

BOLC

RESOLUTION NO. 21-290

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EL PASO, STATE OF COLORADO

**RESOLUTION TO AUTHORIZE SUBMISSION OF A PETITION FOR ANNEXATION  
OF COUNTY RIGHT-OF-WAY TO THE CITY OF FOUNTAIN AND TO APPROVE  
SAID ANNEXATION FOR MARKSHEFFEL ROAD FROM FURLONG CIRCLE TO  
PEACEFUL VALLEY ROAD**

WHEREAS, pursuant to §§30-11-101(1)(b)(c), 30-11-102, 30-11-103, and 30-1-107(1)(a)(h), C.R.S., the Board of County Commissioners of El Paso County, Colorado (hereinafter "Board") has the legislative authority to purchase and hold real and personal property for the use of the County and to make such orders concerning the same when deemed by the Board to be in the best interests of the County and its inhabitants; and

WHEREAS, the County owns right-of-way, adjacent interests, and associated public infrastructure on and adjacent to portions of Marksheffel Road from Furlong Circle to Peaceful Valley Road; and

WHEREAS, the City of Fountain (hereinafter "City") has determined that it would like to acquire through Annexation the above-described portion of County right-of-way and associated public infrastructure; and

WHEREAS, the County may also need to convey to the City interests appurtenant to the right-of-way, including but not limited to easements, tracts and associated appurtenant public infrastructure, that may be adjacent to and not included within the public right-of-way and thus not specifically shown in the associated annexation plat; and

WHEREAS, pursuant to C.R.S. § 30-12-108.5, an Annexation Impact Report concerning the proposed annexation is required, except that such report shall not be required for annexations of ten acres or less in total area or when the municipality and the Board of County Commissioners governing the area proposed to be annexed agree that the report may be waived; and

WHEREAS, the Department of Public Works ("DPW") recommends that a Petition for Annexation be submitted to the City for the portion of Marksheffel Road which is generally shown in Exhibit A, attached hereto and incorporated herein, and DPW recommends that the Board waive the requirement for an Annexation Impact Report and will request on behalf of the Board that the City waive the same; and

WHEREAS, the City will assume ownership, maintenance and operation of the right-of-way and associated public infrastructure therein together with any adjacent appurtenant interests; and

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El Paso County, CO



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WHEREAS, the Board has determined that it would be in the best interests of the community to authorize the Petition for Annexation to effectuate the hereinabove described transaction.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes a Petition for Annexation be submitted to the City of Fountain, by and through the El Paso County Department of Public Works, to annex portions of the County's right-of-way known as Marksheffel Road, from Furlong Circle to Peaceful Valley Road, as more particularly depicted and described in Exhibit A.

BE IT FURTHER RESOLVED that the Board authorizes the County Engineer or her or his designee to submit all necessary documents to the City and to represent the Board on behalf of the County to effectuate the Petition for Annexation, and authorizes the Chair and Vice Chair to execute any conveyance instruments to effectuate the transfer of interests adjacent or appurtenant to the proposed Annexation without further action of the Board.

BE IT FURTHER RESOLVED that the Board authorizes and consents to the City's annexation of the County's property as described herein.

**DONE THIS** 27th day of July 2021, at Colorado Springs, Colorado.

ATTEST

\_\_\_\_\_  
Chuck Brown  
County Clerk & Recorder



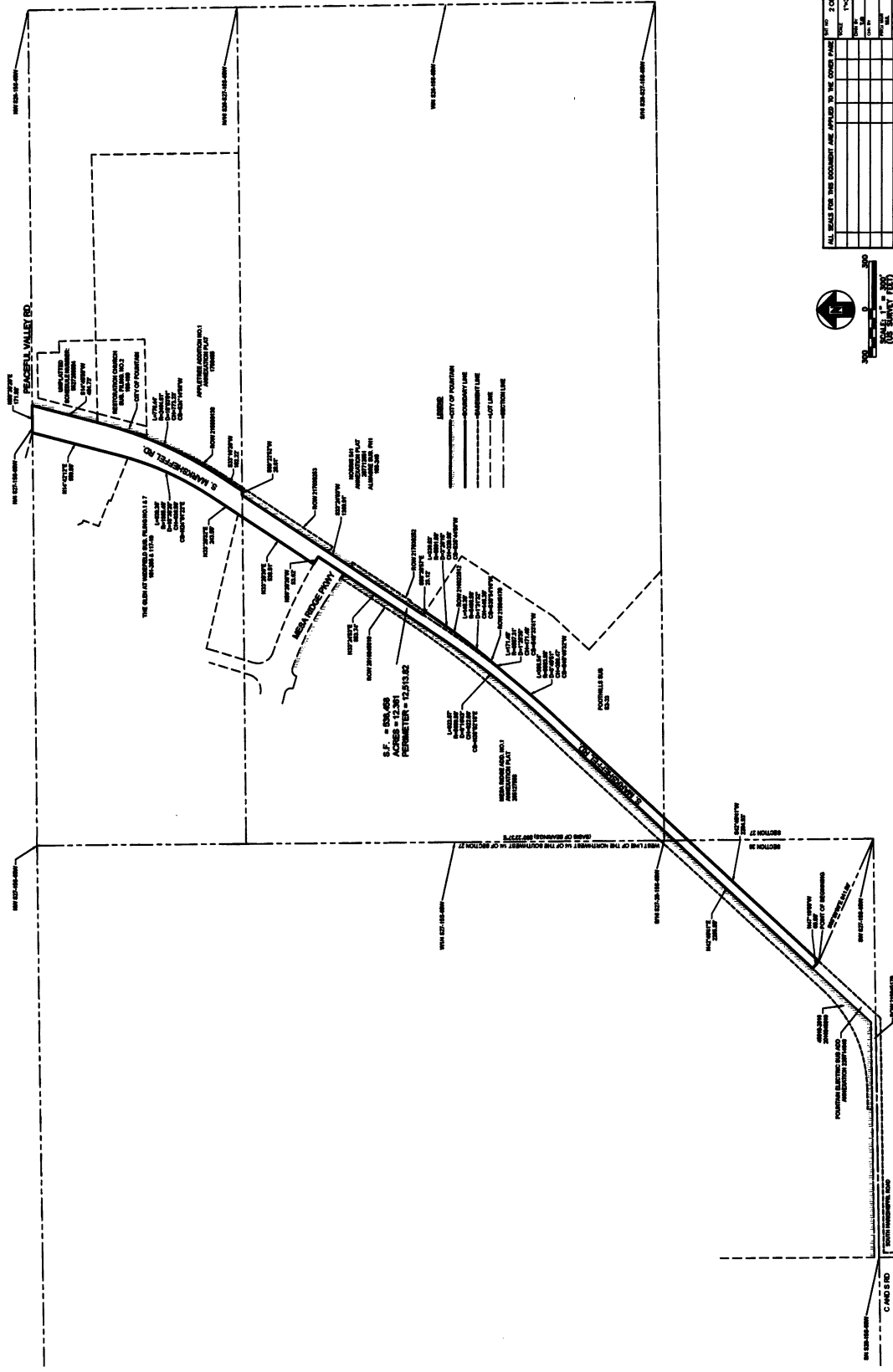
BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

\_\_\_\_\_  
Stan VanderWerf  
Chair

A handwritten signature in black ink, which appears to read "Stan VanderWerf", is written over a horizontal line. The signature is fluid and cursive.



**ANNEXATION PLAT**  
**MARKSHEFFEL ROAD**  
 LOCATED IN SECTION 27, AND 28, TOWNSHIP 15 SOUTH,  
 RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN,  
 COUNTY OF EL PASO, STATE OF COLORADO



ALL SCALES FOR THIS DOCUMENT ARE APPLIED TO THE CORNER POINTS

NO.	DESCRIPTION	DATE	BY	SCALE	STATUS
1	PREPARED FOR THE CITY OF FOUNTAIN	11-15-07	MARKSHEFFEL ROAD	1" = 100'	PLAT
2	REVISION				
3	REVISION				
4	REVISION				
5	REVISION				
6	REVISION				
7	REVISION				
8	REVISION				
9	REVISION				
10	REVISION				

PREPARED BY: **MARKSHEFFEL ROAD**  
 PROJECT NO.: **18-100-023-04**  
 CITY OF FOUNTAIN  
 COUNTY OF EL PASO  
 STATE OF COLORADO

