

RESOLUTION NO. \_\_\_\_\_ - 19

A RESOLUTION ACKNOWLEDGING ACCEPTANCE OF A  
DONATION OF A 4.213-ACRE PARCEL NEAR COWPOKE  
ROAD FROM DAVID D. JENKINS TO THE CITY OF  
COLORADO SPRINGS

WHEREAS, the City of Colorado Springs, Public Works Department and Storm Water Enterprise ("SWENT") desires to obtain land necessary to construct Stormwater Impoundment ("Pond PR-2") in Cottonwood Creek located north of Cowpoke Road; and

WHEREAS, the City of Colorado Springs, Public Works Department and SWENT identified 4.213 acres of land (the "Property"), known as a portion of TSN: 5200000406 and described on Exhibit A attached hereto, owned by David D. Jenkins ("Owner") as an appropriate site for a portion of Pond PR-2; and

WHEREAS, the Owner intends to convey the Property to the City without consideration, for the benefit of the City, to be used for Pond PR-2; and

WHEREAS, the City of Colorado Springs, Public Works Department and SWENT finds it to be in the best interest of the citizens of Colorado Springs to accept the donation of the Property; and

WHEREAS, the Owner desires the conveyance to be acknowledged as a donation in accordance with Section 4.4 of Section 4 of the City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interest (the "RES Manual"); and

WHEREAS, pursuant to Section 4.4 of the RES Manual, City Council must accept donation of the Property; and

WHEREAS, the City of Colorado Springs, Public Works Department and SWENT recommends that the City Council accept the donation of the Property.

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

Section I. City Council hereby finds that acceptance of the donation of the Property for the use by its Public Works Department and SWENT as the future site necessary to construct Pond PR-2 in Cottonwood Creek is in the best interest of the City of Colorado Springs.

Section 2. In accordance with Chapter 4, Section 4.4 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests*, City Council hereby accepts the donation of the property to the City.

Section 3. The Real Estate Manager of the City of Colorado Springs is hereby authorized to execute all documents necessary to effectuate Closing and, following Closing, the donation of the Property from the Owner to the City.

DATED at Colorado Springs, Colorado this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Council President

ATTEST:

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Sarah B. Johnson, City Clerk