

Title:

An ordinance repealing Part 18 (Acquisition and Disposition of Real Property Interests) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) and creating a new Part 5 (Acquisition of Real Property Interests) of article 2 (City Properties) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to acquisition and disposition of real property.

Presenter:

Benjamin Bolinger, Legislative Counsel, Office of the City Attorney
Darlene Kennedy, Real Estate Services Manager

Summary:

The attached Ordinance amends and reorganizes the City Code provisions pertaining to the acquisition and disposition of City real estate.

Background:

The real estate code provisions are currently located within the zoning and subdivision code. However, the majority of City real estate transactions are not related to development or subdivision platting. The Ordinance will reorganize the real estate code provisions within Article 2 (City Properties) of Chapter 3 (Public Property and Public Works) of the City Code.

The Ordinance preserves the majority of the current real estate code, with two substantive changes. First, the Ordinance deletes provisions related to the disposition of real property. Dispositions are governed pursuant to the Real Estate Manual. Second, the Ordinance codifies the authority of the Mayor, in conjunction with the City Attorney, to resolve title disputes related to City property. Examples of title disputes include encroachments, erroneous surveys, pre-existing rights and similar matters. The City Attorney currently resolves title issues pursuant to the Real Estate Manual. The Ordinance clarifies the role of the Mayor and the City Attorney in resolving these issues.

Previous Council Action:

City Council amended the City's Real Estate Manual in March of 2021 to manage City Real Estate, including provisions for dispositions and resolving title issues.

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

N/A

Stakeholder Process:

N/A.

Alternatives:

City Council could choose to not change City Code.

Proposed Motion:

Move approval of the Ordinance repealing Part 18 (Acquisition and Disposition of Real Property Interests) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) and creating a new Part 5 (Acquisition of Real Property Interests) of Article 2 (City Properties) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to acquisition and disposition of real property

Summary of Ordinance Language

An Ordinance amending the City Code related to real estate transactions.