



211069542

RESOLUTION NO. 119 -11

A RESOLUTION MAKING CERTAIN LEGISLATIVE FINDINGS AND APPROVING THE IVYWILD NEIGHBORHOOD URBAN RENEWAL PLAN

WHEREAS, it is desirable and in the public interest that the Colorado Springs Urban Renewal Authority (the Authority) undertake the redevelopment described in the Ivywild Neighborhood Urban Renewal Plan (the Plan), attached hereto and incorporated herein as Exhibit 1; and

WHEREAS, the aforesaid Plan is a matter of public record in the custody of the City Clerk, and is available for public inspection during business hours of the City; and

WHEREAS, there was presented to the City Council for its review and consideration a document entitled the Ivywild Neighborhood Conditions Survey dated March 2011, prepared by Ricker Cunningham, consisting of 37 pages showing that the area described in the Plan qualifies as a "blighted area" as such term is defined in the Colorado Urban Renewal Law, Section 31-25-101, et seq., C.R.S. (the Act); and

WHEREAS, on June 28, 2011, the City Council conducted a public hearing and reviewed said Plan pursuant to the procedural and notice requirements of the City Charter and the Act; and

WHEREAS, notice of the public hearing on the Plan was published as required by Section 31-25-107(3), C.R.S., at least 30 days prior to the public hearing; and

WHEREAS, written notice of the public hearing was mailed to each property owner, business, and resident of the area included in the Plan informing them of the public hearing at least 30 days prior to the public hearing; and

WHEREAS, on May 19, 2011, the Colorado Springs Planning Commission found that the Plan is in conformance with the Colorado Springs Comprehensive Plan; and

WHEREAS, the El Paso County Assessor has informed the Authority that the Urban Renewal Area described in the Plan does not contain land that has been classified as agricultural land for purposes of the levying and collection of property taxes at any time during the five-year period prior to the date of this resolution; and

WHEREAS, the City Council having considered the evidence presented in support of and in opposition to the Plan, the Conditions Survey, the Relocation Policy, the City's Comprehensive Plan, and staff recommendations, and so having considered the legislative record, City Council has given appropriate weight to the evidence.

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

Section 1. The Urban Renewal Area described in the Plan is found and declared to be a blighted area as defined in the Act. This is a legislative finding by the City Council based upon the Conditions Survey and other evidence presented to City Council.

Section 2. The boundaries of the Urban Renewal Area have been drawn as narrowly as the City Council determines feasible to accomplish the planning and development objectives of the Plan.

Section 3. The Plan has been submitted to the Board of County Commissioners of El Paso County, Colorado, together with the information required by Section 31-25-107(3.5) of the Act.

Section 4. School District No. 11 has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of the tax allocation provisions authorized by Section 31-25-107(9) of the Act.

Section 5. It is not expected that the Plan will cause the relocation of individuals and families, but if any such relocation becomes necessary, a feasible method exists within the Relocation Policy for the relocation of individuals and families in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families.

Section 6. It is not expected that the Plan will cause the relocation of any business concerns, but if any such relocation becomes necessary, a feasible method exists within the Relocation Policy for the relocation of business concerns in the Urban Renewal Area or in other areas that are not generally less desirable with respect to public utilities and public and commercial facilities.

Section 7. The City Council has taken reasonable efforts to provide written notice of the public hearing prescribed by Section 31-25-107(3) of the Act to all property owners, residents, and owners of business concerns in the proposed Urban Renewal Area at their last known addresses at least 30 days prior to the public hearing on the Plan.

Section 8. Section 31-25-107(4)(d) of the Act does not apply because no more than 120 days have passed since the commencement of the only public hearing on the Plan.

Section 9. Section 31-25-107(4)(e) of the Act does not apply because the City Council did not fail to previously approve this Plan.

Section 10. The Plan conforms to the Colorado Springs Comprehensive Plan, which is the general plan for the development of the City of Colorado Springs as a whole.

Section 11. The Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the Urban Renewal Area described in the Plan by private enterprise.

Section 12. No land acquisition is contemplated by the Authority at this time. However, to the extent that the Urban Renewal Area described in the Plan may constitute open land within the meaning of Section 31-25-107(5) of the Act, it is found and determined that a shortage of housing of sound standards and design that is decent, safe, and sanitary exists in the City; the need for housing accommodations has been or will be increased as a result of the clearance of substandard and dilapidated housing in the City; the conditions of blight in the Urban Renewal Area described in the Plan and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and

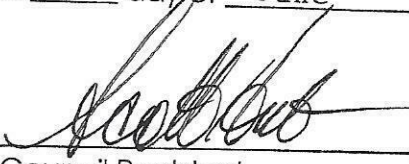
constitute a menace to the public health, safety, morals, or welfare; and, if necessary, to carry out the Plan, the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

Section 13. No land acquisition is contemplated by the Authority at this time. However, to the extent that the Urban Renewal Area described in the Plan may constitute open land within the meaning of Section 31-25-107(6) of the Act, it is found and determined that the nonresidential uses under the Plan are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives; and, if necessary, to carry out the Plan, the contemplated acquisition of the area may require the exercise of governmental action, as provided in the Act, because of being a blighted area.

Section 14. The Plan has been duly reviewed and considered and is hereby approved. The Authority is hereby authorized to take any and all actions pursuant to the Act to carry out the Plan.

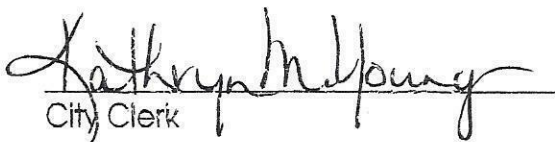
That the City Council of Colorado Springs accepts and puts into action the Ivywild Neighborhood Urban Renewal Plan.

DATED at Colorado Springs, Colorado, this 28 day of June 2011.

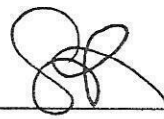


Council President

ATTEST:



City Clerk



Mayor

Ivywild Neighborhood

Urban Renewal Plan

City of Colorado Springs, Colorado

April 2011

Prepared for:

Colorado Springs, Colorado City Council

Prepared by:

Ricker|Cunningham (formerly Leland Consulting Group)

Ivywild Neighborhood

Urban Renewal Plan

City of Colorado Springs, Colorado

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Ivywild Neighborhood

Urban Renewal Plan

City of Colorado Springs, Colorado

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Ivywild Neighborhood

Urban Renewal Plan

City of Colorado Springs, Colorado

1.0 Introduction

1.1 Preface

This Ivywild Neighborhood Urban Renewal Plan (the “**Plan**” or the “**Urban Renewal Plan**”) has been prepared by the City of Colorado Springs Urban Renewal Authority (the “**Authority**”) for the City of Colorado Springs (“**City**”). It will be carried out by the Authority, pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, 1973, as amended (the “**Act**”). The administration and implementation of this Plan, including the preparation and execution of any documents implementing it, shall be performed by the Authority.

1.2 Blight Findings

Under the Act, an urban renewal area is a blighted area, which has been designated as appropriate for an urban renewal project. In each urban renewal area, conditions of blight, as defined by the Act, must be present, and in order for the Authority to exercise its powers, the City Council must find that the presence of those conditions of blight, “substantially impairs or arrests the sound growth of the municipality or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare.”

The Ivywild Neighborhood Conditions Survey, prepared by RickerCunningham , dated March, 2011, which is attached hereto as **Attachment 1** (the “**Survey**”),

demonstrates that the Ivywild Neighborhood Conditions Survey Area (“**Study Area**”), as defined in the Survey, is a blighted area under the Act.

1.3 Other Findings

The Area is appropriate for one or more urban renewal activities and undertakings authorized by the Act to be advanced by the Authority.

It is the intent of the City Council in adopting this Plan that the Authority exercise all powers authorized in the Act which are necessary, convenient or appropriate to accomplish the objectives stated herein. Further, it is the intent of this Plan that the Authority exercise all such powers as may now be possessed or hereafter granted for the elimination of qualifying conditions in the Area.

The powers conferred by the Act are for public uses and purposes for which public money may be expended and police powers exercised. This Plan is in the public interest and necessity -- such finding being a matter of legislative determination by the City Council.

1.4 Urban Renewal Area Boundaries

The proposed Ivywild Neighborhood Urban Renewal Area (the “**Urban Renewal Area**” or the “**Area**”) includes all properties within the City limits as delineated in **Figure No. 1** and described in the legal description presented in the **Appendix**. The boundaries of the Area include approximately 5.13 acres of land generally defined to include 7 legal parcels plus public rights-of-way located within the Ivywild Neighborhood. Geographically, it is situated in the southwest quadrant of Interstate 25 (I-25) and South Nevada Avenue (U.S. 85 / 87), in the vicinity of a tributary of Fountain Creek, in south central Colorado Springs.

Figure 1:



As per the Statute, the legal description presented in the Appendix controls the boundary description in case of any conflict.

1.4.1 Map of Urban Renewal Area (Figure 1)

The Urban Renewal Area map is presented as **Figure No. 1** on the previous page.

2.0 Definitions

Act – means the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

Area or Urban Renewal Area – means the Ivywild Neighborhood Urban Renewal Area as depicted in **Figure 1** and legally described in **Appendix III**.

Authority – means the Colorado Springs Urban Renewal Authority.

City Council – means the City Council of the City of Colorado Springs.

Comprehensive Plan – the City of Colorado Springs Comprehensive Plan 2001 (the “Comprehensive Plan”).

Cooperation Agreement – means any agreement between the Authority and City, or any public body (the term “public body” being used in this Plan as defined by the Act) respecting action to be taken pursuant to any of the powers set forth in the Act or in any other provision of Colorado law, for the purpose of facilitating public undertakings deemed necessary or appropriate by the Authority under this Plan.

C.R.S. – means the Colorado Revised Statutes, as amended from time to time.

Impact Report – means the Ivywild Neighborhood El Paso County Impact Report prepared by Ricker|Cunningham, dated April, 2010, attached hereto as **Attachment 2** and incorporated herein by this reference.

Plan or Urban Renewal Plan – means this Ivywild Neighborhood Urban Renewal Plan.

Property Tax Increment Revenue – means the property tax increment revenue allocated to the Authority as defined in Section 7.3.3 of this Plan.

Redevelopment / Development Agreement – means one or more agreements between the Authority and developer(s) and / or property owners or such other individuals or entities as may be determined by the Authority to be necessary or desirable to carry out the purposes of this Plan.

Sales Tax Increment Revenue - means the sales tax increment revenue allocated to the Authority as defined in Section 7.3.3 of this Plan.

Study Area – means the geographic territory defined for the Survey, the boundaries of which are coterminous with the Area boundaries.

Survey – means the Ivywild Neighborhood Conditions Survey, prepared by Ricker|Cunningham, dated March, 2011, attached hereto as **Attachment 1** and incorporated herein by this reference.

3.0 Purpose of the Plan

The purpose of this Plan is to reduce, eliminate and prevent the spread of blight within the Area and to stimulate growth and investment within the Area boundaries. To accomplish this purpose, the Plan promotes local objectives expressed in adopted community plans with respect to appropriate land uses, private investment and public improvements, provided that the delineation of such objectives shall not be construed to require that any particular project necessarily promote all such objectives.

Specifically, the Ivywild Neighborhood Urban Renewal Plan seeks to advance the vision and priorities of the City of Colorado Springs Comprehensive Plan 2001.

While the principal goal of the urban renewal effort, as required by the Act, is to afford maximum opportunity, consistent with the sound needs of the City as a whole and to develop and rehabilitate the Area by private enterprise; it is not intended to replace the efforts of area business development or marketing organizations. The development of properties within the Area will be accomplished through the improvement of existing and construction of new, structures and infrastructure, attraction of new investment and reinvestment in the Area through the involvement of the Authority and City with participation and cooperation by the private sector.

3.1 Development and Design Objectives

All development in the Area shall conform to the Zoning Code and any site-specific zoning regulations or policies which might impact properties, all as in effect and as may be amended from time to time. While the Act authorizes the Authority to undertake zoning and planning activities to regulate land use, maximum densities, and building requirements in the Area, the City will regulate land use and building requirements through existing municipal codes and ordinances.

General development objectives for the Urban Renewal Area include redevelopment of properties in the Area for the purpose of generating revenue sufficient to fund public improvements that address conditions of blight that are diminishing the character and quality of this established urban neighborhood. Correspondingly, to provide a range of public improvements that raise the standard of living for area residents in concert with commercial offerings that will complement the City's portfolio of unique destination offerings.

Specific objectives include the following:

1. Eliminate and prevent blight
2. Implement elements of the City of Colorado Springs Comprehensive Plan
3. Support and advance actions identified in existing and any future plans prepared by the City of Colorado Springs related to redevelopment in urban neighborhoods that are consistent with the vision of this Plan
4. Take a vacant public building and put it into productive use as a tax generating commercial operation
5. Promote greater stability in the neighborhood through the introduction of a mix of uses in a vertically integrated building format
6. Catalyze reinvestment throughout the Area over an extended period of time through a fiscally-sound phased development program
7. Host a demonstration project that attempts to embody several elements including: porous asphalt, greywater reclamation, geothermal heat, solar panels and a green roof
8. Advance uses that can leverage public investment in planned improvements (round-a-bout)
9. Improve the public realm including streetscape amenities and public parking
10. Provide a range of financing mechanisms for public improvements
11. Facilitate public-private partnerships

4.0 Blight Conditions

Before an urban renewal plan can be adopted by the City, the Area must be determined to be a “blighted area” as defined in Section 31-25-103(2) of the Act, which provides that, in its present condition and use, the presence of at least four of the following factors (see below) in the Area, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an

economic or social liability, and is a menace to the public health, safety, morals, or welfare:

- (a) Slum, deteriorated, or deteriorating structures;
- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title nonmarketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
- (j) Environmental contamination of buildings or property;
- (k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or
- (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, "blighted area" also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(2), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare.

The general methodology for conducting the Survey is to: (i) define the Study Area; (ii) gather information about properties, infrastructure and other improvements within the Area; (iii) evaluate evidence of blight through field reconnaissance, review of aerial photography, discussions with representatives of various City departments, etc.; and, (iv) record observed and documented conditions as per the Statute.

Among the 11 qualifying factors identified in the Act, the Survey identified the presence of the following nine blight factors in the Study Area:

- (a) Slum, deteriorated, or deteriorating structures;

- (b) Predominance of defective or inadequate street layout;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Unusual topography or inadequate public improvements or utilities;
- (g) Defective or unusual conditions of title rendering the title non-marketable;
- (h) The existence of conditions that endanger life or property by fire or other causes;
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities;

However, at the time this Plan was prepared, there were was no known opposition among the property owners to creation of this Urban Renewal Area, nor adoption of this Urban Renewal Plan. Assuming this condition remains the same, there would only need to be one condition found as per provision (l) of the statute, “ (l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, “blighted area” also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of Section 31-25-103(2).”

5.0 Plan’s Relationship to Local Objectives and Appropriate Land Uses

5.1 General Description

Implementation of this Urban Renewal Plan supports the objectives and requirements of the City of Colorado Springs Comprehensive Plan 2001 with respect to development and redevelopment. As development occurs in the Area, it shall conform to the Comprehensive Plan and any subsequent updates, the City Building and Zoning Code and any rules, regulations, and policies

promulgated pursuant thereto, any site-specific planning documents that might impact properties in the Area including, but not limited to, City-approved site, drainage, and public improvement plans, and any applicable City design standards, all as in effect and as may be amended from time to time.

Existing conditions present within the Area will be remedied by the proposed Plan, but will need to first be identified as a priority public investment item by the Authority in consultation with the City and community. Improvements will be phased as the market allows and funded in part by tax increment revenues.

5.2 Relationship to Colorado Springs Comprehensive Plan

A general plan for the City, known as the City of Colorado Springs Comprehensive Plan, was adopted in 2001. The Authority, with the cooperation of the City, private enterprise and other public bodies, will undertake projects and activities described in this Plan in order to eliminate the conditions of blight identified herein while implementing the goals and objectives of the 2001 Comprehensive Plan and any subsequent updates. Specific elements of the City of Colorado Springs Comprehensive Plan 2001 which this Plan advances, include the following (taken verbatim). Detailed references to specific objectives, policies and strategies are presented in **Appendix II** of this Plan.

City of Colorado Springs Comprehensive Plan 2001

Introduction

Our Community Envisions a Colorado Springs ...

- That is the most livable city on the Front Range of the Rocky Mountains,
- That respects its heritage and its natural setting
- That projects a highly attractive image and protects its unique character and scenic beauty

- That provides an incomparable system of open spaces, natural areas, and greenways
- That is truly a city of neighborhoods - with affordable housing, walkable destinations, convenient parks, and quality schools
- That establishes positive connections between different land uses and achieves a well designed balance between their location and mix encourages innovation and creativity in development and the creation of an aesthetically appealing community
- That successfully integrates the uses and activities that meet the daily needs of residents, including housing, shops, work places, schools, parks, and civic facilities

5.3 Relationship to Other Community Plans

Implementation of this Urban Renewal Plan will be consistent with development objectives expressed in all community adopted and accepted plans.

6.0 Authorized Urban Renewal Undertakings and Activities

The Act allows for a wide range of activities to be used in the implementation of an urban renewal plan. In the case of this Plan, it is the Authority's intent to provide incentives to stimulate private investment in cooperation with property owners and other affected parties in order to accomplish its objectives. Public-private partnerships and other forms of cooperative development will be key to the Authority's strategy for preventing the spread of blight and eliminating existing blight conditions.

6.1 Public Improvements and Facilities

The Authority may undertake certain actions to make the Area more attractive for private investment. The Authority may, or cooperate with others to, install, construct, and reconstruct any public improvements. Additionally, the

Authority may, or cooperate with others to, demolish and clear buildings and existing improvements for the purpose of promoting the objectives of the Plan and the Act.

Public projects are intended to stimulate (directly and indirectly) private sector investment in and around the Area. It is the intent of this Plan that the combination of public and private investment that may be necessary to advance the objectives stated herein will assist in the investment and reinvestment of the Area and thereby contribute to the overall economic well-being of the community.

As described in **Section 4.0** of this Plan, nine qualifying conditions of blight, as defined in Section 31-25-103(2) of the Act, are evident in the Area. This Plan proposes addressing each of these conditions through potential completion of the following public improvements and facilities:

- (a) Slum, deteriorated, or deteriorating structures: private property owner assistance with façade and foundation improvements; fence repairs (particularly those that present safety concerns along the Fountain Creek tributary); and, improvements to life-safety measures including the sprinklering of commercial buildings;
- (b) Predominance of defective or inadequate street layout: construction of sidewalks, curbs and gutters, and public parking;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness: improved vehicular and pedestrian access to properties within the Area; and, property assemblages (extraordinary costs associated with acquisition);
- (d) Unsanitary or unsafe conditions: fence repairs (identified above); enhanced lighting on public rights-of-way; assistance with flood mitigation measures; and, fire protection measures;

- (e) Deterioration of site or other improvements: private property owner assistance with improvements to parking surface repairs and enhanced landscaping, elimination of graffiti and other misc. on-site improvements that provide a public benefit;
- (g) Defective or unusual conditions of title rendering the title non-marketable: n.a.
- (h) The existence of conditions that endanger life or property by fire or other causes: (see (d) above)
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities: (see (d) and (h) above).

6.2 Other Improvements and Facilities

There could be other non-public improvements in the Area that may be required to accommodate development and redevelopment. The Authority may assist in the financing or construction of these improvements to the extent authorized by the Act.

6.3 Development Opportunities—Catalyst Projects

A key concept associated with implementation of the Plan is targeted investment that will serve to catalyze development throughout the Area and fund future public improvements. The aggregate impact of potential investment within the Area is reflected in the Impact Report in **Attachment 2**.

6.4 Development Standards

All development in the Area shall conform to applicable rules, regulations, policies and other requirements and standards of the City and any other

governmental entity which has jurisdiction over all or any portion of the Area. In addition, all developer's in the Area will be required to submit to the Authority, for review and approval, design standards for buildings, facades, landscaping and any public art elements.

In conformance with the Act and the Plan, the Authority may adopt design standards and other requirements applicable to projects undertaken by the Authority in the Area. Unless otherwise approved by City Council, any such standards and requirements adopted by the Authority shall be consistent with all other City zoning and development policies and regulations.

6.5 Variations in the Plan

The Authority may propose, and the City Council may make, such modifications to this Urban Renewal Plan as may be necessary provided they are consistent with the City of Colorado Springs Comprehensive Plan 2001 and any subsequent updates, as well as the Act, or such amendments made in accordance with this Plan and as otherwise contemplated by this Plan.

The Authority may, in specific cases, allow non-substantive variations from the provisions of this Plan if it determines that a literal enforcement of the provision would constitute an unreasonable limitation beyond the intent and purpose stated herein.

6.6 Urban Renewal Plan Review Process

The review process for the Plan is intended to provide a mechanism to allow those parties responsible for implementing key projects to periodically evaluate its effectiveness and make adjustments to ensure efficiency in implementing the recommended activities.

The following steps are intended to serve as a guide for future Plan review:

- (a) The Authority may propose modifications, and the City Council may make such modifications as may be necessary provided they are consistent with the City of Colorado Springs Comprehensive Plan 2001 and any subsequent updates, as well as the Act.
- (b) Modifications may be developed from suggestions by the Authority, property and business owners, and City staff operating in support of the Authority and advancement of this Plan.
- (c) A series of joint workshops may be held by and between the Authority and property and business owners to direct and review the development of Plan modifications.

6.7 Project Financing and Creation of Tax Increment Areas

While projects within the Area are planned to be primarily privately financed, it is the intent of the City Council in approving this Urban Renewal Plan to authorize the use of tax increment financing by the Authority to assist with the development of these projects. Urban renewal authorities in Colorado are authorized by statute (C.R.S 31-25-105) to borrow money and accept advances, loans, grants and contributions from public or private sources, and to issue bonds to finance their activities or operations. In practice, an accepted method for financing urban renewal projects is to utilize incremental property tax and / or municipal sales tax revenues attributable to redevelopment in the Area to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans or advances to, or indebtedness incurred by the Authority.

The boundaries of the Urban Renewal Area shall be as set forth in **Appendix III**. As more fully set forth herein this **Section 6.7**, it is the intent of City Council in approving this Plan to authorize the use of tax increment financing by the Authority as part of its efforts to undertake and advance the Plan.

6.8 Property Acquisition and Land Assemblage

The Authority may acquire property by negotiation or any other method authorized by the Act, except that any proposal to acquire property under the power of eminent domain must first be approved by the City Council. The Authority may temporarily operate, manage and maintain property acquired in the Area. Such property shall be under the management and control of the Authority and may be rented or leased pending its disposition for redevelopment.

6.9 Relocation Assistance

It is not anticipated that acquisition of real property by the Authority will result in the relocation of any individuals, families, or business concerns. However, if such relocation becomes necessary, the Authority will adopt a relocation plan in conformance with the Act.

6.10 Demolition, Clearance, Environmental Remediation, and Site Prep

In carrying out this Plan, it is anticipated that the Authority may, on a case-by-case basis, elect to demolish or to cooperate with others to clear buildings, structures and other improvements. Additionally, development activities consistent with this Plan, including but not limited to Development or Cooperation Agreements, may require such demolition and clearance to eliminate unhealthy, unsanitary, and unsafe conditions, eliminate obsolete and other uses detrimental to the public welfare, and otherwise remove and prevent the spread of deterioration.

With respect to property acquired by the Authority, it may demolish and clear, or contract to demolish and clear, those buildings, structures and other improvements pursuant to this Plan, if in the judgment of the Authority, such buildings, structures and other improvements are not to be rehabilitated in

accordance with this Plan. The Authority may also undertake such additional site preparation activities as it deems necessary to facilitate the disposition and development of such property.

6.11 Property Disposition

The Authority may sell, lease, or otherwise transfer real property or any interest in real property subject to covenants, conditions and restrictions, including architectural and design controls, time restrictions on development, and building requirements, as it deems necessary to develop such property. Real property or interests in real property may be sold, leased or otherwise transferred for uses in accordance with the Act and this Plan. All property and interest in real estate acquired by the Authority in the Area that is not dedicated or transferred to public entities, shall be sold or otherwise disposed of for redevelopment in accordance with the provision of this Plan and the Act.

6.12 Redevelopment and Rehabilitation Actions

Development and redevelopment actions within the Area may include such undertakings and activities as are in accordance with this Plan and the Act, including without limitation: demolition and removal of buildings and improvements; installation, construction and reconstruction of public improvements; elimination of unhealthful, unsanitary or unsafe conditions; elimination of obsolete or other uses detrimental to the public welfare; prevention of the spread of deterioration; and, provision of land for needed public facilities. The Authority may enter into Cooperation Agreements and Redevelopment /Development Agreements to provide assistance or undertake all other actions authorized by the Act or other applicable law to develop and redevelop the Area.

6.13 Redevelopment / Development Agreements

The Authority is authorized to enter into Redevelopment/Development Agreements or other contracts with developer(s) or property owners or such other individuals or entities as are determined by the Authority to be necessary or desirable to carry out the purposes of this Plan. Such Redevelopment/Development Agreements, or other contracts, may contain such terms and provisions as shall be deemed necessary or appropriate by the Authority for the purpose of undertaking the activities contemplated by this Plan and the Act, and may further provide for such undertakings by the Authority, including financial assistance, as may be necessary for the achievement of the objectives of this Plan or as may otherwise be authorized by the Act.

Existing agreements between the City and private parties that are consistent with this Plan are intended to remain in full force and effect, unless all parties to such agreements agree otherwise.

6.14 Cooperation Agreements

For the purpose of this Plan, the Authority may enter into one or more Cooperation Agreements pursuant to the Act. The City and the Authority recognize the need to cooperate in the implementation of this Plan and, as such, Cooperation Agreements may include, without limitation, agreements regarding the planning or implementation of this Plan and its projects, as well as programs, public works operations, or activities which the Authority, the City or such other public body is otherwise empowered to undertake and including without limitation, agreements respecting the financing, installation, construction and reconstruction of public improvements, utility line relocation, storm water detention, environmental remediation, landscaping and/or other eligible improvements. This paragraph shall not be construed to require any particular form of cooperation.

7.0 Project Financing

7.1 Public Investment Objective

It is the intent of the Plan that the public sector plays a significant role in urban renewal efforts as a strategic partner. However, experience has proven that a critical component to the success of any urban renewal strategy is participation by both the public and private sectors. Leveraging of resources will be key as no one entity, either public or private, has sufficient resources alone to sustain a long-term improvement effort. Typical public infrastructure investments may include, but are not limited to: unifying streetscape elements (but for specific modifications made on private property); improving access and circulation; improving streets and public spaces; providing for infrastructure improvements; completing roads and utilities; and, creating various financing mechanisms.

7.2 Authorization

The Authority may finance undertakings pursuant to this Plan by any method authorized under the Act or any other applicable law, including without limitation: issuance of notes, bonds and other obligations as defined in the Act in an amount sufficient to finance all or part of this Plan; borrowing of funds and creation of indebtedness; reimbursement agreements; and / or utilization of the following: federal or state loans or grants; interest income; annual appropriation agreements; agreements with public or private entities; and, loans, advances and grants from any other available sources. The principal, interest, costs and fees on any indebtedness are to be paid for with any lawfully available funds of the Authority.

Debt may include bonds, refunding bonds, notes, interim certificates or receipts, temporary bonds, certificates of indebtedness, or any other obligation lawfully created.

7.3 Tax Increment Financing

Activities may be financed by the Authority under the tax increment financing provisions of the Act. Such tax incremental revenues may be used for a period not to exceed the statutory requirement, which is presently 25 years after the effective date of adoption of this Plan.

7.3.1 Special Fund

The Authority shall establish a tax increment revenue fund for the deposit of all funds generated pursuant to the division of ad valorem property and sales tax revenue described in this section.

7.3.2 Base Amount

That portion of the taxes which are produced by the levy at the rate fixed each year by or for each public body upon the valuation for assessment of taxable property in the Urban Renewal Area last certified prior to the effective date of approval of the Plan shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

7.3.3 Increment Amount

That portion of said property taxes in excess of such base amount shall be allocated to and, when collected paid into the tax increment revenue fund to pay the principal of, the interest on, and any other premiums due in connection with the bonds of, loans or advances to or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, the Authority for financing or refinancing, in whole or in part, the Urban Renewal Project, or to make payments authorized by the Act. Unless and until the total valuation for

assessment of the taxable property in the Urban Renewal Area exceeds the base valuation for assessment of the taxable property in the Urban Renewal Area, all of the taxes levied upon taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies. When such bonds, loans, advances and indebtedness, including interest thereon and any premiums due in connection therewith, have been paid, all taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds of the respective public bodies.

The increment portion of the taxes, as described in this subsection 7.3.3, may be irrevocably pledged by the Authority for the payment of the principal of, the interest on, and any premiums due in connection with such bonds, loans, advances and indebtedness incurred by the Authority to finance the Urban Renewal Project (as defined in the Act); provided, however, any offsets collected by the County Treasurer for return of overpayments or any reserve funds reserved by the Authority for such purposes in accordance with Section 31-25-107(9)(a)(III) and (b), C.R.S.. The Authority shall set aside and reserve a reasonable amount as determined by the Authority of all incremental taxes paid to the Authority for payment of expenses associated with administering the Plan.

While this Plan anticipates that the primary source of revenue for eligible projects in the Area will be property tax increments, there may be the need to use municipal sales tax increments, as well. In this instance, the Authority will prepare, in cooperation with the applicant, a financing plan outlining the proposed amounts and purposes for which the municipal sales tax increments are to be used. This financing plan will be submitted to the Colorado Springs City Council for consideration. Upon City Council approval, the municipal sales tax increment will be allocated and distributed in accordance with the tax increment financing provisions of Section 31-25-107 (9), C.R.S., which is by this

reference incorporated herein as if set forth in its entirety. If there is any conflict between the Act and this Urban Renewal Plan, the provisions of the Act shall control, and the language in the Plan will be automatically deemed to conform to the statute. All property and sales taxes collected within the Urban Renewal Area, by or for the benefit of any public body, shall be divided for a period not-to-exceed 25 years as follows:

a) That portion of the taxes which are produced by the levy at the rate fixed each year by or for each such public body upon the valuation for assessment of taxable property in the Area last certified prior to the effective date of approval of the Urban Renewal Plan, or as to an area later added to the Area, the effective date of the modification of the Plan or that portion of municipal sales tax collected within the boundaries of said Area in the twelve month period ending on the last day of the month prior to the effective date of approval of the Plan, or both such portions, shall be paid into the funds of each such public body as are all other taxes collected by or for said public body.

7.4 Other Financing Mechanisms / Structures

The Plan is designed to provide for the use of tax increment financing as one tool to facilitate investment and reinvestment within the Area. However, in addition to tax increment financing, the Authority shall be authorized to finance implementation of the Plan by any method authorized by the Act. The Authority is committed to making a variety of strategies and mechanisms available which are financial, physical, market and organizational in nature. It is the intent of this Plan to use the tools either independently or in various combinations. Given the obstacles associated with redevelopment, the Authority recognizes that it is imperative that solutions and resources be put in place which are comprehensive, flexible and creative.

8.0 Severability

If any portion of this Plan is held to be invalid or unenforceable, such invalidity will not affect the remaining portions of the Plan.

Ivywild Neighborhood

Urban Renewal Plan

City of Colorado Springs, Colorado

Appendix I:

Project Concept Images

May 27, 2010
Ivywild School Renovations
NEIGHBORHOOD MIXED-USED DISTRICT



Enhancing Neighborhood Identity
by Celebrating a Local Landmark

Inspired by the Green City 2020 vision, a new
public space is being designed to connect
with community gardens, schools, and art.

FENNELL
GROUP

Ivywild Neighborhood

Urban Renewal Plan

City of Colorado Springs, Colorado

Appendix II:

Excerpts from City of Colorado Springs Comprehensive Plan 2001

Chapter 1: Land Use

Parks System Capital Master Plan and the Parks Services Master Plan

Policy LU 201: Promote a Focused, Consolidated Land Use Pattern

Locate new growth and development in well-defined contiguous areas in order to avoid leapfrog, scattered land use patterns that cannot be adequately provided with City services.

Strategy LU 201c: Evaluate Fiscal and Operational Impacts of New Development

Evaluate the impact of proposed developments on the City's fiscal and operational ability to provide and maintain the services and infrastructure necessary to support such development.

Policy LU 203: Develop a Land Use Pattern that is Mutually Supportive with the Intermodal Transportation System

Develop a land use pattern that supports, and is in turn supported by, increased pedestrian, bicycle, and transit travel and that reduces the need for automobile use.

Strategy LU 203a: Locate the Places that People Use for Their Daily Needs and Activities Close to Each Other

Group and link the places used for living, working, shopping, schooling, and recreating and make them accessible by transit, bicycle, and foot, as well as by car.

Strategy LU 203b: Concentrate and Mix Uses

Concentrate and mix activities and uses in and around defined centers in order to create more diversity and synergy between uses, combine destinations, support more effective transit service, and provide viable pedestrian and bicycle access and circulation.

Land Use Mix

Objective LU 3: Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses

Ivywild Neighborhood Urban Renewal Plan (4.11)

Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.

Policy LU 301: Promote a Mixed Land Use Pattern

Promote development that is characterized by a mix of mutually supportive and integrated residential and non-residential land uses, and a network of interconnected streets with good pedestrian and bicycle access and connections to transit.

Strategy LU 301a: Support Mixed-use Development in Neighborhoods

Support mixed-use development through neighborhood plans and zoning revisions. Develop zoning guidelines and standards that support mixed-use development and pedestrian access by facilitating the integration of residential and non-residential land uses.

Policy LU 302: Encourage Development of Mixed-Use Activity Centers

Encourage the development of activity centers designed to include a mix of uses that compliment and support each other, such as commercial, employment-related, institutional, civic, and residential. A walkable, pedestrian friendly environment will tie the mix of uses in activity centers together. Activity centers will vary in size, intensity, scale, and types of uses depending on their function, location, and surroundings. Activity centers will be designed so they are compatible with, accessible from, and serve as a benefit to the surrounding neighborhood or business area.

Strategy LU 302a: Promote an Integrated Pedestrian Circulation System

Design pedestrian sidewalks and pathways in activity centers so that they function as an integral part of the overall circulation system. Provide pedestrian connections for activity centers, linking parking areas, transit stops, and surrounding neighborhoods with principal and complimentary uses within the center.

Strategy LU 302b: Promote Pedestrian Orientation of New Activity Centers to the Public Right-of-Way and Public Spaces

Orient buildings within activity centers toward the street, sidewalks, or public spaces to facilitate pedestrian access and circulation.

Strategy LU 302c: Promote Compatibility between Land Uses of Differing Intensities

Design and develop mixed land uses to ensure compatibility and appropriate transitions between land uses that vary in intensity and scale.

Strategy LU 302e: Incorporate Mixed-use Activity Center Principles into the Design of New and Redeveloping Employment and Commercial Centers

Design and develop commercial and employment centers as activity centers that include a range of integrated uses, such as retail, concentrated office, research and development, institutional, entertainment, and civic activities.

Policy LU 303: Promote A Pedestrian-oriented and Transit-oriented Development Pattern

Promote a land use pattern that reduces reliance on automobile travel and supports pedestrian-oriented and transit-oriented development.

Strategy LU 303a: Design Pedestrian Friendly Environments

Plan and design neighborhoods and activity centers as coordinated pedestrian friendly environments.

Infill and Redevelopment

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Policy LU 401: Encourage Appropriate Uses and Designs for Redevelopment and Infill Projects

Work with property owners in neighborhoods, the downtown, and other existing activity centers and corridors to determine appropriate uses and criteria for redevelopment and infill projects to ensure

compatibility with the surrounding area.

Strategy LU 401a: Identify Infill and Redevelopment Opportunities and Target Public Investments

Identify major infill and redevelopment opportunities and target infrastructure improvements to the preferred infill development and redevelopment areas.

Strategy LU 401b: Provide Incentives to Foster Private Reinvestment

Utilize incentives to encourage infill and redevelopment. Regulatory incentives can be used to expedite the development approval process. Available financial incentives, such as rehabilitation loans/grants, if targeted and strategic, should be utilized to support additional investment in the community, as well as to assist existing residents to remain in areas that are redeveloping.

Residential Development

Objective LU 5: Develop Cohesive Residential Area

Neighborhoods are the fundamental building block for developing and redeveloping residential areas of the city. Likewise, residential areas provide a structure for bringing together individual neighborhoods to support and benefit from schools, community activity centers, commercial centers, community parks, recreation centers, employment centers, open space networks, and the city's transportation system. Residential areas also form the basis for broader residential land use designations on the citywide land use map. Those designations distinguish general types of residential areas by their average densities, environmental features, diversity of housing types, and mix of uses. Residential areas of the city should be developed, redeveloped and revitalized as cohesive sets of neighborhoods, sharing an interconnected network of streets, schools, parks, trails, open spaces, activity centers, and public facilities and services.

Strategy LU 501a: Link Neighborhood Layout and Design to a Larger Residential Area

In master plans and in community planning areas, layout and design individual neighborhoods to form a coherent residential area.

Strategy LU 502c: Plan Community Activity Centers to Serve Residential Areas

Plan community activity centers to serve more than one neighborhood in a residential area.

Strategy LU 502d: Plan Residential Areas to Conserve Natural Features

Plan neighborhoods in areas that contain significant natural features and environmental constraints to conserve those features through lower average densities or clustering of development.

Strategy LU 502e: Locate Higher Density Housing as a Transition and Buffer to Residential Areas

Locate higher density housing in relation to activity centers and gradually decrease the density of that housing as a transition and buffer to the surrounding residential areas.

Housing

Strategy LU 601d: Integrate Affordable Housing into Neighborhoods

Integrate housing that is affordable to a broad range of incomes and households within neighborhoods, whether by location or design. Ensure that affordable housing will complement the formation of a neighborhood. Avoid the segregation of affordable housing.

Policy LU 602: Integrate Housing with Other Supportive Land Uses

Integrate housing with supportive land uses, such as employment, education, health facilities, recreation and shopping, to ensure functional and attractive neighborhoods.

Commercial Development

Objective LU 7: Develop Shopping and Service Areas to be Convenient to Use and Compatible with Their Surroundings

Colorado Springs has numerous commercial areas that provide the necessary goods and services for visitors and regional, community, and neighborhood residents. The location and design of these areas not only has a profound effect on the financial success of commercial businesses, but also on the quality of life for the residents. Regardless of whether a commercial development is intended to serve neighborhood, community, citywide, or regional functions, it must be located and designed to balance pedestrian, bicycle, automobile, and, in many cases, transit access. In addition, the location and design of commercial uses must be integrated into surrounding areas, rather than altering the character of surrounding land uses and neighborhoods. Incorporating a mix of uses will increase the diversity and vitality of commercial areas.

Strategy LU 701b: Locate and Design Neighborhood Centers to be Local Pedestrian-Oriented Amenities

Design neighborhood centers primarily for walk-up pedestrian access with low-impact uses and a limited range of convenience goods and services that benefit neighborhood residents. Locate neighborhood centers to take advantage of daily activity patterns, such as the corner of a residential collector street, at the entrance to a neighborhood, or in conjunction with a park, school, civic use, or public space. Prohibit auto-related uses and other uses that produce noxious fumes or excessive light and noise.

Strategy LU 701c: Locate and Design Community Activity Centers to Serve Multiple Neighborhoods

Locate community activity centers to serve multiple neighborhoods in a residential area with a mix of retail, office, service civic, and attached residential uses. Design community activity centers to balance automobile access from arterial streets with transit orientation, pedestrian access and circulation, and good transitions and connections from the surrounding neighborhoods.

Strategy LU 701d: Locate and Design Commercial Centers to Serve Multiple Residential Areas in the Wider Community

Locate commercial centers as major concentrations of retail activity with a broad mix of supportive uses to serve several residential areas within the larger community. Design commercial centers as major destinations with good automobile access and transit service from the adjoining arterial streets via collector streets to an internal street and parking system. Balance auto and transit access with strong pedestrian orientation, gradual transitions in density and scale, and direct accessibility from surrounding residential areas.

Policy LU 702: Design Commercial Redevelopment and Infill Projects as Activity Centers

Design all commercial redevelopment and infill projects as activity centers that incorporate a mix of uses, pedestrian orientation, and transit service wherever possible.

Strategy LU 702a: Redevelop Obsolete Commercial Areas as Activity Centers

Redevelop commercial areas that are obsolete or underutilized either as community activity centers, commercial centers, or employment centers, depending on their size, location and primary function.

Chapter 2: Neighborhoods

Enhancement

Objective N 2: Enhance Neighborhoods

Preserve and enhance existing and established neighborhoods and support developing and redeveloping neighborhoods. While neighborhoods change over time, there are certain fundamental characteristics of most neighborhoods, such as natural features and landscaping, building and street patterns, historic and cultural features, parks, open space and schools, which need to be preserved in order to maintain their character. At the same time, there are new and developing residential areas that need to be supported so that they emerge as well-functioning neighborhoods.

Policy N 201: Protect Established and Stable Neighborhoods

Protect the character of established and stable neighborhoods through neighborhood planning, assistance to neighborhood organizations, and supportive regulatory actions.

Strategy N 201a: Preserve and Enhance the Physical Elements that Define a Neighborhood's Character

In considering development proposals, preserve the physical elements that contribute to a neighborhood's identity and character, such as natural features, buildings and development patterns, historic and cultural features, parks, open space and schools. Where appropriate, utilize historic preservation districts and conservation districts as tools to achieve preservation and enhancement of historic and cultural resources.

Policy N 202: Assist and Support Established and Redeveloping Neighborhoods

Assist established and redeveloping neighborhoods in neighborhood planning, improving transportation and infrastructure systems, and promoting redevelopment efforts.

Strategy N 202b: Provide Incentives to Foster Reinvestment

Utilize incentives to encourage redevelopment. Regulatory incentives may be used to expedite the development approval process. Change zoning classifications when consistent with neighborhood redevelopment plans. Target financial incentives, such as rehabilitation loans/grants, offsets of development fees, and tax-advantaged project financing, to leverage additional investment in redeveloping neighborhoods and assist current residents to remain.

Strategy N 202e: Encourage Development of Public Gathering Places in Redeveloping Neighborhoods

Encourage the development of a landscaped, outdoor center in each redeveloped neighborhood to serve as a focal point and gathering place for the public. This may occur in conjunction with existing schools, parks, recreational facilities, supporting retail uses, community centers, neighborhood life centers, or other civic or institutional uses. Where existing facilities are inappropriate, a new center may be developed.

Mixed-Use

Objective N 3: Vary Neighborhood Patterns

Integrate a variety of housing types and densities with amenities, services, and retail uses to generate opportunities and choices for households. When the character, context and scale of the surrounding neighborhood are taken into account, mixed-use developments can provide unique opportunities for employment, shopping, housing choice, and public gathering space, while having a positive impact on the neighborhood.

Chapter 6: Community Character/Appearance

Unique Areas

Objective CCA 3: Improve the Character of Individual Areas and Elements of the City

Colorado Springs is made up of individual and unique areas and elements that contribute to the overall character and identity of the City. The man-made counterpart to the City's natural setting is its historic character and legacy. This legacy is continually evolving and being created anew in the City's diverse areas. It is important that the appearance and character of these individual areas, old and new, are preserved and enhanced in order to maintain their individuality and to ensure the overall character of the city is upheld. Defining and improving the image of individual areas and elements will enhance the City's overall character and appearance and reinforce its unique identity.

Policy CCA 301: Foster the Character of Individual Areas and Elements within the Community

The City will help to define and foster the unique character, image, and identity of individual areas and elements within the community.

Mixed Uses

Objective CCA 4: Integrate Different Land Uses

The separation of land uses that exists in Colorado Springs increases the reliance on the automobile and detracts from the dynamic urban setting. Integrating land uses increases the opportunities for various modes of travel and contributes to a more interesting and appealing land use pattern. Colorado Springs will encourage new development to integrate a diversity of land uses.

Policy CCA 401: Support Mixed Land Uses

The City will encourage design that supports mixed land uses and promotes compatibility, accessibility, and appropriate transitions between uses that vary in intensity and scale.

Public Places

Objective CCA 5: Design of Public Spaces

Public spaces and civic buildings are often prominent features in the urban setting and contribute to the character and appearance of a community. The design and location of public spaces and civic buildings will serve as focal points to structure the layout and design of private uses.

Policy CCA 501: Support Enhanced Civic Design

Place civic facilities, such as community buildings, government offices, recreation centers, post offices, libraries, and schools, in central locations, and make them highly visible focal points. The urban design and architectural quality will express quality design, permanence, importance, community identity, and sensitivity to climate.

Strategy 501b: Locate and Design Public Places to Give Quality, Identity, and Focus to the Community

Locate and design public spaces and civic facilities to set a standard in quality design, to provide a focal point and meeting place, and to express community identity within the context of the surrounding private development.

Compatibility

Objective CCA 6: Fit New Development into the Character of the Surrounding Area

Often the overall character of a new development is not realized until the project is completed. This can lead to unintended impacts and incompatible development. Applicants for new developments need to clearly identify how their projects will fit into the character of the surrounding area and the community as a whole with respect to height, scale, bulk, massing, roof forms, signage, overall site design, pedestrian and vehicular access, and relation to the public right-of-way.

Ivywild Neighborhood

Urban Renewal Plan

City of Colorado Springs, Colorado

Appendix III:

Urban Renewal Legal Description

IVYWILD URBAN RENEWAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19 AND THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6th P.M., IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 30, SAID POINT BEARING S88°23'W A DISTANCE OF 752.5 FEET FROM THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 11, MADDOCKS ADDITION TO IVYWILD AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK L AT PAGE 28 OF THE RECORDS OF EL PASO COUNTY;

THENCE S88°23'W ON THE NORTH LINE OF SAID NORTHWEST QUARTER AND THE SOUTH LINE OF SAID LOT 11, A DISTANCE OF 86.7 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED UNDER RECEPTION NO. 98016511 OF SAID EL PASO COUNTY RECORDS;

THENCE S00°14'E ON THE EAST LINE OF SAID TRACT AND THE SOUTHERLY EXTENSION THEREOF A DISTANCE OF 235.4 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF RAMONA AVENUE AS PLATTED BY ADDITION NO. 1 TO IVYWILD AND SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK A AT PAGE 156 OF SAID EL PASO COUNTY RECORDS;

THENCE S89°53'W ON SAID SOUTHERLY RIGHT OF WAY LINE A DISTANCE OF 35.3 FEET;
THENCE S61°00'W ON THE SOUTHERLY RIGHT OF WAY LINE OF CHEYENNE BOULEVARD AS PLATTED BY SAID SUBDIVISION A DISTANCE OF 406.3 FEET;

THENCE N29°00'W A DISTANCE OF 80.0 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF CASCADE AVENUE AS PLATTED BY SAID SUBDIVISION;

THENCE N01°48'E ON SAID WEST RIGHT OF WAY LINE A DISTANCE OF 350.8 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 30;

THENCE S88°23'W ON THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 16.4 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 1, DORCHESTER, AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK H AT PAGE 13 OF SAID EL PASO COUNTY RECORDS;

THENCE N02°00'E ON THE EAST LINE OF SAID BLOCK 1 A DISTANCE OF 63.3 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE N88°00'W ON THE NORTH LINE OF SAID BLOCK 1 A DISTANCE OF 366.0 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE N02°00'E A DISTANCE OF 50.0 FEET TO THE SOUTHWEST CORNER OF BLOCK 2 OF SAID SUBDIVISION;

THENCE N02°00'E ON THE WEST LINE OF SAID BLOCK 2 A DISTANCE OF 300.0 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE N02°00'E A DISTANCE OF 50.0 FEET TO THE SOUTHWEST CORNER OF BLOCK 3 OF SAID SUBDIVISION;

THENCE S88°00'E ON THE SOUTH LINE OF SAID BLOCK 3 A DISTANCE OF 366.0 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE S88°00'E ON THE EASTERLY EXTENSION OF SAID SOUTHERLY LINE OF BLOCK 3 A DISTANCE OF 80.0 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF CASCADE AVENUE AS PLATTED BY MADDOCKS ADDITION TO IVYWILD AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK L AT PAGE 28 OF SAID EL PASO COUNTY RECORDS;

THENCE S02°00'W ON SAID EAST RIGHT OF WAY LINE OF CASCADE AVENUE A DISTANCE OF 56.0 FEET TO THE NORTHWEST CORNER OF LOT 12, BLOCK 1 OF SAID SUBDIVISION;

THENCE N85°38'E ON THE NORTH LINE OF SAID LOT A DISTANCE OF 131.9 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE S13°32'W ON THE EAST LINE OF SAID LOT 12 AND THE EAST LINE OF LOT 11 A DISTANCE OF 129.2 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11 AND A POINT ON THE NORTH RIGHT OF WAY LINE OF NAVAJO STREET (ORIGINALLY PLATTED AS ORMONDE ST.);

THENCE S88°02'E ON THE NORTH RIGHT OF WAY LINE OF NAVAJO STREET A DISTANCE OF 121.3 FEET TO THE SOUTHEAST CORNER OF LOT 10, BLOCK 1 OF SAID SUBDIVISION;

THENCE S66°44'E A DISTANCE OF 80.0' FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF TEJON STREET AS PLATTED BY SAID MADDOCKS ADDITION;

THENCE S23°16'W ON SAID SOUTHEASTERLY RIGHT OF WAY LINE A DISTANCE OF 186.9 FEET TO A POINT ON THE WEST LINE OF LOT 10, BLOCK 2 OF SAID MADDOCKS SUBDIVISION THAT IS 14 FEET NORTH OF THE SOUTHWEST CORNER THEREOF;

THENCE N89°18'E A DISTANCE OF 206.5 FEET TO A POINT ON THE EAST LINE OF SAID LOT 10 THAT IS 12.8 FEET NORTH OF THE SOUTHEAST CORNER THEREOF;

THENCE S02°00'W ON THE EAST LINE OF SAID LOT 10 AND LOT 11, BLOCK 2, A DISTANCE OF 69.0' FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN, CONTAINING 9.70 ACRES, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT;

THAT PART OF THE AREA MARKED AS RESERVED TRACT BY ADDITION NO. 1 TO IVYWILD AND SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK A AT PAGE 156 OF THE RECORDS OF EL PASO COUNTY;

BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 30 WHERE THE EAST RIGHT OF WAY LINE OF CASCADE AVENUE INTERSECTS SAID SECTION LINE;

THENCE EAST ON SAID SECTION LINE A DISTANCE OF 116.2 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF TEJON STREET;

THENCE SOUTHWESTERLY ON SAID WESTERLY RIGHT OF WAY LINE TO THE POINT OF INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF CASCADE AVENUE;

THENCE NORTHERLY ON SAID EASTERLY RIGHT OF WAY LINE OF CASCADE AVENUE TO THE POINT OF BEGINNING, EXCEPT THAT PART THEREOF CONVEYED TO THE CITY OF COLORADO SPRINGS BY DEED RECORDED AT RECEIPTION NO. 97051033 OF SAID EL PASO COUNTY RECORDS, CONTAINING 0.38 ACRES, MORE OR LESS;

THE DESCRIBED TRACT CONTAINS 9.32 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 30 - S88°23'W.

THE DIRECTION IS BASED ON THE RECORDED PLAT OF MADDOCKS ADDITION TO IVYWILD; THIS DESCRIPTION WAS PREPARED USING PLATTED INFORMATION ONLY, WITHOUT THE BENEFIT OF A FIELD SURVEY. BEARINGS AND DISTANCES ARE APPROXIMATE AND THE CALLS TO LOTS, BLOCKS AND RIGHTS OF WAY SHALL GOVERN.