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BOOK 5214 PAGE 1481ARDIS W. SCHMITT
El Paso County Clerk & Recorder

Commissioner Harris moved adoption of the following Resolution:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF EL PASO, STATE OF COLORADORESOLUTION NO. 86-36, Land Use-14

WHEREAS, The Akers Group, Ltd. No. 2 did file a petition with the Land Use Department of El Paso County on or about October 4, 1985, for the approval of the vacation of a drainage easement in the unincorporated area of El Paso County; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 18, 1985, upon which date the Planning Commission did by formal resolution recommend approval of the subject vacation with conditions; and

WHEREAS, a public hearing was held by this Board on February 13, 1986; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations of the El Paso County Planning Commission, comments of the El Paso County Land Use Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. That proper posting, publication, and public notice was provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County.
2. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at those hearings.
3. That all data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed and found to meet all sound planning and engineering requirements of El Paso County.
4. That no public monies have been expended on said easement.
5. That for the above-stated and other reasons, the proposed vacation is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

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BOOK 5214 PAGE 1482

NOW, THEREFORE, BE IT RESOLVED, that the vacation of a drainage easement, as requested by The Akers Group, Ltd., No. 2, for the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference be approved;

BE IT FURTHER RESOLVED, that the following conditions shall be placed upon this approval

1. That the vacation map be recorded with the Resolution.
2. That the alternate (replacement) drainage easement be recorded prior to or concurrently with the recording of the vacation of the existing easement contained within this request.

AND BE IT FURTHER RESOLVED, that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 13th day of February, 1986, at Colorado Springs, Colorado

THE BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST

Doris Hardy
Deputy County Clerk

Glen Whittemore
Chairman

Commissioner Morrison seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Whittemore	aye
Commissioner Campbell	aye
Commissioner Morrison	aye
Commissioner Meier	aye
Commissioner Harris	aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of El Paso, State of Colorado.

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BOOK 5214 PAGE 1483

Resolution No. 86-36, Land Use-14
EXHIBIT A

THAT PORTION OF THE 50.00 FOOT WIDE DRAINAGE EASEMENT OVER AND ACROSS LOTS 11, 12 AND THE SOUTH ONE HALF OF LOT 13 OF AKERS ACRES SUBDIVISION NO. 1, AS RECORDED IN PLAT BOOK H-2 AT PAGE 48 OF THE RECORDS OF EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 50.00 FEET IN WIDTH, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 13;

THENCE S-00°16'40"-W, 168.52 FEET, ALONG THE WESTERLY LINE OF SAID LOT 13 TO THE NORTHWEST CORNER OF THE SOUTH ONE HALF OF SAID LOT;

THENCE S-89°38'14"-E, 110.65 FEET, ALONG THE NORTHERLY LINE OF THE SOUTH ONE HALF OF SAID LOT TO THE POINT OF BEGINNING OF THE CENTERLINE OF THE STRIP OF LAND HEREIN DESCRIBED (THE SIDE LINES OF SAID STRIP OF LAND TO BE SHORTENED OR LENGTHENED TO BEGIN AT THE NORTHERLY LINE OF SAID SOUTH ONE HALF OF LOT 13);

THENCE S-12°02'04"-E, 112.42 FEET;

THENCE S-47°27'04"-E, 125.00 FEET;

THENCE S-89°16'34"-E, 436.00 FEET;

THENCE S-50°16'34"-E, 288.00 FEET;

THENCE S-26°26'34"-E, 469.62 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF CONSTITUTION AVENUE, AS RECORDED IN PLAT BOOK V-3 AT PAGE 169 AND THE TERMINUS OF THE CENTERLINE HEREIN DESCRIBED (THE SIDE LOT LINES OF SAID STRIP OF LAND TO BE SHORTENED OR LENGTHENED TO TERMINATE AT SAID NORTHERLY RIGHT-OF-WAY LINE).

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STATE OF COLORADO)
COUNTY OF EL PASO) ss.

I, Ardis W. Schmitt, County Clerk and Ex-officio Clerk to the Board of County Commissioners in and for the County of El Paso, State of Colorado, do certify that the foregoing Resolution was copied from the record of the proceedings of the Board of County Commissioners for said El Paso County, under date of February 13, 1986.

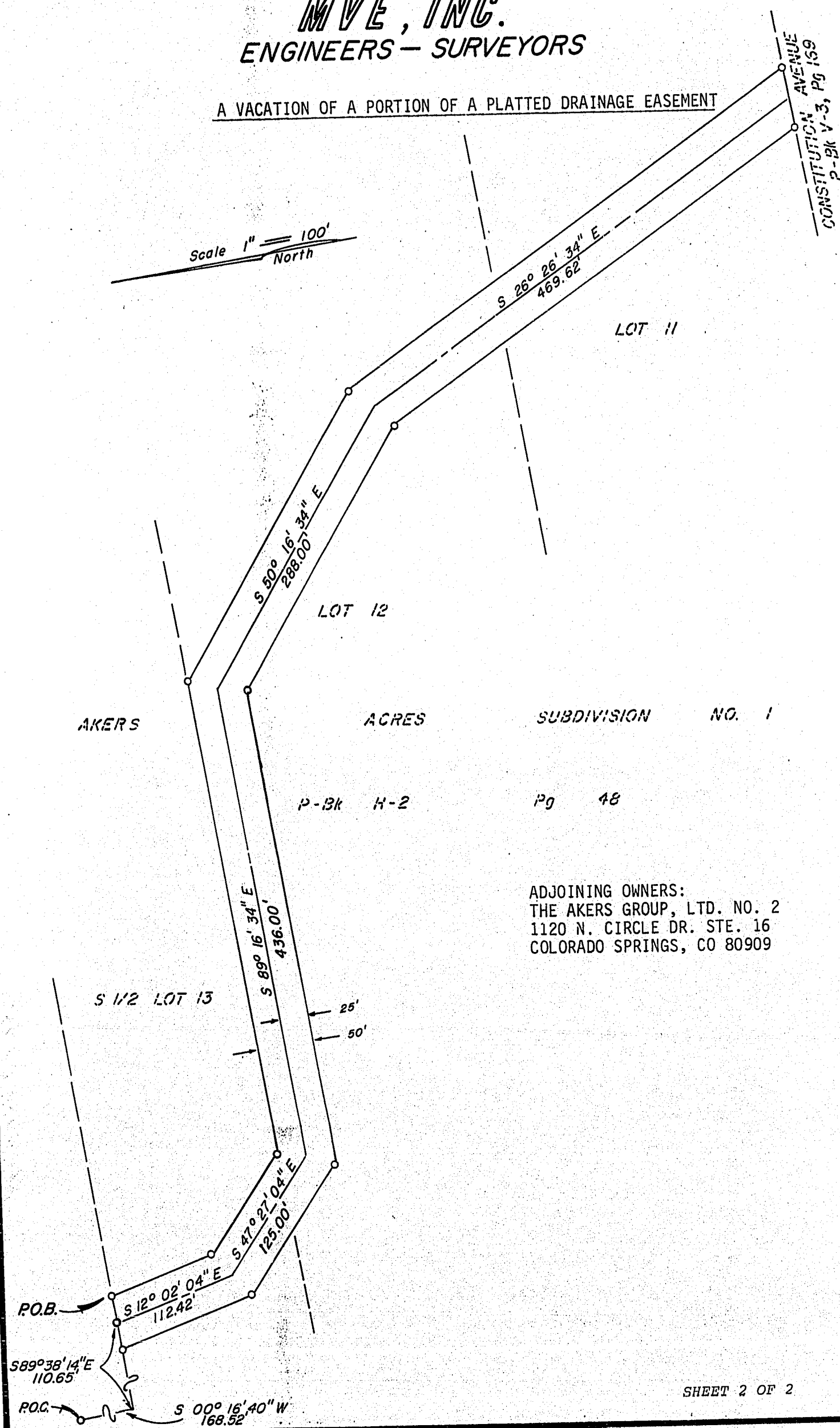
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County at Colorado Springs, Colorado, this 19th day of February, 1986.



Ardis W. Schmitt
County Clerk

By Aileen F. Gilbert
Deputy County Clerk

A VACATION OF A PORTION OF A PLATTED DRAINAGE EASEMENT



SHEET 2 OF 2