

**ORDINANCE NO. 19-\_\_\_\_**

**AN ORDINANCE EXCLUDING CERTAIN PROPERTY FROM THE BOUNDARIES OF THE USAFA VISITOR'S CENTER BUSINESS IMPROVEMENT DISTRICT**

WHEREAS, City Council received a Petition for Exclusion (the "Petition") filed pursuant to C.R.S. § 31-25-1220 for the exclusion of certain property described in the Petition attached and made a part of this Ordinance as Exhibit "A" (the "Property") from the USAFA Visitors Center Business Improvement District ("District"); and

WHEREAS, in accord with the law, a public notice of the Petition has been given and published in the Colorado Springs Gazette, calling for a public hearing on the exclusion request set forth in the Petition, proof of publication for which is attached and made a part of this Ordinance as Exhibit "B"; and

WHEREAS, City Council has conducted a Public Hearing and heard all persons having objections to the exclusion of the Property from the District; and

WHEREAS, the Property sought to be excluded from the District is located entirely within the City of Colorado Springs, El Paso County, Colorado, and does not include property within any other county or within any other incorporated city, town, or city and county.

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

Section 1. City Council finds and determines that it has jurisdiction in this matter pursuant to the Business Improvement District Act, Part 12 of Article 25 of Title 31, C.R.S.

Section 2. City Council finds and determines that the change in boundaries of the USAFA Visitors Center Business Improvement District as proposed in the Petition does not adversely affect the District.

Section 3. Pursuant to C.R.S. § 31-25-1220, City Council grants the Petition and orders the exclusion of the Property from the boundaries of the District.

Section 4. This ordinance shall be in full force and effect from and after the last of the following to occur: (a) its final adoption and publication as provided by Charter and (b) after Ordinance 19-\_\_\_ (the "Inclusion Ordinance") regarding the inclusion of certain property into the boundaries of the District, has become in full force and effect pursuant to the terms of the Inclusion Ordinance.

Section 5. Upon the filing of a certified copy of the Inclusion Ordinance with the County Clerk and Recorder of El Paso County, Colorado, the City Clerk is thereafter directed to also file a certified copy of this Ordinance with the County Clerk and Recorder of El Paso County, Colorado.

Section 6. 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 8th day of October, 2019.

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Council President

ATTEST:

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Sarah B. Johnson, City Clerk