

RESOLUTION NO. \_\_\_\_\_-15

A RESOLUTION APPROVING THE SECOND AMENDMENT TO  
AGREEMENT CONCERNING PARK CREDITS FOR SPRINGS  
RANCH GOLF COURSE

WHEREAS, the City of Colorado Springs ("City") has previously granted park credit for the Springs Ranch Golf Course in accordance with Resolution No. 160-99; and

WHEREAS, the total park credit set forth in Resolution No. 160-99 was memorialized through the Agreement Concerning Park Credits for Springs Ranch Golf Course ("Agreement"); and

WHEREAS, the credit received by the developer is set by the Agreement in an amount not to exceed 31.4 percent or 66.5 acres because the Golf Course is open to the public; and

WHEREAS, the City recognizes the continued operation of the privately owned Springs Ranch Golf Course as an 18-hole publicly accessible golf course provides valuable recreation opportunities for golfers in Colorado Springs; and

WHEREAS, Tom Tauche, Inc., the current owner of the Springs Ranch Golf Course, desires to amend the Agreement to release 13.843 acres of property ("Released Property") in exchange for the conveyance of three parcels of real property totaling approximately 4.7 acres of property and a pedestrian bridge to the City; and

WHEREAS, the conveyance of three parcels of property from Tom Tauche, Inc. to the City will benefit the future development of the Sand Creek Trail and the Tutt Sports Complex; and

WHEREAS, the conveyance of the pedestrian bridge from Tom Tauche, Inc. to the City will benefit the City's trail system; and

WHEREAS, Tom Tauche, Inc. intends to sell the Released Property for development and the net proceeds from the sale will be used to pay down outstanding indebtedness and provide ongoing financial stability of the Springs Ranch Golf Course as an 18-hole course available to the public; and

WHEREAS, any park fees owed to the City incidental to any future development of the Released Property shall first be expended by the developer through the cost of construction and completion of the City trail system located adjacent to the Released Property along Tutt Boulevard and the Springs Ranch Golf Course Clubhouse Property and any park fees required beyond the cost of construction of the trail shall be remitted to the City in accordance with City Code; and

WHEREAS, the City's Parks, Recreation and Cultural Services Department recommends to City Council authorization and approval of the Second Amendment to the Agreement.

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

Section 1. City Council finds that the Second Amendment to Agreement Concerning Park Credits for Springs Ranch Golf Course (attached and incorporated hereto as "Exhibit A") benefits the future development of Sand Creek Trail, the future development of the Tutt Sports Complex and public golf opportunities.

Section 2. City Council hereby approves the Second Amendment to Agreement Concerning Park Credits for Springs Ranch Golf Course.

Section 3. The City's Parks Director is authorized to execute all documents necessary to execute the Second Amendment to Agreement Concerning Park Credits for Springs Ranch Golf Course and to execute all documents necessary for the conveyance of the pedestrian bridge to the City.

Section 4. The City's Real Estate Services Manager is authorized to execute all documents necessary for the conveyance of the three (3) parcels of real property by Deed to the City totaling approximately 4.7 acres as required by the Amendment.

DATED at Colorado Springs, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Merv Bennett, Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk