ORDINANCE NO. 22 - 100

AN ORDINANCE VACATING PORTIONS OF A PUBLIC RIGHT-OF-WAY KNOWN AS HILL STREET CONSISTING

OF 0.049-ACRES LOCATED AT THE EASTERN TERMINUS

OF HILL STREET

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 Hill Street consisting of 0.049-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 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 13th day of

December 2022.

Finally passed: January 10, 2023

Council President

<u>May</u>	or's Action:	
×	Approved on 1, 20 2 3 Disapproved on	, based on the following objections:
		Mayor W. Suthus
Cou	ıncil Action After Disapproval:	Mayor
o o	Council did not act to override the Ma Finally adopted on a vote of	-
	Council action on	failed to override the Mayor's veto.
ATTEST:		Council President
Sara	ah B. Johnson, Ci Clerk	

LEGAL DESCRIPTION:

A PORTION OF HILL STREET SHOWN ON THE PLAT OF PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS RECORDED IN PLAT BOOK G AT PAGE 5, RECORDS OF EL PASO COUNTY AND BEING A PART OF SECTION 13, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE EAST LINE OF LOT 34, BLOCK 1, PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS, BEING MONUMENTED AT THE SOUTH END BY A 5/8" REBAR AND AT THE NORTH END BY A 5/8" REBAR WITH A RED PLASTIC CAP "PLS 19625", ASSUMED TO BEAR N 01°30'14" E. BEGINNING AT THE SOUTHWEST CORNER OF A PARCEL DESCRIBED UNDER RECEPTION NUMBER 218137577, RECORDS OF EL PASO COUNTY;

THENCE S 47°38'27" E ON THE NORTH RIGHT OF WAY LINE OF HILL STREET A DISTANCE OF 50.00 FEET TO THE SOUTHWEST CORNER OF LOT 13, BLOCK 2, PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS:

THENCE N 88°19'00" W A DISTANCE OF 14.98 FEET:

THENCE S 01°41'00" W A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF LOT 34, BLOCK 1, PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS;

THENCE ALONG THE NORTH LINE OF SAID LOT 34, BLOCK 1 THE FOLLOWING TWO (2) COURSES:

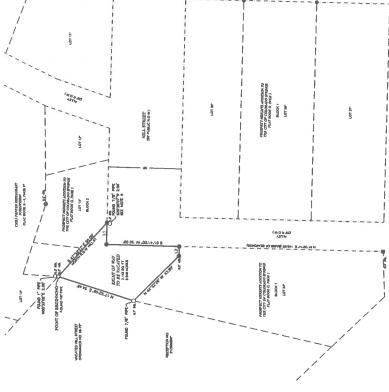
- 1. N 88°19'00" W A DISTANCE OF 6.50 FEET;
- 2. N 44°32'26" W A DISTANCE OF 43.80 FEET TO THE NORTHWEST CORNER OF SAID LOT 34, BLOCK 1;

THENCE N 17°52'48" E ON THE EAST LINE OF A PARCEL RECORDED UNDER RECEPTION NO. 212066599 A DISTANCE OF 54.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,143 SQUARE FEET OR 0.049 ACRES MORE OR LESS.

VACATION PLAT OF A PORTION OF "HILL STREET" LOCATED IN PROSPECT HEIGHTS ADDITION TO THE CITY OF COLORADO SPRINGS. SECTION 13. TOWNSHP IN SOUTH, RANGE 67 WEST OF THE 67H PM. CITY OF COLORADO SPRINGS, COUNTY OF EL MASO, STRTE OF COLORADO





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POAL DESCRIPTION.

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THE BASS OF BEAUTHORS IN THE EAST LINE OF LOT 34, BLOCK 1, PROSECTOR ESPONSO, PROSECTOR ESPONSO, BEAUTH OF OCCUPANDO WAS PROSECTED AT THE SOUTH BOD BY A FORM SET RESULT AT THE SOUTH BOD BY A FORM SET RESULT AND AT THE SOUTH BOD BY A FORM WITH A SET PRESULT CAP THE SINCE A SESSION OF RESULT WITH A SET PRESULT CAP THE SINCE ASSUMED TO BEAUTH OF STATE OF THE SINCE ASSUMED TO S

. UNITS OF MEASUREMENT ARE U.S. SURVEY FEET . DATE OF PREPARATION 05/21/22.

PARCEL IS LOCATED IN A ZONE X PLODO ANEA. INPORMATION FROM FEMA FISIA MAP MUNISER 00011C0729 Q, EFFECTIVE DATE DECEMBER 7, 2018.

NETHER UTILITY LOCATES OR UTILITY MAPS INDICATE ANY UTILITIES IN THE AREA TO BE WICATED

FOUND 7/8" PIVE WAS INDTACCEPTED SINCE IT WOULD NOT ALLOW FOR A 66 FOOT RIGHT OF WAY ON HELL STREET AS DETERBINED BY OTHER FOUND AND ADCEPTED MONUMENTS.

SURVEYOR'S CERTIFICATION:

BE IT KNOWN BY THESE PRESENTS

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ON BENAL OF THE CITY OF COLDRADO SPRINGS, THE UNDESTROADED RESERVAPONE FOR FILING THE ACCOMPANYING MACHION PLAT OF A PORTION OF HILL STREET.

CITY APPROVAL:

THES INSTRUMENT WAS ACCORDANDEDDED BEFORE ME ON 2022 BY AS LANDOR AND BY AS CITY CLERK OF THE CITY OF COLORADO MITNESS MY HAND AND OFFICIAL SEAL

MOTARY SIGNATURE

DATE

PATE DATE

CITY ENGINEER

UTILITIES EXECUTIVE DIRECTOR

2022, A D. AT. O'CLOCK OF THE RECONDS OF BL. DEPOSITED THE DAY OF ILL AND IS RECEPTION NO PAGE COUNTY, COLORADO. DEPOSITING CRICIFICATE.

SUPCHANGE.

THOMAS 8: MAURI COLORADO PL.S. NO 30108

REVISIONS DESCRITION OTY COMBUTS OTY COMBUTS OTY COMBUTS 8- --MARR LAND SURVEYING
308 Benfay Ave 8
coterate Springs, CD 80909
Tel: (TIP) 900-000
Umarriametric properties

EXHIBIT B

A PARCEL LOCATED IN SECTION 13,
TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M..
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO 8Y DATE The 04/29/20 The 10/29/20

Annual part of the part of the

MARTINO

FILE NO 8USD-22-0081

PORTIONS OF A PUBLIC RIGHT-OF-WAY KNOWN AS HILL STREET CONSISTING OF 0.049-ACRES LOCATED AT THE EASTERN TERMINUS OF HILL STREET was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on December 13, 2022; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 10th day of January 2023, and that the same was published by title and in summary, in accordance with Section 3-80 of Article III of the Charter, a newspaper published and in general circulation in the Gazette, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City,

this 10th day of January 2023.

Sarah İ

1st Publication Date: December 16, 2022 2nd Publication Date: January 18, 2023

Effective Date: January 23, 2023

Initial: SSS

City Clerk