

ORDINANCE NO. 23 - 67

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS NORTH GATE BOULEVARD ADDITION NO. 9 ANNEXATION CONSISTING OF 0.55 ACRES LOCATED WEST OF NORTH GATE BOULEVARD AND STRUTHERS ROAD INTERSECTION

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 North Gate Boulevard Addition No. 9 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 November 14, 2023, 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 North Gate Boulevard Addition No. 9 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 14<sup>th</sup> day of November 2023.

**Finally passed:** November 28, 2023

  
\_\_\_\_\_  
Randy Helms, Council President

**Mayor's Action:**

NOV 29 2023

- Approved on \_\_\_\_\_.
- Disapproved on \_\_\_\_\_, based on the following objections:

---



---



---



---

*Blessing A. Mobolade*

\_\_\_\_\_  
Blessing A. Mobolade, 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.

\_\_\_\_\_  
Randy Helms, Council President

ATTEST:

*Sarah B. Johnson*  
\_\_\_\_\_  
Sarah B. Johnson, City Clerk



CAO: MS  
COS: \_\_\_\_\_

## LEGAL DESCRIPTION :

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO, BEING A PART OF LOT 1 AND STRUTHERS ROAD OF THE SUBDIVISION PLATTED AS RIDGE POINT SUBDIVISION FILING No. 1 AS RECORDED AT RECEPTION No. 099093593, A PART OF LOT 1 OF THE SUBDIVISION PLATTED AS ACADEMY GATEWAY SUBDIVISION FILING No. 1 AS RECORDED AT RECEPTION No. 217713997 AND A PART OF NORTHGATE BOULEVARD AS RECORDED IN BOOK 1728 AT PAGE 449. ALL OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, RIDGE POINT SUBDIVISION FILING No. 1, THENCE;**

1. ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING TWO (2) COURSES:
  - a) SOUTH 01°22'30" EAST A DISTANCE OF 350.00 FEET, THENCE;
  - b) SOUTH 24°35'19" WEST A DISTANCE OF 615.81 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 1, RIDGE POINT SUBDIVISION FILING No. 1, SAID POINT ALSO BEING NORTHEASTERLY CORNER OF THE RIGHT-OF-WAY PARCEL RECORDED AT RECEPTION No. 221207022 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;
  - c) THENCE SOUTH 67°12'26" WEST A DISTANCE OF 378.42 FEET TO THE POINT OF BEGINNING;
2. THENCE SOUTH 09°02'43" WEST A DISTANCE OF 120.22 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID NORTHGATE BOULEVARD, AS RECORDED IN BOOK 1728 AT PAGE 449 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;
3. THENCE SOUTH 65°19'40" WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALSO BEING THE NORTHERLY LINE OF LOT 1, BLOCK 1, MINING MUSEUM SUBDIVISION No. 1 AS PLATTED AND RECORDED IN PLAT BOOK F-3 AT PAGE 73 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, A DISTANCE OF 205.27 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE THE UNITED STATES AIR FORCE ACADEMY AS PLATTED AND RECORDED IN PLAT BOOK O-2 AT PAGE 84 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, THENCE;
4. ALONG SAID EASTERLY BOUNDARY LINE THE FOLLOWING TWO (2) COURSES:
  - a) NORTH 25°10'03" WEST A DISTANCE OF 81.02 FEET, THENCE;
  - b) NORTH 56°36'25" WEST A DISTANCE OF 22.37 FEET TO THE INTERSECTION POINT WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID NORTHGATE BOULEVARD, THENCE;
7. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ACADEMY GATEWAY SUBDIVISION FILING No. 1, NORTH 65°19'40" EAST A DISTANCE OF 284.54 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 24,018 SQUARE FEET, (0.5513 ACRES), MORE OR LESS.

ALL BEARINGS ARE BASED ON A LINE FROM THE NORTHEAST CORNER OF SAID LOT 1 AND ALSO BEING AN ANGLE POINT ON THE WESTERLY LINE OF TRACT D OF MORNINGVIEW SUBDIVISION AS RECORDED AT RECEPTION No. 207712526 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, BEING MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "JR ENG LS 10377, TO AN ANGLE POINT ON THE EASTERLY LINE OF SAID TRACT D, BEING MONUMENTED BY A FOUND 1-1/2" ALUMINUM CAP STAMPED "JR ENG PLS 32820", AND IS ASSUMED TO BEAR SOUTH 01°37'24" WEST A DISTANCE OF 543.56 FEET.

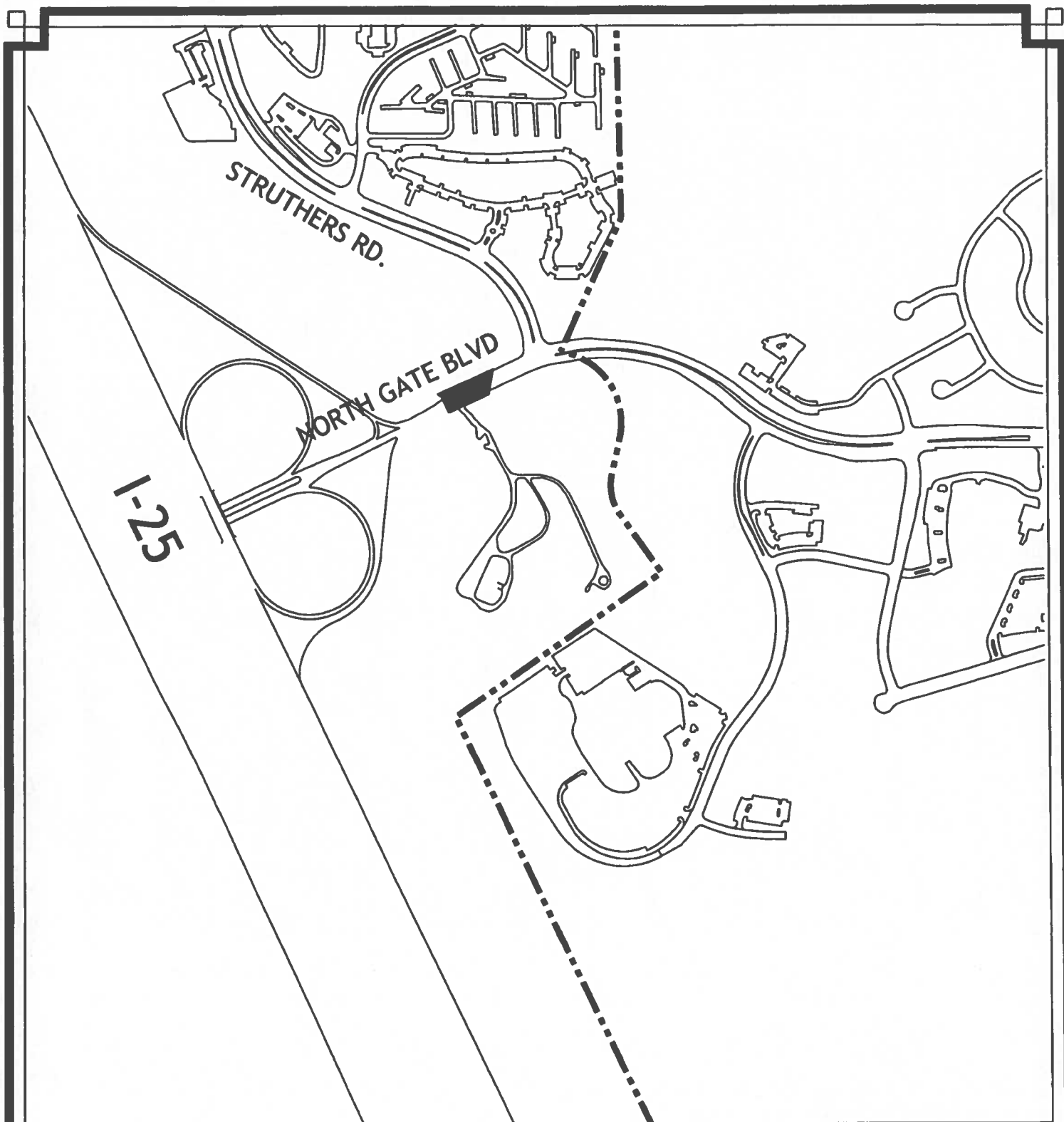


### ANNEXATION

North Gate Boulevard Addition No.9  
Description

Drawn By: R. Kotwica Date: 02/08/2022

Job Number: 2022007 PAGE 1 OF 1



I-25

STRUTHERS RD.

NORTH GATE BLVD



COLORADO  
SPRINGS  
OLYMPIC CITYUSA

ANNEXATION

North Gate Boulevard Addition No.9  
vicinity map

Drawn  
By: R. Kotwica

Date: 02/8/2022

Job Number: 2022007

PAGE 1 OF 1

I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS NORTH GATE BOULEVARD ADDITION NO. 9 ANNEXATION CONSISTING OF 0.55 ACRES LOCATED WEST OF NORTH GATE BOULEVARD AND STRUTHERS ROAD INTERSECTION”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on November 14, 2023; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 28<sup>th</sup> day of November 2023, and that the same was published by title and in full, 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 28<sup>th</sup> day of November 2023.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: November 17, 2023  
2<sup>nd</sup> Publication Date: December 6, 2023

Effective Date: December 11, 2023

Initial: SBJ  
City Clerk