVING A DELTA OF 44°22'31", A RADIUS OF 1372.50 FEET AND A DISTANCE OF 1062.99 FEET TO A POINT ON CURVE;

THENCE S20°15'38"W, ON THE EASTERLY BOUNDARY OF SAID PARCEL 1REVX-E A DISTANCE OF 235.05 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF PARCEL ONE AS DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 205019873;

THENCE S20°14'46"W, ON THE EASTERLY BOUNDARY OF SAID PARCEL ONE A DISTANCE OF 234.33 FEET TO A POINT ON CURVE SAID POINT BEING THE SOUTHERLY BOUNDARY OF SAID PARCEL ONE AND THE NORTHERLY LINE OF BRIARGATE ADDITION NO. 5, AS DESCRIBED IN A DOCUMENT RECORDED IN PLAT BOOK S-3 AT PAGE 10;

THENCE ON THE ARC OF A CURVE TO THE RIGHT ON SAID SOUTHERLY BOUNDARY OF PARCEL ONE AND THE NORTHERLY LINE OF BRIARGATE ADDITION NO. 5, WHOSE CENTER BEARS N46°00'53"W, HAVING A DELTA OF 17°31'07", A RADIUS OF 1492.50 FEET AND A DISTANCE OF 456.34 FEET TO A POINT ON CURVE SAID POINT BEING THE NORTHWESTERLY CORNER OF SAID BRIARGATE ADDITION NO. 5 AND THE NORTHEASTERLY CORNER OF PARCEL NO. 1REVX-EA AS DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 205019873;

THENCE S00°15'05"W, ON THE WESTERLY LINE OF SAID BRIARGATE ADDITION NO. 5 AND THE EASTERLY BOUNDARY OF SAID PARCEL NO. 1REVX-EA A DISTANCE OF 32.94 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL NO. 1REVX-EA SAID POINT BEING THE NORTHEASTERLY CORNER OF THE RESERVE AT NORTH CREEK ANNEXATION PLAT AS RECORDED UNDER RECEPTION NO. 217713917;

THENCE N76°16'13"W, ON THE SOUTHERLY BOUNDARY OF SAID PARCEL NO. 1REVX-EA AND THE NORTHERLY LINE OF SAID THE RESERVE AT NORTH CREEK ANNEXATION PLAT A DISTANCE OF 43.91 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL 1REVX-E;

THENCE ON THE SOUTHERLY AND WESTERLY BOUNDARY OF SAID PARCEL 1REVX-E BEING ALSO THE NORTHERLY AND EASTERLY LINE OF SAID THE RESERVE AT NORTH CREEK ANNEXATION PLAT THE FOLLOWING (3) THREE COURSES:

1. CONTINUING N76°16'13"W, A DISTANCE OF 10.67 FEET TO A POINT OF CURVE;

EXHIBIT A

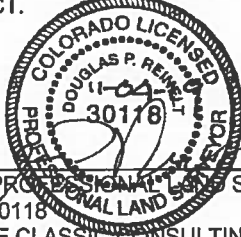

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2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF $24^{\circ}15'22''$, A RADIUS OF 441.27 FEET AND A DISTANCE OF 186.81 FEET TO A POINT ON CURVE;
3. $N10^{\circ}31'34''W$, A DISTANCE OF 36.31 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2.088 ACRES.

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 30178
FOR AND ON BEHALF OF CLASSIC CONSULTING
ENGINEERS AND SURVEYORS

NOV 04, 2019
DATE