

RESOLUTION NO. 112-17

A RESOLUTION ACCEPTING A DONATION OF APPROXIMATELY 4.141 ACRES AND APPROXIMATELY 0.695 ACRES OF REAL PROPERTY FROM DYNAMIC SCIENCES, INC. TO THE CITY OF COLORADO SPRINGS

WHEREAS, Dynamic Sciences, Inc., ("Dynamic Sciences") is the owner of two (2) parcels of real property that consist of approximately 4.141 acres and 0.695 acres, and are portions of El Paso County Tax Schedule Numbers 64130-00-127 and 64130-00-102, respectively (the "Property"); and

WHEREAS, the Flood Control – Colorado Springs Sand Creek/Platte Avenue Bridge Stabilization Project ("Project") is of great benefit to the citizens of the City of Colorado Springs, El Paso County and the State of Colorado and will enhance the safety and quality of life of the citizens of the City of Colorado Springs ("City"); and

WHEREAS, Dynamic Sciences desires to convey the Property to the City without consideration, for the benefit of the City, to be used for the Project; and

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

WHEREAS, pursuant to said Section 4.4 of the RES Manual, City Council must accept donations of real property by resolution; and

WHEREAS, City staff recommends that the City Council accept the donation of the Property for use as part of the Project.

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

Section 1. City Council hereby finds that acceptance of the donation of the Property as described in Exhibits A-1 and A-2 and depicted in Exhibits B-1 and B-2, all of which are attached hereto and incorporated herein, for the use of its Water Resources Engineering Division, as a part of the Flood Control – Colorado Springs Sand Creek/Platte Avenue Bridge Stabilization Project, 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 City's Real Estate Services Manager is hereby authorized to execute all documents necessary to effectuate Closing and, following Closing, the donation of the Property from Dynamic Sciences, Inc. to the City.


Dated at Colorado Springs, Colorado this 24th day of October, 2017.



Council President

ATTEST:


Sarah B. Johnson, City Clerk



Attachments:

Exhibit C – Property Map

Legal Description - Dynamic Parcel 1_ Exhibit A-1 B-1

Legal Description - Dynamic Parcel 2_ Exhibit A-2 B-2

EXHIBIT A-1

August 31, 2017

A portion of that parcel of land described at Reception No. 94058933 recorded in the recorded of El Paso County, Colorado, located in the Northeast Quarter of Section 13, Township 14 South, Range 66 West of the 6th Principal Meridian, El Paso County, State of Colorado, being more particularly described as follows:

COMMENCING at the North Quarter Corner of said Section 13; thence along the West line of the Northwest Quarter of the Northeast Quarter S00°24'55"E (Bearings based on said West line, monumented at the North end by a No. 6 rebar with a 2 ½" aluminum cap marked "N ¼ WC 100.0' LS 32439" and at the South end by a No. 6 rebar with a 2 ½" aluminum cap marked "C N 1/16 LS 32439" and assumed to bear S00°24'55"E) a distance of 129.67 feet to a point on the Southerly right-of-way line of East Platte Ave.; thence along said right-of-way line S86°46'46"E, a distance of 406.12 feet to the Northwest corner of said parcel, said point also being the **POINT OF BEGINNING**; thence continuing along said right-of-way line S86°41'19"E a distance of 108.80 feet; thence leaving said right-of-way line along the following two (2) courses:

1. S08°35'19"W, a distance of 305.31 feet;
2. S22°33'24"W, a distance of 155.74 feet;

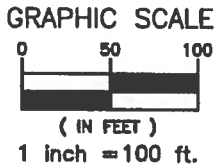
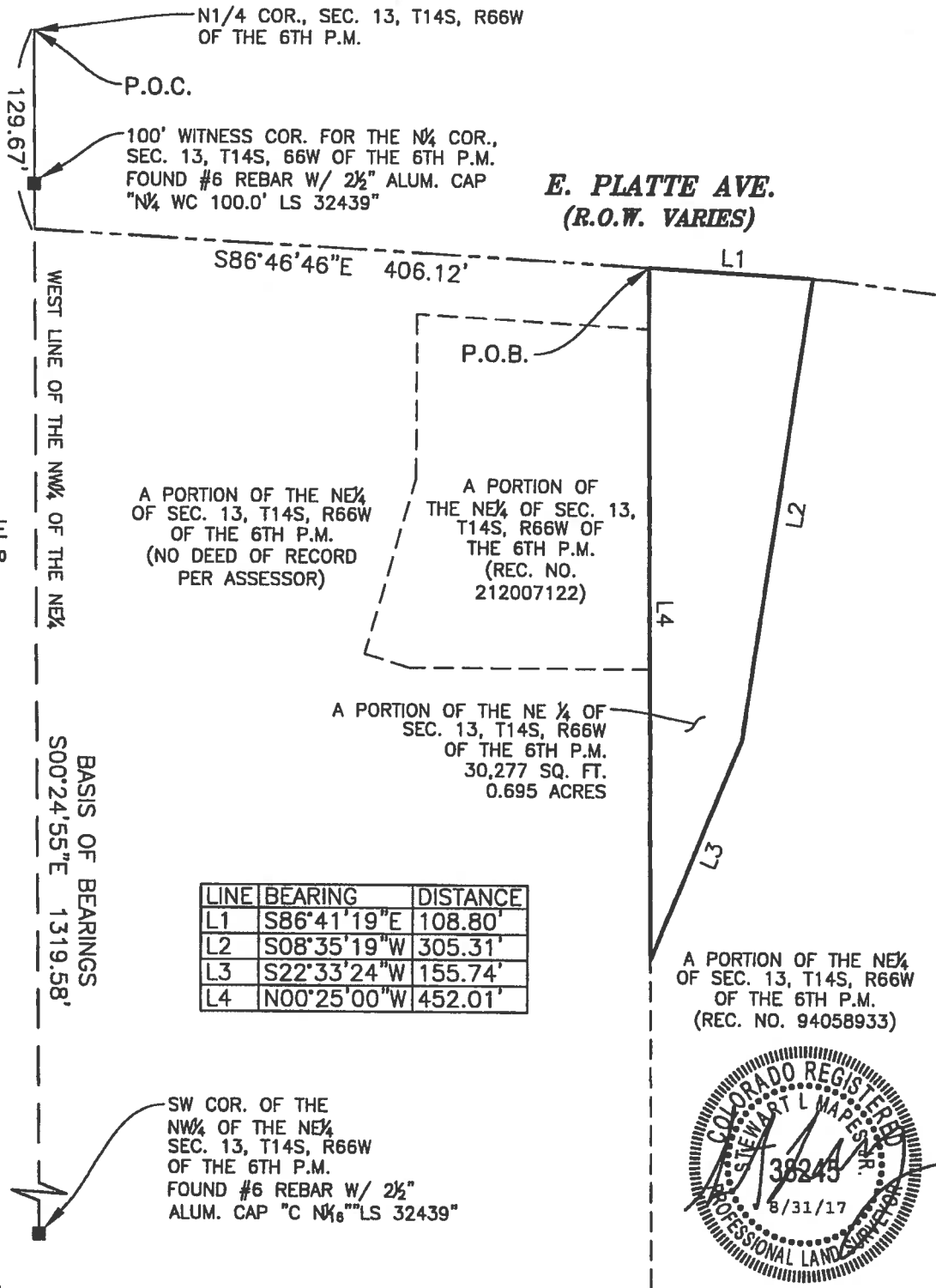
to a point on the West line of said parcel; thence along said West line N00°25'00"W, a distance of 452.01 feet to the **POINT OF BEGINNING**.

Said parcel contains 30,277 S.F. or 0.695 acres, more or less.

Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.



EXHIBIT B-1



NOTE:
This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.



Project No: 160844	Drawn: ZAR	Date: 08/31/2017
	Check: SLM	Sheet 2 of 2

www.clarkis.com
177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719.582.1270

EXHIBIT A-2

August 31, 2017

A portion of the Northeast Quarter of Section 13, Township 14 South, Range 66 West of the 6th Principal Meridian, El Paso County, State of Colorado, being more particularly described as follows:

COMMENCING at the North Quarter Corner of said Section 13; thence along the West line of the Northwest Quarter of the Northeast Quarter S00°24'55"E (Bearings based on said West line, monumented at the North end by a No. 6 rebar with a 2 ½" aluminum cap marked "N ¼ WC 100.0' LS 32439" and at the South end by a No. 6 rebar with a 2 ½" aluminum cap marked "C N 1/16 LS 32439" and assumed to bear S00°24'55"E) a distance of 695.31 feet to the **POINT OF BEGINNING**; thence leaving said West line along the following five (5) courses:

1. N37°33'49"E, a distance of 136.15 feet;
2. N36°13'02"E, a distance of 138.33 feet;
3. N21°10'36"E, a distance of 75.36 feet;
4. N04°40'25"E, a distance of 224.29 feet;
5. N45°47'34"W, a distance of 60.97 feet;

to a point on the Southerly right-of-way line of East Platte Ave.; thence along said right-of-way line S86°49'17"E, a distance of 235.21 feet to the Northwest corner of a parcel of land described at Reception No. 94058933 recorded in the records of said County; thence leaving said right-of-way line and along the West line of said parcel S00°25'00"E, a distance of 40.08 feet to the Northeast corner of a parcel of land described at Reception No. 212007122 in the records of said County; thence leaving said West line and along the boundary of said parcel recorded at Reception No. 212007122 along the following five (5) courses:

1. N86°46'46"W, a distance of 153.49 feet;
2. S00°11'08"W, a distance of 107.01 feet;
3. S16°24'01"W, a distance of 119.61 feet;
4. S72°54'49"E, a distance of 30.69 feet;
5. N89°59'44"E, a distance of 159.49 feet;

to the Southeast corner of said parcel, said point also being a point on said West line of that parcel described at Reception No. 94058933; thence along said West line S00°25'02"E, a distance of 189.95 feet; thence leaving said West line along the following four (4) courses:

1. S22°35'13"W, a distance of 151.72 feet;
2. S43°54'22"W, a distance of 304.00 feet;
3. S41°10'05"W, a distance of 148.40 feet;
4. S35°58'31"W, a distance of 58.94 feet;

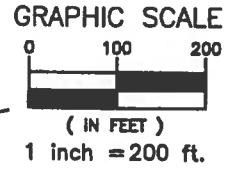
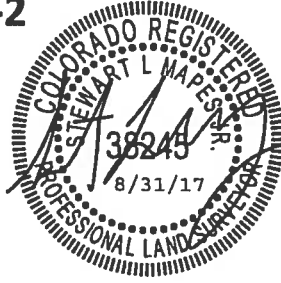
to a point on the West line of the Northwest Quarter of said Section 13; thence along said West line N00°24'55"W, a distance of 427.89 feet to the **POINT OF BEGINNING**.

Said parcel contains 180,365 S.F. or 4.141 acres, more or less.

Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.



EXHIBIT B-2



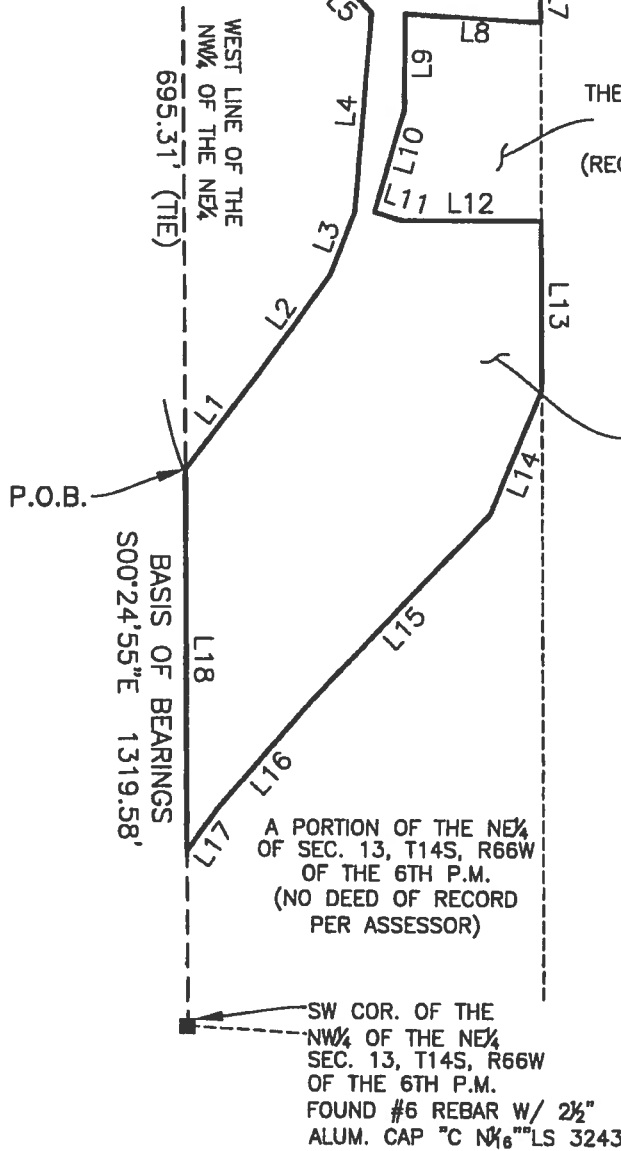
P.O.C. → N1/4 COR., SEC. 13, T14S, R66W OF THE 6TH P.M.
 100' WITNESS COR. FOR THE N1/4 COR., SEC. 13, T14S, R66W OF THE 6TH P.M. FOUND #6 REBAR W/ 2 1/2" ALUM. CAP "N1/4 WC 100.0' LS 32439"

E. PLATTE AVE.
(R.O.W. VARIES)

A PORTION OF THE NE 1/4 OF SEC. 13, T14S, R66W OF THE 6TH P.M. (REC. NO. 212007122)

A PORTION OF THE NE 1/4 OF SEC. 13, T14S, R66W OF THE 6TH P.M. (REC. NO. 94058933)

A PORTION OF THE NE 1/4 OF SEC. 13, T14S, R66W OF THE 6TH P.M.
180,365 SQ. FT.
4.141 ACRES



A PORTION OF THE NE 1/4 OF SEC. 13, T14S, R66W OF THE 6TH P.M. (NO DEED OF RECORD PER ASSESSOR)

LINE	BEARING	DISTANCE
L1	N37°33'49"E	136.15'
L2	N36°13'02"E	138.33'
L3	N21°10'36"E	75.36'
L4	N04°40'25"E	224.29'
L5	N45°47'34"W	60.97'
L6	S86°49'17"E	235.21'
L7	S00°25'00"E	40.08'
L8	N86°46'46"W	153.49'
L9	S00°11'08"W	107.01'
L10	S16°24'01"W	119.61'
L11	S72°54'49"E	30.69'
L12	N89°59'44"E	159.49'
L13	S00°25'02"E	189.95'
L14	S22°35'13"W	151.72'
L15	S43°54'22"W	304.00'
L16	S41°10'05"W	148.40'
L17	S35°58'31"W	58.94'
L18	N00°24'55"W	427.89'

NOTE:
This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

Clark Land Surveying, Inc.

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Project No: 160844	Drawn: ZAR Check: SLM	Date: 08/31/2017 Sheet 2 of 2
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REVISION	DATE	DESIGNED	PROJECT	PROPERTY	FIGURE
	05/27/17	WATER & NATURAL RESOURCES	SAND CREEK	ACQUISITION MAP	1
		DESIGNED	STABILIZATION &		
		DRAWN	EROSION CONTROL		
		ACT			
		WCF			
		CHEKED			
		WCF			
		DATE			
		05/27/17			

811 Call before you dig
 CITY OF COLORADO SPRINGS, CO 80903
 (719) 385-5980
 30 S. NEVADA AVE., SUITE 401
 COLORADO SPRINGS, CO 80903
 WATERS & NATURAL RESOURCES
 SUITE 4158
 DENVER, CO 80248
 PHONE (303) 757-3655
RESPEC
 WATER & NATURAL RESOURCES
 STAMP

