

RESOLUTION NO. _____ - 23

A RESOLUTION AUTHORIZING THE ACQUISITION OF APPROXIMATELY 5.7392 ACRES OF PROPERTY FROM THE GARY L. ANDERSON AND ANITA L. ANDERSON REVOCABLE TRUST AS AN ADDITION TO THE CORRAL BLUFFS OPEN SPACE THROUGH THE TRAILS, OPEN SPACE, AND PARKS (TOPS) PROGRAM

WHEREAS, in 2010 the City of Colorado Springs (“City”) Parks, Recreation and Cultural Services Department, through its Trails, Open Space and Parks Program (“TOPS”) secured a right of first refusal (“ROFR”) on a parcel of land containing approximately 5.7392 acres which is identified by El Paso County Tax Schedule Number 44050-00-007, and is legally described in the attached Exhibit A (“Property”); and

WHEREAS, the Property is owned by the Gary L. Anderson and Anita L. Anderson Revocable Trust (“Owners”); and

WHEREAS, the Property is improved with one (1) cell tower which is currently leased by Verizon Wireless (VAW) LLC d/b/a Verizon Wireless (“Verizon”); and

WHEREAS, on May 26, 2022, the City’s option to exercise its right to purchase the Property was triggered when Verizon submitted an offer to purchase the Property; and

WHEREAS, after further analysis, the City exercised its right to purchase the Property on July 10, 2022; and

WHEREAS, the Property lies within and is bordered by City-owned property within the Corral Bluffs Open Space; and

WHEREAS, the City obtained an appraisal for the Property that supports the purchase price of one hundred ninety-five thousand dollars (\$195,000.00); and

WHEREAS, with the acquisition of the Property, the City will inherit the existing lease on the Property which will provide approximately \$14,412.00 in annual revenue for 2023 with 3% annual escalators.

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 as a strategic addition to the Corral Bluffs Open Space 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”), Section 4.1, City Council hereby authorizes the acquisition of the Property for a purchase price of one hundred ninety-five thousand dollars (\$195,000.00).

Section 3. The City of Colorado Springs Real Estate Manager and the Parks, Recreation, and Cultural Services Director are authorized to execute any and all documents necessary to complete the acquisition, in accord and compliance with the Real Estate Manual.

Section 4. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this ____ day of _____, 2023.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

EXHIBIT A

TSN 44050-00-007

A Parcel of Land being a portion of Lot 3 in the Northwest 1/4 of Section 5, Township 14 South, Range 64 West of the 6th Principal Meridian, County of El Paso, State of Colorado, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 5; thence South 89°54'00" West along the North line of the Northwest 1/4 of said Section 5 a distance of 250.00 feet; thence South 00°06'00" East a distance of 30.00 feet to a point on the South line of the 30 foot Road right-of-way established by the County Commissioners of said El Paso County in the Document recorded in Book A at Page 78, said Point being the True Point of Beginning; thence continuing South 00°06'00" East a distance of 500.00 feet; thence South 89°54'00" West a distance of 500.00 feet; thence North 00°06'00" West a distance of 500.00 feet to a point on the South line of said 30 foot Road right-of-way; thence North 89°54'00" East along said South right-of-way line a distance of 500.00 feet to the True Point of Beginning.