

ORDINANCE NO. 25 - 50

AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY KNOWN AS FILLMORE PLACE CONSISTING OF 0.034 ACRES NORTH OF 2938 MAIN STREET

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

Section 1. City Council hereby finds, determines and declares that it is in the best interest of the City and its citizens to vacate and hereby vacates a portion of a public right-of-way known as Fillmore Place consisting of 0.034 acres located north of 2938 Main Street, as described in Exhibit A and depicted in Exhibit B, both of which are attached hereto and made a part hereof, subject to the reservations of easement set forth in Section 2 below.

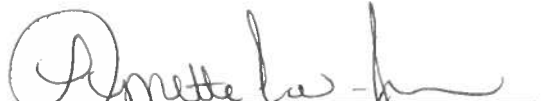
Section 2. Council excepts and reserves from this vacation all public utility, public improvement, and other public easements across, over, under and through the vacated portion of right-of-way described in Exhibit A and depicted in Exhibit B, including and subject to those terms and conditions in that certain instrument filed in the public records of El Paso County, Colorado at Reception No. 224026331.

Section 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by Charter.

Section 4. 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.

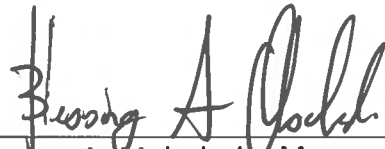
Introduced, read, passed on first reading and ordered published this 13th day of May 2025.

Finally passed: May 27, 2025


Lynette Crow-Iverson, Council President

Mayor's Action:

- ☒ Approved on MAY 28 2025.
- ☐ 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.

Lynette Crow-Iverson, Council President

ATTEST:



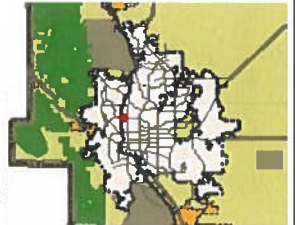
Sarah B. Johnson, City Clerk



COS:
CAO: 



FILLMORE PLACE ROW VACATION - VICINITY MAP



Legend

- Parcels
- Base Zone - Outline
- ROW to be vacated location

1: 2,400



400.0 0 200.00 400.0 Feet

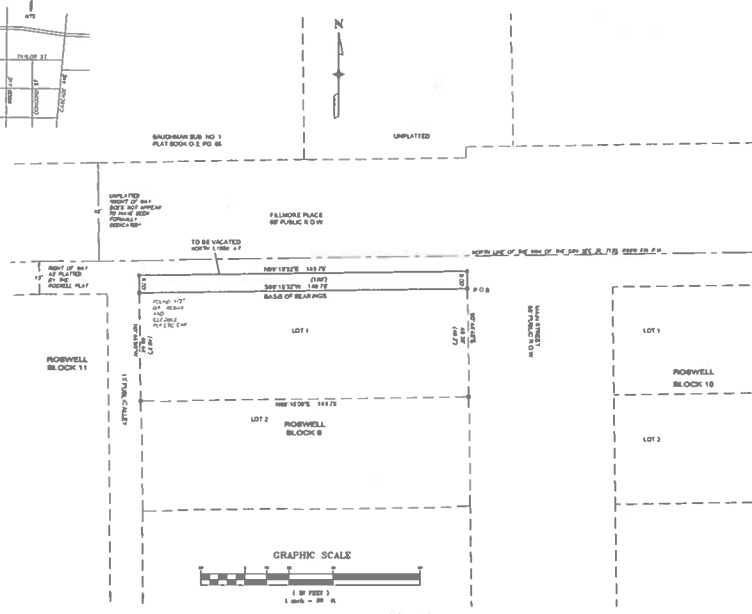
NAD_1983_StatePlane_Colorado_Central_FIPS_0502_Feet
© Latitude Geographics Group Ltd.

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Notes

File Number: SUBD-24-0156
SCALE - 1" = 200'

RIGHT OF WAY VACATION PLAT
A PORTION OF FILLMORE PLACE ADJACENT TO
LOT 1, BLOCK 9, ROSWELL
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 31, T13S, R68W, OF THE 6th P.M.,
IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO



PROPERTY DESCRIPTION:

THAT PART OF FILLMORE PLACE 1/2 M. NORTH OF AND ADJACENT TO LOT 1, BLOCK 9, ROSWELL, NOW IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, ACCORDING TO THE BURDENED PLAT THEREOF RECORDED IN PLAT BOOK 9 AT PAGE 43 OF THE EL PASO COUNTY RECORDS, BEING THAT PORTION THEREOF DESCRIBED AS FOLLOWS:
BEING AT THE NORTH CORNER OF SAID LOT 1, BLOCK 9, THENCE S 89° 14' 37\"

BE IT KNOWN BY THESE PRESENTS:

THAT THE CITY OF COLORADO SPRINGS, COLORADO, A HOME RULE CITY AND COLORADO MUNICIPAL CORPORATION, DOES HEREBY VACATE THE LINE SET FORTH ON THE VACATION PLAT AND SHALL BE KNOWN AS A PORTION OF FILLMORE PLACE ADJACENT TO LOT 1, BLOCK 9, ROSWELL, LOCATED IN THE CITY OF COLORADO SPRINGS, COLORADO, EL PASO COUNTY, COLORADO.

CITY APPROVAL:

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING VACATION PLAT OF A PORTION OF FILLMORE PLACE ADJACENT TO LOT 1, BLOCK 9, ROSWELL.

NOTAR
ATTEST
CITY CLERK
STATE OF COLORADO
COUNTY OF EL PASO, CO
THE FOREGOING INSTRUMENT WAS ALLOWED BEFORE ME THIS ____ DAY OF _____, 2025, BY BLESSING A. MORLADE,
AS NOTARY AND BY SHARON B. JOHNSON, AS CITY CLERK, OF THE CITY OF COLORADO SPRINGS.
NOTARY PUBLIC SIGNATURE
MY COMMISSION EXPIRES
CITY PLANNING DIRECTOR DATE
CITY ENGINEER DATE
UTILITIES EXECUTIVE DIRECTOR DATE

RECORDING:

STATE OF COLORADO, ss
COUNTY OF EL PASO, ss
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT MY OFFICE AT ____ O'CLOCK ____
THIS ____ DAY OF _____, 2025, AND IS DULY RECORDED AT RECEPTION NO. _____
OF THE RECORDS OF EL PASO COUNTY, COLORADO.
STEVE SCHNEIDER, RECORDER
BY _____
DEPUTY
FEE _____
SURCHARGE _____

SURVEYOR'S CERTIFICATION:

THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO HEREBY STATES AND DECLARES THAT THE ACCOMPANYING VACATION PLAT WAS SURVEYED AND DRAWN UNDER HIS RESPONSIBLE CHARGE AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND AND VACATION THEREOF AND THAT THE RESEMBLANCE OF TITLE 30 OF THE COLORADO REVISED STATUTES, 1973 AS AMENDED HAVE BEEN MET TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

KEVIN W. CLARY, COLORADO PLS 20864
PLOT AND OR BEHALF OF
LWA LAND SURVEYING, INC.

- GENERAL NOTES
1. LAND SURVEY PLAT OF LOTS 1 THROUGH 4, BLOCK 9, ROSWELL, BY STEWART SURVEYING, LLC 1/16/2024 (DEP NO. 388889) (PLS 38884).
 2. THE BASIS OF BEARINGS IS THE NORTH LINE OF LOT 1, BLOCK 9, DEP 1/16/2024. THE DIRECTION IS BASED ON THE LAND SURVEY PLAT BY STEWART SURVEYING AND THE LINE IS MONUMENTED BY A 1/2\"
 3. MONUMENTS
a. FOUND 1/2\" DIA. REBAR AND PLASTIC CAP \"STEWART PLS 38884\" OR AS NOTED.
b. SET A 5/8\" DIAMETER REBAR, 1\" IN LENGTH WITH 1/2\" DIAMETER ALUMINUM CAP STAMPED \"LWA PLS 20864\".
MONUMENTS ARE PLUSH WITH THE GROUND UNLESS NOTED OTHERWISE.
 4. UNITS OF MEASURE ARE U.S. SURVEY FEET. DIMENSIONS SHOWN ARE BASED ON FIELD MEASUREMENTS. DIMENSIONS SHOWN IN PARENTHESES ARE THOSE DIMENSIONS OF RECORD THAT VARY FROM FIELD MEASUREMENTS.
 5. RESEARCH FOR RECORDED RIGHTS OF WAY AND EASEMENTS WAS DONE BY FIDELITY NATIONAL TITLE INSURANCE COMPANY ORDER NUMBER 3/15/25 (EL COUNTY) DATE 1/14/25.
 - THIS DRAWING DOES NOT CONSTITUTE A TITLE SEARCH BY KEVIN W. CLARY OR LWA LAND SURVEYING, INC.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST CONDUCT ANY LEGAL ACTION BASED UPON OR RELYING ON THIS SURVEY WITHIN THREE (3) YEARS OF THE DATE OF THE SURVEY. ANY ACTION BASED UPON OR RELYING ON THIS SURVEY AFTER THAT TIME MAY BE VOID OR VOIDABLE. THIS NOTICE IS GIVEN TO YOU BY THE SURVEYOR AND IS NOT A WARRANTY. THE SURVEYOR'S LIABILITY IS LIMITED TO THE AMOUNT OF THE FEE FOR THE SURVEY.

APPROVED 2-11-25 CITY COMMISSION
BY _____
LWA LAND SURVEYING, INC.
811 E. ALAMITOS STREET
COLORADO SPRINGS, COLORADO 80904
Phone: (719) 520-3970
FAX: (719) 520-3970
SUBD-24-0156

SUBD-24-0156:

RIGHT OF WAY VACATION PLAT – A PORTION OF FILLMORE PLACE ADJACENT TO LOT 1, BLOCK 9, ROSWELL

LEGAL DESCRIPTION:

THAT PART OF FILLMORE PLACE LYING NORTH OF AND ADJACENT TO LOT 1, BLOCK 9, ROSWELL, NOW IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, ACCORDING TO THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK B AT PAGE 40 OF THE EL PASO COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 9;

THENCE S89°16'32"W ON THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 149.75 FEET TO THE NORTHWEST CORNER THEREOF; THENCE N00°44'50"W ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1 A DISTANCE OF 8.00 FEET;

THENCE N89°16'32"E ON A LINE TEN FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 149.75 FEET; THENCE S00°44'48"E ON THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 1 A DISTANCE OF 8.00 FEET TO THE POINT OF BEGINNING;

THE DESCRIBED TRACT CONTAINS 1,198 SQUARE FEET, MORE OR LESS.

I HEREBY CERTIFY that the foregoing ordinance entitled "**AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY KNOWN AS FILLMORE PLACE CONSISTING OF 0.034 ACRES NORTH OF 2938 MAIN STREET.**" was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on **May 13, 2025**; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the **27th day of May 2025**, and that the same was published by title and in summary or 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, **27th day of May 2025**


Sarah B. Johnson, City Clerk

1st Publication Date: **May 16, 2025**

2nd Publication Date: **June 4, 2025**

Effective Date: **June 9, 2025**

Initial: 
City Clerk

