

ORDINANCE NO. 24 - 52

AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS AIR LANE ADDITION NO. 2 ANNEXATION CONSISTING OF 3.06 ACRES LOCATED ALONG EXISTING AIR LANE NORTH OF SPACE VILLAGE AVENUE

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 Air Lane Addition No. 2, 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 July 9, 2024, 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 Air Lane Addition No. 2 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 9th day of July 2024.

Finally passed: July 23, 2024


Randy Helms, Council President

Mayor's Action:

Approved on JUL 24 2024.

Disapproved on _____, based on the following objections:



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: _____
COS: _____

LEGAL DESCRIPTION :

A PORTION OF AIR LANE AS DEPICTED AS POTTER DRIVE IN HILLCREST ACRES AT PLAT BOOK B-2 PAGE 64 AND A PORTION OF A **20.00 FOOT TRACT AS RECORDED AT RECEPTION NUMBER 099087783** AND QUITCLAIMED TO THE CITY OF COLORADO SPRINGS AT **RECEPTION NUMBER 222134799** ALL OF THE RECORDS OF EL PASO COUNTY, COLORADO;

IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M., IN EL PASO COUNTY, COLORADO.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF **SPACE VILLAGE ADDITION NO. 1 ANNEXATION PLAT** AS RECORDED RECEPTION NUMBER 222715049 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE N00°18'02" W AND COINCIDENT WITH THE WESTERLY LINE OF SAID AIR LANE A DISTANCE OF 10.00 FEET TO A THE **POINT OF BEGINNING**;

THENCE N00°18'02" W AND COINCIDENT WITH THE WESTERLY LINE OF SAID AIR LANE A DISTANCE OF 20.00 FEET TO A POINT;

THENCE N89°40'19" E A DISTANCE OF 50.00 FEET;

THENCE N00°18'02" W A DISTANCE OF 150.01 FEET;

THENCE N89°41'58" E A DISTANCE OF 10.00 FEET TO THE EAST RIGHT OF WAY LINE OF AIR LANE (POTTER DRIVE) AND THE WEST LINE OF SAID 20.00 FOOT TRACT;

THENCE N00°18'02" W AND COINCIDENT WITH SAID 20.00 FOOT TRACT AND EAST RIGHT OF WAY LINE A DISTANCE OF 439.97 FEET;

THENCE N89°41'58" E A DISTANCE OF 20.00 FEET TO THE EAST LINE OF SAID 20.00 FOOT TRACT;

THENCE S00°18'02" E AND COINCIDENT WITH THE EAST LINE OF SAID 20.00 FOOT TRACT A DISTANCE OF 459.97;

THENCE S89°41'58" W A DISTANCE OF 10.00 FEET ;

THENCE S00°18'02" E A DISTANCE OF 150.00 FEET;

THENCE S89°40'19" W A DISTANCE OF 70.00 FEET TO THE **POINT OF BEGINNING**

SAID PARCEL CONTAINS 133,399 SQUARE FEET, (3.062 ACRES), MORE OR LESS.

THE LINEAR UNIT OF MEASURE USED FOR THIS SURVEY IS THE U.S. Survey foot.



ANNEXATION

AIR LANE Addition No.2
Description

Drawn By: R. Kotwica

Date: 10/11/2023

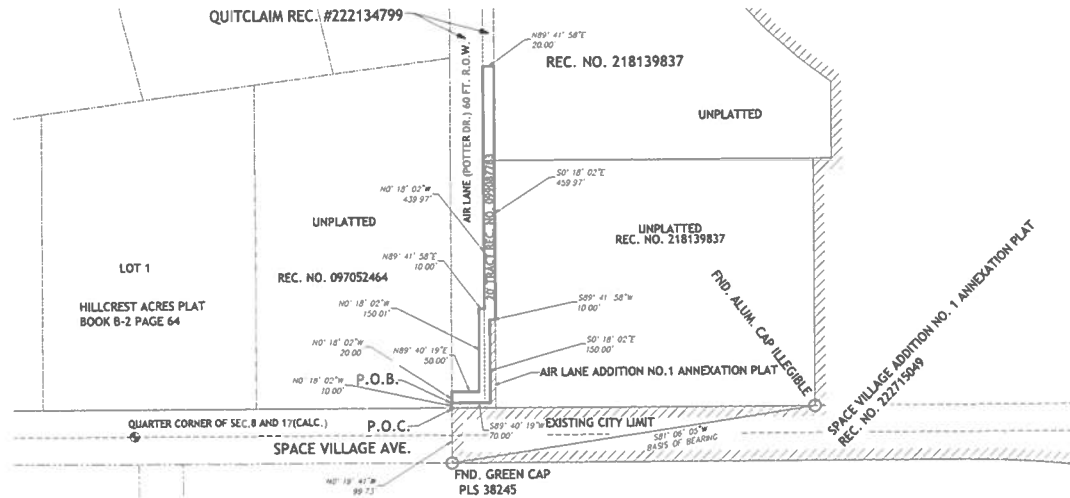
Job Number: 2023028

PAGE 1 OF 1

ANNEXATION PLAT

AIR LANE ADDITION NO. 2

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8 TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M., to the City of Colorado Springs, El Paso County, Colorado



BE IT KNOWN BY THESE PRESENTS:

THAT THE CITY OF COLORADO SPRINGS, COLORADO, A HOME RULE CITY AND COLORADO MUNICIPAL CORPORATION, BEING THE PETITIONER FOR THE ANNEXATION OF THE FOLLOWING DESCRIBED TRACT OF LAND TO WIT:

LEGAL DESCRIPTION:

A PORTION OF AIR LANE AS DEFINED AS POTTER DRIVE IN HILLCREST ACRES AT PLAT BOOK 9-2 PAGE 64 AND A PORTION OF A 20.00 FOOT TRACT AS RECORDED AT RECEPTION NUMBER 09887793 AND QUILCLAIMED TO THE CITY OF COLORADO SPRINGS AT RECEPTION NUMBER 222134798 ALL OF THE RECORDS OF EL PASO COUNTY, COLORADO, IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M., IN EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SPACE VILLAGE ADDITION NO. 1 ANNEXATION PLAT AS RECORDED RECEPTION NUMBER 222115048 OF THE RECORDS OF EL PASO COUNTY, COLORADO;
 THENCE N00°18'02" W AND COINCIDENT WITH THE WESTERLY LINE OF SAID AIR LANE A DISTANCE OF 10.00 FEET TO A POINT OF BEGINNING;
 THENCE N00°18'02" W AND COINCIDENT WITH THE WESTERLY LINE OF SAID AIR LANE A DISTANCE OF 20.00 FEET TO A POINT;
 THENCE N88°49'19" E A DISTANCE OF 50.00 FEET;
 THENCE S00°18'02" W A DISTANCE OF 150.01 FEET;
 THENCE N88°41'58" E A DISTANCE OF 10.00 FEET TO THE EAST RIGHT OF WAY LINE OF AIR LANE (POTTER DRIVE) AND THE WEST LINE OF SAID 20.00 FOOT TRACT;
 THENCE N00°18'02" W AND COINCIDENT WITH SAID 20.00 FOOT TRACT AND EAST RIGHT OF WAY LINE A DISTANCE OF 438.87 FEET;
 THENCE N88°41'58" E A DISTANCE OF 20.00 FEET TO THE EAST LINE OF SAID 20.00 FOOT TRACT;
 THENCE S00°18'02" E AND COINCIDENT WITH THE EAST LINE OF SAID 20.00 FOOT TRACT A DISTANCE OF 458.87;
 THENCE S88°41'58" W A DISTANCE OF 10.00 FEET;
 THENCE S00°18'02" E A DISTANCE OF 150.00 FEET;
 THENCE S88°40'19" W A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING

ALL BEARINGS ARE BASED ON A LINE FROM THE SOUTHWEST CORNER OF A TRACT AS RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK'S OFFICE AT RECEPTION NUMBER 218139837 AND THE SOUTHWEST CORNER OF SPACE VILLAGE ADDITION NO. 1 ANNEXATION PLAT AS RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK'S OFFICE AT RECEPTION NUMBER 222115048 AND HAS ADJUSTED TO BEAR 581°00'00" W, AS MONUMENTED ON THE NORTHEAST END WITH AN ALLEGIBLE ALUMINUM CAP AND TO THE SOUTHWEST END AS MONUMENTED WITH A GREEN CAP MARKED PLS 38245.

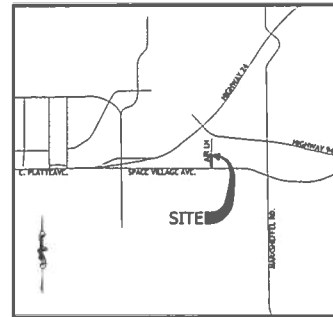
SAID PARCEL CONTAINS 133,399 SQUARE FEET (3.062 ACRES), MORE OR LESS.

THE LINEAR UNIT OF MEASURE USED FOR THIS SURVEY IS THE U.S. Survey foot.

TOTAL PERIMETER OF THE AREA FOR ANNEXATION: 1378.95'
 ONE-EIGHTH (1/8TH) OF PERIMETER: 222.99' (16.87%)
 CONTIGUOUS PERIMETER TO THE EXISTING CITY LIMITS: 230.00' (16.67%)

NOTICE:

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



SURVEYOR'S STATEMENT:

THE UNDERSIGNED REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO HEREBY CERTIFIES THAT THE ACCOMPANYING ANNEXATION PLAT WAS DRAWN UNDER HIS SUPERVISION AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND, AND THAT AT LEAST ONE (ONE) OF THE PERIPHERAL BOUNDARY OF SAID TRACT IS CONTIGUOUS TO THE PRESENT BOUNDARY OF THE CITY OF COLORADO SPRINGS, COLORADO, EL PASO COUNTY, COLORADO TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

THIS DAY OF 2024
 Robert A. Puchota, Jr., Colorado P.L.S. 38224
 For and on behalf of The City of Colorado Springs
 20 S. Nevada Ave., Suite 402
 Colorado Springs, CO, 80901
 719-385-6545

OWNER:

The aforementioned, City of Colorado Springs, Colorado, a home rule city and Colorado Municipal Corporation, has executed this instrument this ___ day of ____, 2024 A.D.

Blessing A. Mokolade,
 Mayor

Attest:

City Clerk

State of Colorado)
) ss
 County of El Paso)

The foregoing instrument was acknowledged before me this ___ day of ____, 2024 A.D., by Blessing A. Mokolade, Mayor of the City of Colorado Springs, Colorado, a home rule city and Colorado Municipal Corporation.

Witness my hand and seal

My commission expires: _____
 Notary Public

CITY OF COLORADO SPRINGS APPROVAL:

On behalf of the City of Colorado Springs, the undersigned hereby approve for filing the accompanying annexation plat of "Air Lane Addition No. 2".

City Planning Director Date

City Engineer Date

The annexation of the real property shown on this plat is approved pursuant to an ordinance made and adopted by THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, by actions of The City Council of The City of Colorado Springs at its meeting on ___ day of ____, 2024, A.D.

City Clerk Date

CLERK AND RECORDER

STATE OF COLORADO)
) ss
 COUNTY OF EL PASO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK, M. THIS DAY OF _____, 2024, A.D. AND IS DULY RECORDED AT RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

STEVE SCHLEIKER
 CLERK AND RECORDER.

BY _____
 DEPUTY

SURCHARGE, _____
 FEE _____

AIR LANE ADDITION NO. 2 ANNEXATION PLAT		
DATE	JOB NUMBER	REV.
10/11/23	2023028	
SCALE: 1" = 100'		
DRAWN BY: Robert A. Puchota, Jr.		
SHEET 1 OF 1		

ANEX-23-0025

I HEREBY CERTIFY that the foregoing ordinance entitled **“AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS AIR LANE ADDITION NO. 2 ANNEXATION CONSISTING OF 3.06 ACRES LOCATED ALONG EXISTING AIR LANE NORTH OF SPACE VILLAGE AVENUE”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on July 9, 2024; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 23rd day of July 2024, 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 23rd day of July 2024.


Sarah B. Johnson, City Clerk

1st Publication Date: July 12, 2024

2nd Publication Date: July 31, 2024

Effective Date: August 5, 2024

Initial: 
City Clerk

