

ORDINANCE NO. 23 - 66

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS NORTH GATE BOULEVARD ADDITION NO. 8 ANNEXATION CONSISTING OF 1.37 ACRES LOCATED AT THE 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. 8 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. 8 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:

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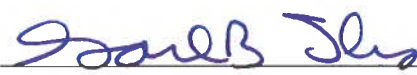
  
 \_\_\_\_\_  
 Blessing A. Mobolade, Mayor

**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, 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, AND THE POINT OF BEGINNING, THENCE;
2. ALONG THE EASTERLY LINE OF SAID RIGHT-OF-WAY PARCEL, SOUTH 24°35'19" WEST A DISTANCE OF 70.50 FEET TO THE SOUTHEAST CORNER OF SAID RIGHT-OF-WAY PARCEL RECORDED AT RECEPTION No. 221207022, ALSO BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF NORTHGATE BOULEVARD AS RECORDED IN BOOK 1728 AT PAGE 449 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, THENCE;
3. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 24°24'58", A RADIUS OF 337.94 FEET, AN ARC LENGTH OF 144.01 FEET, A CHORD BEARING OF SOUTH 68°16'15" EAST, AND A CHORD LENGTH OF 142.92 FEET TO THE NORTHWESTERLY CORNER PARCEL "B" OF TRACT "A", SMITH CREEK OPEN SPACE AS RECORDED AT RECEPTION No. 204131731, SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF VACATED RIGHT-OF-WAY, RECORDED AT RECEPTION No. 208007172 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, THENCE;
4. ALONG SAID VACATED RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:
  - a) SOUTH 85°10'41" WEST A DISTANCE OF 20.37 FEET, THENCE;
  - b) SOUTH 65°19'40" WEST A DISTANCE OF 117.17 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID NORTHGATE BOULEVARD, 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, THENCE;
5. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:
  - a) ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 39°44'58", A RADIUS OF 237.94 FEET, AN ARC LENGTH OF 165.07 FEET, A CHORD BEARING OF SOUTH 85°12'08" WEST AND A CHORD LENGTH OF 161.78 FEET, THENCE;
  - b) SOUTH 65°19'40" WEST A DISTANCE OF 201.53 FEET TO A POINT;
  - c) THENCE NORTH 09°02'43" EAST A DISTANCE OF 120.22 FEET TO A POINT ON 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 119.79 FEET TO THE SOUTHWESTERLY CORNER OF RIGHT-OF-WAY PARCEL, RECORDED AT RECEPTION No. 221160519 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, THENCE;
8. ALONG THE WESTERLY LINE OF SAID RIGHT-OF-WAY PARCEL, NORTH 08°59'10" EAST A DISTANCE OF 98.02 FEET TO THE NORTH CORNER OF SAID RIGHT-OF-WAY PARCEL, ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID STRUTHERS ROAD, THENCE;
9. NORTH 77°59'20" EAST A DISTANCE OF 120.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID STRUTHERS ROAD, ALSO BEING THE NORTHWESTERLY CORNER OF SAID RIGHT-OF-WAY PARCEL RECORDED AT RECEPTION No. 221207022 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, THENCE;
10. SOUTH 76°45'32" EAST, ALONG THE NORTHERLY LINE OF SAID RIGHT-OF-WAY PARCEL RECORDED AT RECEPTION No. 221207022, A DISTANCE OF 110.17 FEET TO THE POINT OF BEGINNING.

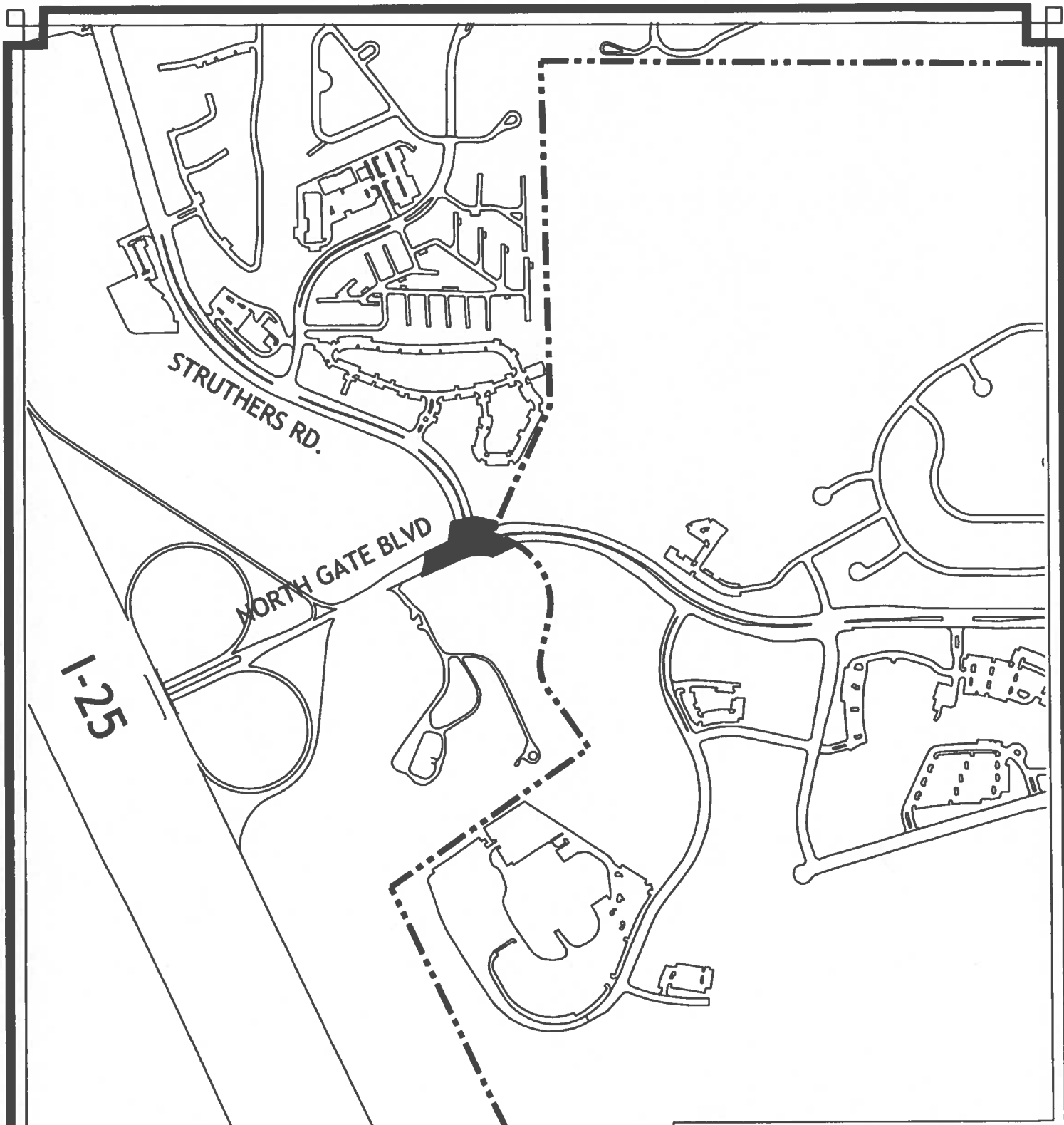
SAID PARCEL CONTAINS 59,729 SQUARE FEET, (1.3711 ACRES), MORE OR LESS.

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.8  
Description

|                      |                  |
|----------------------|------------------|
| Drawn By: R. Kotwica | Date: 02/08/2022 |
| Job Number: 2022007  | PAGE 1 OF 1      |





**ANNEXATION**  
North Gate Boulevard Addition No.8  
vicinity map

|                                |                        |
|--------------------------------|------------------------|
| Drawn<br>By: <b>R. Kotwica</b> | Date: <b>02/8/2022</b> |
| Job Number: <b>2022007</b>     | <b>PAGE 1 OF 1</b>     |

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. 8 ANNEXATION CONSISTING OF 1.37 ACRES LOCATED AT THE 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: SBS  
City Clerk