

RESOLUTION NO. 53 - 24

A RESOLUTION FINDING A PETITION FOR ANNEXATION OF THE AREA KNOWN AS DUBLIN PARK ADDITION NO. 1 CONSISTING OF 2.058 ACRES TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S. AND SETTING A HEARING DATE OF JULY 23, 2024, FOR THE COLORADO SPRINGS CITY COUNCIL TO CONSIDER THE ANNEXATION OF THE AREA

WHEREAS, a petition for annexation of the area known as Dublin Park Addition No. 1 consisting of 2.058 Acres and as more specifically described in Exhibit A (the "Petition for Annexation") was filed with the City Clerk on October 10, 2023; and

WHEREAS, on October 24, 2023, the City Clerk referred the Petition for Annexation to City Council as a communication; and

WHEREAS, on October 24, 2023, 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 July 23, 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 11th day of June 2024.


Randy Helms, Council President

ATTEST:


Sarah B. Johnson, City Clerk



PETITION FOR ANNEXATION

Dublin Park Addition No. 1

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 A attached hereto and made a part of the Petition the ("Described Area"), do hereby petition that the Described Area be annexed to and become 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 forgoing 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 Petition 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.

City of Colorado Springs

Gayle G. Sturdivant
Name (Print)

Gayle Sturdivant
Signature

6/12/2023
Date

Mailing Address

30 S. Nevada Ave., Suite 401
Colorado Springs, CO 80901

Legal Description: See Exhibit Dublin Park Addition No 1 Description

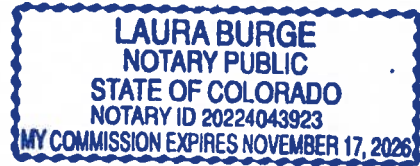
AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The foregoing instrument was executed before me this 12th day of June, 2023, by
Gayle Stuedivert



Witness my hand and official seal.

My Commission expires: 11-17-2026

Laura Burge
Notary Public

The notarization signatures above serve as the Affidavit of Circulator acknowledging that each signature herein is the signature of the person it purports to be (C.R.S. 31-12-107(1)(cc)(IX))

LEGAL DESCRIPTION :

THE WESTERLY 706 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE WESTERLY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND LYING SOUTH OF THE SOUTHERLY LINE OF **BROOKWOOD TERRACE SUBDIVISION NO. 2** AS RECORDED IN PLAT BOOK J-2 PAGE 66 IN SECTION 9, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE 6TH P.M., IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO. DEEDED TO THE CITY OF COLORADO SPRINGS JUNE 12, 1990 AS RECORDED IN BOOK 5745 AT PAGE 772 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF **COTTONWOOD KNOLLS** AS RECORDED IN PLAT BOOK B-4 AT PAGE 172 AND THE NORTHWEST CORNER OF **LA MADRINA ADDITION NO.1 ANNEXATION PLAT** AS RECORDED AT RECEPTION NO.000620780 ALL OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE N89°28'16" E AND COINCIDENT WITH THE NORTHERLY LINE OF SAID **COTTONWOOD KNOLLS** AND **LA MADRINA ADDITION NO.1** A DISTANCE OF 176.00 FEET TO THE SOUTHWEST CORNER OF **COTTONWOOD CREEK ESTATES** AS RECORDED AT RECEPTION NO. 202017347 AND SOUTHWEST CORNER OF **COTTONWOOD ADDITION NO.1 ANNEXATION PLAT** AS RECORDED AT RECEPTION NO. 000759067 ALL OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE N00°31'41" W AND COINCIDENT WITH THE WEST BOUNDARY LINE OF SAID **COTTONWOOD CREEK ESTATES** AND **COTTONWOOD ADDITION NO.1 ANNEXATION PLAT** AND **COTTONWOOD CREEK SUBDIVISION FILING NO. 1** AS RECORDED AT PLAT BOOK W-3 PAGE 29 OF THE RECORDS OF EL PASO COUNTY, COLORADO A DISTANCE OF 123.90 FEET TO THE SOUTHEAST CORNER OF SAID **BROOKWOOD TERRACE SUBDIVISION NO. 2** AND THE SOUTHEAST CORNER OF **BROOKWOOD SUBDIVISION ANNEXATION PLAT** AS RECORDED AT RECEPTION NO. 094163728 OF THE RECORDS OF EL PASO COUNTY, COLORADO ;

THE FOLLOWING FIVE(5) COURSES ARE COINCIDENT WITH SAID **BROOKWOOD TERRACE SUBDIVISION NO. 2** AND **BROOKWOOD SUBDIVISION ANNEXATION PLAT**

THENCE S74°28'16" W A DISTANCE OF 153.24 FEET TO A POINT OF CURVE;

THENCE WESTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 415.00 FEET AND A CENTRAL ANGLE OF 50°00'00", AN ARC DISTANCE OF 362.15 FEET TO A POINT OF TANGENT;

THENCE N55°31'44"W A DISTANCE OF 110.00 FEET TO A POINT OF CURVE;

THENCE WESTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 135.00 FEET AND A CENTRAL ANGLE OF 35°00'00", AN ARC DISTANCE OF 82.47 FEET TO A POINT OF TANGENT;

THENCE S89°28'16" W A DISTANCE OF 45.00 FEET TO THE SOUTHWEST CORNER OF SAID **BROOKWOOD TERRACE SUBDIVISION NO. 2** AND A POINT ON THE EAST LINE OF **BROOKWOOD SUBDIVISION** AS RECORDED AT PLAT BOOK G-2 PAGE 14 OF THE RECORDS OF EL PASO COUNTY, COLORADO AND AN ANGLE POINT OF SAID **BROOKWOOD SUBDIVISION ANNEXATION PLAT**;

THENCE S00°31'41" E AND COINCIDENT WITH THE EAST LINE OF SAID **BROOKWOOD SUBDIVISION** AND **BROOKWOOD SUBDIVISION ANNEXATION PLAT**, SAID LINE BEING ALSO THE WESTERLY LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 9, A DISTANCE OF 232.66 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHWEST CORNER OF **QUAIL MEADOWS FILING NO. 5** AS RECORDED AT PLAT BOOK H-3 PAGE 94 AND **QUAIL MEADOWS ADDITION NO.1 ANNEXATION PLAT** AS RECORDED AT RECEPTION NO. 000489640 ALL OF THE RECORDS OF EL PASO COUNTY, COLORADO ; ;

THENCE N89°28'16" E AND COINCIDENT WITH THE NORTH LINE OF SAID **QUAIL MEADOWS FILING NO. 5** AND **QUAIL MEADOWS ADDITION NO.1 ANNEXATION PLAT** A DISTANCE OF 530.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 89,645 SQUARE FEET, (2.058 ACRES), MORE OR LESS.



ANNEXATION

DUBLIN PARK Addition No.1
Description

Drawn By: R. Kotwica

Date: 09/19/2023

Job Number: 2023015

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