

RESOLUTION NO. 130 - 24

A RESOLUTION FINDING A PETITION FOR ANNEXATION OF THE AREA KNOWN AS NEAGLE DUTCHER FAMILY ADDITION CONSISTING OF 1.01 ACRES TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S. AND SETTING A HEARING DATE OF NOVEMBER 12, 2024, FOR THE COLORADO SPRINGS CITY COUNCIL TO CONSIDER THE ANNEXATION OF THE AREA

WHEREAS, a petition for annexation of the area known as Neagle-Dutcher Family Addition consisting of 1.01 acres and as more specifically described in Exhibit A (the "Petition for Annexation") was filed with the City Clerk on November 8, 2022; and

WHEREAS, on November 22, 2022, the City Clerk referred the Petition for Annexation to City Council as a communication; and

WHEREAS, on November 22, 2022, City Council referred the Petition for Annexation to the City Administration for review and recommendation; and

WHEREAS, the City Administration has reviewed the Petition for Annexation and recommends that the City Council find the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.

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

Section 1. That the City Council finds the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.

Section 2. The City Council hereby sets a public hearing on the Petition for Annexation for November 12, 2024, at 10:00 A.M., at Council Chambers, City Hall Building, 107 N. Nevada Avenue, Colorado Springs, Colorado, for purposes of determining and finding whether the area proposed to be annexed meets applicable requirements of Section 31-12-104 and Section 31-12-105, C.R.S. and Section 30 of Article II of the Colorado Constitution, to determine the eligibility of the area for annexation and to determine whether the area should be annexed to the City of Colorado Springs.

Section 3. The City Clerk is hereby directed to give notice of the hearing in the manner described in Section 31-12-108, C.R.S.

Dated at Colorado Springs, Colorado this 8<sup>th</sup> day of October

  
Randy Helms, Council President

ATTEST:

  
Sarah B. Johnson, City Clerk



## PETITION FOR ANNEXATION

### ANNEXATION PLAT NEAGLE-DUTCHER FAMILY ADDITION

To the City Council of the City of Colorado Springs:

We, the undersigned, constituting and comprising the owners of 100%\* of the area (territory) (excluding public streets and alleys) described in Exhibit 1 attached hereto and made a part of the Petition (the "Described Area"), do hereby petition that the Described Area be annexed to and become a part of the City of Colorado Springs and do represent and state:

1. It is desirable and necessary that the Described Area be annexed to the City of Colorado Springs.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S. 1973, as amended, exist or have been met as these sections apply to the annexation of the Described Area.
3. That the annexation of the Described Area complies with Section 30 of Article II of the Colorado Constitution.
4. That the undersigned request that the City of Colorado Springs approve the annexation of the Described Area.
5. That the legal description of the land owned by each Petitioner hereto is attached to and made part of this Petition.

The Petitioner(s) hereto understand and are cognizant of the fact that the City of Colorado Springs ("City") is not legally required to annex the Described Area, and that if the City does annex the Described Area, the annexation shall be upon the conditions and agreement of the Petitioner(s) as set forth in the Annexation Agreement.

**NOW, THEREFORE**, in consideration of the foregoing statement, and in further consideration of the benefits which will accrue to the Petitioner(s) and the obligations resulting to the City if the Described Area is annexed to the City, the Petitioner(s) agree and covenant that if the Described Area is annexed to the City, the Petitioner(s) will comply with all applicable provisions of the Code of the City of Colorado Springs 2001, as amended, and all applicable ordinances, resolutions, and regulations of the City now existing or as hereinafter amended.

The covenants and agreements herein above set forth shall run with the land owned by each Petitioner hereto which is subject to this annexation and shall extend to and be binding upon the heirs, assigns, legal representatives and successors to each Petitioner. Each Petitioner expressly accepts the aforesaid covenants and agreements by proceeding with the Petition for Annexation to the City.

Laurie Lee Neagle  
Name (Print) Laurie Lee Neagle Signature 10/20/2022 Date  
1070 Harbourne Street, Colorado Springs, CO 80911

**Legal Description:**

A tract of land being a portion of the Northwest Quarter of Section 26, Township 13 South, Range 66 West of the 6th P.M., situate in El Paso County, Colorado, described as follows:

Lot 11, Block Four, TOGETHER WITH portions of Date Street (60' public R.O.W.) lying Northwesternly and Lotus Street (60' public R.O.W.) lying Southerly of said Lot inclusive, and the adjacent intersection portions of said Date Street and Lotus Street, all as platted within PARK VISTA ADDITION (Plat Book W, Page 69, El Paso County, Colorado records), described as follows:

Bearings are based on the Northwesternly right-of-way line of said Date Street and is assumed to bear S43°03'30"W.

BEGINNING at the most Southeasterly corner of said Lot 11; thence N00°10'50"W along the Easterly line of said Lot 11, 120.00 feet to the Northeasterly corner of said Lot 11; thence N46°56'30"W along the Northeasterly line of said Lot 11 and as extended Northwesternly, 80.36 feet to a point on said Date Street's Northwesternly right-of-way line; thence S43°03'30"W along said Northwesternly right-of-way line, 274.93 feet; thence S46°56'30"E, 60.00 feet to a point on the Southeasterly right-of-way line of said Date Street; thence Northeasterly on a non-tangent curve to the right and along said Date Street's Southeasterly right-of-way line, said curve having a central angle of 46°45'40", a radius of 20.00 feet, an arc length of 15.97 feet to a point on the Southerly right-of-way line of said Lotus Street; thence N89°49'10"E along said Lotus Street's Southerly right-of-way line, 308.56 feet; thence N00°10'50"W, 60.00 feet to a point on the Northerly right-of-way line of said Lotus Street; thence S89°49'10"W along said Lotus Street's Northerly right-of-way line, 120.00 feet to the POINT OF BEGINNING;

Containing 1.01 acres (44,164 square feet), more or less.

