

RESOLUTION NO. 101 - 23

A RESOLUTION AUTHORIZING THE ACQUISITION OF A  
0.503-ACRE PERMANENT EASEMENT FROM WELLTOWER  
COLORADO PROPERTIES, LLC, USING PPRTA FUNDS FOR  
THE WEST FILLMORE CULVERT REPLACEMENT PROJECT

WHEREAS, in connection with the West Fillmore Culvert Replacement Project, the City of Colorado Springs Engineering Division of the Public Works Department has identified the need to acquire a permanent easement from Welltower Colorado Properties, LLC (the "Property Owner"); and

WHEREAS, the acquisition of the Easement will allow for the replacement of the existing culvert that carries drainage under West Fillmore Street east of Mesa Road and adjacent to Coronado High School; and

WHEREAS, the City has been negotiating with the Property Owner for the acquisition of a 0.503-acre permanent public improvement easement more particularly described on Exhibit A and depicted on Exhibit B (the "Easement"); and

WHEREAS, the Property Owner has agreed to sell the Easement to the City; and

WHEREAS, the purchase price of \$121,730.00 was negotiated based upon the City's Appraisal; and

WHEREAS, The Pikes Peak Rural Transportation Authority Board is scheduled to consider the acquisition at its August 9, 2023 meeting.

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

Section 1. City Council finds the acquisition of the Property to be in the best interest of the citizens of Colorado Springs.

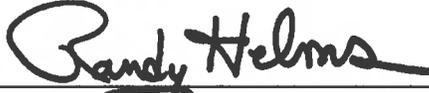
Section 2. Pursuant to the City of Colorado Springs Procedural Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021 ("Real Estate Manual"), City Council hereby authorizes the acquisition of the Easement for the amount of \$121,730.00 based on the appraisal plus the direct costs of the real estate transaction.

Section 3. The City of Colorado Springs Real Estate Services Manager and the Public Works Director are authorized to enter into a Memorandum of Agreement with the Property Owner and to execute all documents necessary to complete the conveyance.

Section 4. This Resolution is contingent on funding of the Purchase by the Pikes Peak Rural Transportation Authority ("PPRTA").

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this 25<sup>th</sup> day of July 2023.

  
Randy Helms, Council President

ATTEST:

  
Sarah B. Johnson, City Clerk



**EXHIBIT "A"**

**PROJECT NUMBER:  
PERMANENT EASEMENT NO: PE-3  
PROJECT CODE:  
DATE: DECEMBER 12, 2022  
DESCRIPTION**

A permanent easement No. PE-3, containing 21,932 sq. ft. (0.503 acres), more or less, being a portion of Lot 1, Mainstreet Health and Wellness Suites Subdivision as described in the Office of the El Paso County Clerk and Recorder at Reception No. 216063090, situated in Section 35, Township 13 South, Range 67 West, of the 6<sup>th</sup> Principal Meridian, in El Paso County, Colorado, said permanent easement being more particularly described as follows:

Commencing at a point on the westerly line of said Lot 1, Mainstreet Health and Wellness Suites Subdivision, bearing South 55°41'03" West, a distance of 2,596.81 feet from the east quarter corner of said Section 35 (a 4" Aluminum Disk, set in a concrete post, stamped "1949 – A G Hill"), said point also being the TRUE POINT OF BEGINNING;

1. Thence North 77°25'01" East, a distance of 128.91 feet;
2. Thence South 66°00'24" East, a distance of 59.24 feet;
3. Thence South 23°59'36" West, a distance of 48.69 feet;
4. Thence North 86°07'26" West, a distance of 48.71 feet;
5. Thence South 38°40'45" West, a distance of 46.26 feet;
6. Thence South 06°05'01" East, a distance of 39.05 feet;
7. Thence South 51°19'15" East, a distance of 123.20 feet;
8. Thence North 69°08'40" East, a distance of 96.82 feet;
9. Thence North 39°12'31" East, a distance of 39.55 feet;
10. Thence North 19°19'47" West, a distance of 39.55 feet;
11. Thence North 23°59'36" East, a distance of 40.01 feet;
12. Thence South 66°00'24" East, a distance of 101.94 feet, to a point on the easterly line of said Lot 1, Mainstreet Health and Wellness Suites Subdivision;
13. Thence along said easterly line, South 39°21'21" West, a distance of 44.59 feet;

14. Thence North 66°00'24" West, a distance of 33.26 feet;
15. Thence South 39°12'31" West, a distance of 74.24 feet;
16. Thence South 69°08'40" West, a distance of 117.45 feet;
17. Thence North 51°19'15" West, a distance of 154.85 feet;
18. Thence North 06°05'01" West, a distance of 38.75 feet;
19. Thence North 38°40'45" East, a distance of 66.47 feet;
20. Thence South 77°25'01" West, a distance of 95.78 feet, to a point on the westerly line of said Lot 1, Mainstreet Health and Wellness Suites subdivision;
21. Thence along said westerly line, North 03°03'50" West, a distance of 45.63 feet, more or less to the TRUE POINT OF BEGINNING.

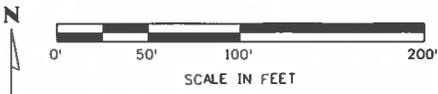
The above described permanent easement contains 21,932 sq. ft. (0.503 acres), more or less.

The purpose of the above described permanent easement is drainage improvements.

Basis of Bearings: Bearing are based on the east line of the northeast quarter of Section 35, Township 13 South, Range 67 West of the 6th Principal Meridian being North 00°20'46" East, from the east quarter corner of said Section 35, (a 4" Aluminum Disk set in a concrete post stamped "1949 - A G Hill") to the northeast corner of said Section 35, (a 3" Aluminum Cap on a 2 ½" Aluminum Pipe, stamped "22577").

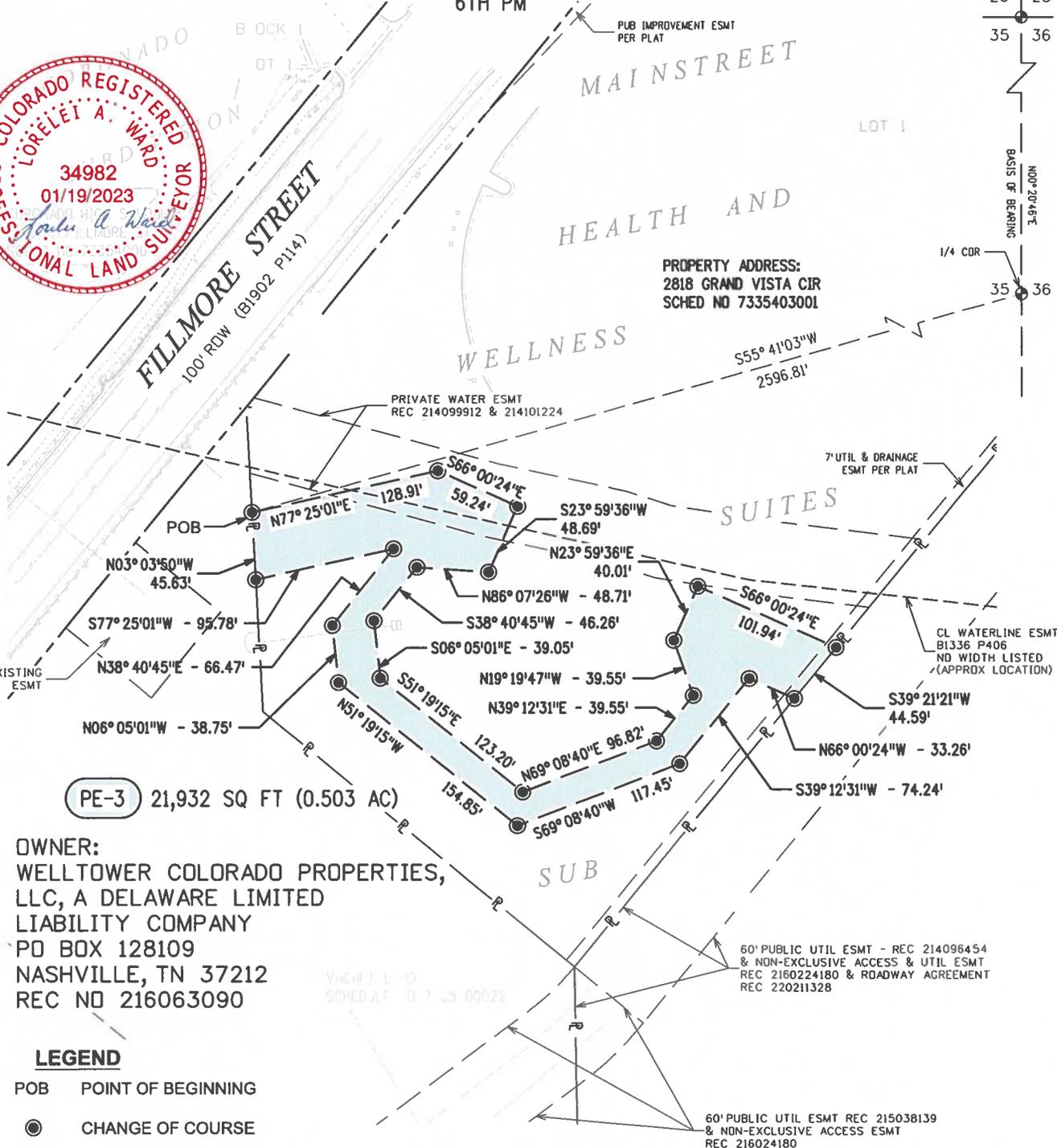
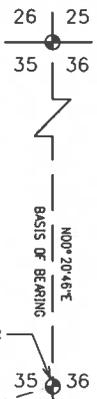
Lorelei A. Ward, PLS 34982  
Farnsworth Group Inc.  
5775 Mark Dabling Blvd. - Suite 190  
Colorado Springs, CO 80919





SEC 35  
T-13-S R-67-W  
6TH PM

**NOTE:**  
THIS IS NOT A MONUMENTED SURVEY. IT IS  
INTENDED ONLY TO BE A GRAPHIC DEPICTION  
OF THE ATTACHED DESCRIPTION.



**PE-3** 21,932 SQ FT (0.503 AC)

**OWNER:**  
WELLTOWER COLORADO PROPERTIES,  
LLC, A DELAWARE LIMITED  
LIABILITY COMPANY  
PO BOX 128109  
NASHVILLE, TN 37212  
REC NO 216063090

**LEGEND**

- POB POINT OF BEGINNING
- CHANGE OF COURSE

ENGINEERS  
ARCHITECTS  
SURVEYORS  
SCIENTISTS

5775 MARK DABLING BLVD, SUITE 190  
COLORADO SPRINGS, CO 80919  
(719) 590-9194 / (719) 590-9111 Fax  
www.fw.com

**EXHIBIT B  
PERMANENT EASEMENT - PE-3**

WELLTOWER COLORADO PROPERTIES, LLC,  
A DELAWARE LIMITED LIABILITY COMPANY  
SECTION 35, T-13-S R-67-W, 6TH PM  
EL PASO COUNTY, COLORADO

Project No:	
Date:	01/19/2023
Sheet Number:	1 of 1

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