

**A RESOLUTION PERTAINING TO RESOLUTION NO. 168-07 AND
THE MODIFICATION OF THE CITYGATE URBAN RENEWAL PLAN**

WHEREAS, the CityGate Urban Renewal Plan ("Plan") was adopted by the City Council by Resolution No. 168-07 on September 25, 2007; and

WHEREAS, an incorrect legal description containing parcels that are not part of the urban renewal area was included at 1.2.1, "Legal Description", of the Plan; and

WHEREAS, C.R.S. Sec. 31-25-107(7) (2012) requires any modification to an urban renewal plan be submitted to the governing body for a resolution to determine whether the proposed modification will substantially change the urban renewal plan; and

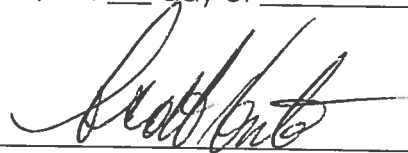
WHEREAS, upon a finding by the City Council that the modification does not constitute a substantial change, the urban renewal plan's modification may be adopted by the Resolution.

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

Section 1. City Council finds that the modification of the legal description to exclude parcels not intended for the Plan does not constitute a substantial change to the Plan, and is in the best interests of the citizens of Colorado Springs.


Section 2. The legal description attached as Exhibit A hereby replaces paragraph 1.2.1, "Legal Description", in the Plan passed by Resolution No. 168-07.

DATED at Colorado Springs, Colorado, this 27th day of November, 2012.



Scott Hente, Council President

ATTEST:



Sarah B. Johnson, City Clerk

EXHIBIT A

4310 Arroyo West Drive, Colorado Springs, CO 80907
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LEGAL DESCRIPTION: PROPOSED URBAN RENEWAL BOUNDARY FOR CITY GATE

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 18 AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE COURSE ON THE NORTHERLY PROPERTY LINE OF LOT 1, SHOWN ON THE PLAT OF BROOKHARTS-SVEDALA SUBDIVISION, RECORDED UNDER RECEPTION NO. 96119576, EL PASO COUNTY, COLORADO, AS BEARING N89°55'14"E, A DISTANCE OF 400.03 FEET, BEING MONUMENTED AT THE WESTERLY TERMINUS BY A NO. 5 REBAR WITH A 1 ½" ALUMINUM SURVEYOR'S CAP STAMPED "PLS 22584" AND AT THE EASTERLY TERMINUS BY A NO. 5 REBAR WITH A 1 ½" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG PLS 31161" IS ASSUMED TO BEAR N89°55'14"E, A DISTANCE OF 400.03 FEET.

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 1 OF BROOKHARTS-SVEDALA SUBDIVISION, RECORDED UNDER RECEPTION NO. 96119576, EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF THE DENVER & RIO GRANDE RAILROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE N03°44'11"W, ON THE EASTERLY RIGHT-OF-WAY LINE OF THE DENVER & RIO GRANDE RAILROAD, A DISTANCE OF 84.65 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE DENVER & RIO GRANDE RAILROAD DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 34 AT PAGE 237, EL PASO COUNTY, COLORADO;

THENCE N89°52'45"E, ON SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 42.75 FEET TO A POINT ON THE EASTERLY LINE OF SAID RAILROAD RIGHT-OF-WAY;

THENCE N00°07'15"W, ON SAID EASTERLY RIGHT-OF-WAY A DISTANCE OF 15.00 FEET TO A POINT ON CURVE, SAID POINT BEING THE SOUTHWEST CORNER OF ADDITION TO THE TOWN OF COLORADO SPRINGS BLOCK 262, RECORDED IN BOOK A AT PAGE 7, EL PASO COUNTY, COLORADO;

THENCE ON THE WESTERLY BOUNDARY OF SAID SUBDIVISION THE FOLLOWING TWO COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS N86°33'43"E, HAVING A DELTA OF 04°09'06", A RADIUS OF 2764.93 FEET, A DISTANCE OF 200.34 FEET TO A POINT OF TANGENT;
2. N00°04'05"W, A DISTANCE OF 10.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF CIMARRON STREET SUBDIVISION RECORDED UNDER RECEPTION NO. 201095056, EL PASO COUNTY, COLORADO;

THENCE N89°53'21"E, ON THE SOUTHERLY BOUNDARY OF SAID CIMARRON STREET SUBDIVISION, A DISTANCE OF 368.76 FEET TO A POINT INSIDE THE RIGHT-OF-WAY OF SIERRA MADRE STREET;

THENCE N00°04'02"W, A DISTANCE OF 240.72 FEET TO A POINT INSIDE THE RIGHT-OF-WAY OF CIMARRON STREET;

THENCE N89°57'20"E, A DISTANCE OF 579.93 FEET;

THENCE S00°00'11"E, A DISTANCE OF 965.56 FEET;

THENCE S87°09'10"W, A DISTANCE OF 481.42 FEET;

THENCE S00°03'26"W, A DISTANCE OF 13.36 FEET;

THENCE S88°26'47"W, A DISTANCE OF 99.01 FEET;

THENCE N00°30'13"W, A DISTANCE OF 61.30 FEET TO THE NORTHEASTERLY CORNER OF LOT 2 OF BROOKHARTS-SVEDALA SUBDIVISION;

THENCE S87°19'08"W, ON THE NORTHERLY LINE OF SAID LOT 2 OF BROOKHARTS-SVEDALA SUBDIVISION A DISTANCE OF 372.83 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE DENVER & RIO GRANDE RAILROAD;

THENCE ON SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING TWO COURSES:

1. N05°17'35"W, A DISTANCE OF 50.25 FEET;
2. N03°44'11"W, A DISTANCE OF 360.71 FEET TO THE POINT OF BEGINNING.

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EXCEPT N 117.3 FT OF LOT 17 WHITE, WOLFE & SWEETS SUB OF BLOCKS 259 & 260 ADD 1 COLO
SPGS CONTAINING A CALCULATED AREA OF 5,843 SF

CONTAINING A CALCULATED AREA OF 19.194 ACRES.