

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY OWNED BY JERRY ANN DAISS, FORMERLY KNOWN AS JERRY ANN O'CONNOR, TO BE USED FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS

WHEREAS, certain fee property acquisitions have been identified for the Southern Delivery System Project including property owned by Jerry Ann Daiss, formerly known as Jerry Ann O'Connor, consisting of 162.056 acres and commonly known as 13180 Bradley Road, Colorado Springs, Colorado 80928, and also known as El Paso County Tax Schedule Number 4500000005 (the "Property"); and

WHEREAS, the Property is legally described and depicted in the attached and incorporated Exhibits A and B; and

WHEREAS, by City Council Resolution No. 134-13, the City of Colorado Springs, through its Colorado Springs Utilities Enterprise, was authorized to negotiate acquisition of the Property; and

WHEREAS, the acquisition of the Property is in the public interest and is necessary for the construction of the Southern Delivery System Project; and

WHEREAS, Section 4.1 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests* ("Real Estate Manual") and City Code Section 7.7.1802 requires City Council approval of any acquisition of real property interests that exceeds a purchase price of \$50,000.00; and

WHEREAS, a Fair Market Value of \$365,000.00 for the proposed purchase price of the Property was established through a real estate appraisal conducted by an independent real estate appraiser; and

WHEREAS, Jerry Ann Daiss, formerly known as Jerry Ann O'Connor, desires to accept the Fair Market Value amount of \$365,000.00 as the purchase price for the Property and additional relocation assistance as required; and

WHEREAS, Colorado Springs Utilities requests the approval of City Council to purchase the Property at the established Fair Market Value and to provide required relocation assistance.

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

Section 1. City Council finds that the acquisition of the Property and the provision of required relocation assistance are in compliance with the City's RES Manual, the City Charter, City Code Section 7.7.1806, and all other applicable laws.

Section 2. City Council hereby authorizes the acquisition of the Property from Jerry Ann Diass, formerly known as Jerry Ann O'Connor, for the Southern Delivery System Reservoir Project at the purchase price of \$365,000.00 and the required relocation assistance in accord with the Real Estate Manual and City Code Section 7.7.1802.

Section 3. The City's Real Estate Services Manager and Colorado Springs Utilities Southern Delivery System assigned project manager are authorized to execute all documents necessary to complete the acquisition of the Property from Jerry Ann Diass, formerly known as Jerry Ann O'Connor.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2016.

ATTEST:

Council President

Sarah B. Johnson, City Clerk