

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY OWNED BY MATTHEW A., ANNA L., AND THOMAS J. ALIMENA TO BE USED FOR THE WOODMEN ROAD CORRIDOR IMPROVEMENTS PROJECT (PHASE 2) AND AUTHORIZING A SHORT-TERM LEASE OF THAT PROPERTY TO MATTHEW A. AND ANNA L. ALIMENA FOR LESS THAN FAIR MARKET VALUE AFTER THE ACQUISITION

WHEREAS, the Pike Peak Rural Transportation Authority (PPRTA) approved the Woodmen Road Corridor Improvements Project during 2005-2012; and

WHEREAS, in coordination with PPRTA, the City of Colorado Springs will hold title to the real property acquired for the Woodmen Road Corridor Improvements Project; and

WHEREAS, certain property acquisitions have been identified for the Woodman Road Corridor Improvements Project, including property owned by Matthew A., Anna L., and Thomas J. Alimena, consisting of a 2.117 acre parcel of land commonly known as 7043 Stinson Drive (the "Property"); and

WHEREAS, the acquisition of the Property is in the public interest and is needed for the construction of the Woodmen Road Corridor Improvements Project; and

WHEREAS, the Woodmen Road Corridor Improvements Project is Federally funded in part; and

WHEREAS, an Administrative Settlement of \$410,000 resulted from the Federal aid review process conducted by the Colorado Department of Transportation (CDOT); and

WHEREAS, Matthew A., Anna L., and Thomas J. Alimena desire to accept the Administrative Settlement amount of \$410,000, and additional relocation assistance as required; and

WHEREAS, Matthew A. and Anna L. Alimena have requested to occupy and possess the Property on a temporary basis during the construction of their replacement dwelling; and

WHEREAS, the City's Real Estate Services Manager requests approval to enter into a contract for the acquisition of the Property, to provide relocation assistance, and to enter into a temporary and revocable lease agreement for the Property with Matthew A. and Anna L. Alimena at a rental rate below fair market value and for a term up to one hundred eighty (180) days; and

WHEREAS, pursuant to the City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests and City Charter § 10-100, the

City Council shall make certain findings regarding a public purpose for a below-market lease that shall be revocable at any time.

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

Section 1. City Council authorizes the acquisition of the Property from Matthew A., Anna L. and Thomas J. Alimena for the Administrative Settlement amount of \$410,000, with additional relocation assistance in connection with the PPRTA-approved Woodmen Road Corridor Improvements Project.

Section 2. In accord with Section 10.2(d)(iii)(2) of the City of Colorado Springs Procedures Manual for the Acquisition and Disposition of Real Property, City Council hereby finds a public purpose in granting a temporary and revocable lease agreement to Matthew A. and Anna L. Alimena for use of the Property at a rental rate below fair market value for a term of one hundred eighty (180) days to accommodate their relocation from the Property.

Section 3. The City's Real Estate Services Manager is authorized to execute all documents necessary to complete the acquisition of the Property and to enter into a temporary and revocable lease agreement with Matthew A. and Anna L. Alimena for the rental of the Property at a rental rate below fair market value and for a term of up to 180 days. The Real Estate Services Manager shall verify that all property taxes have been paid by Matthew A., Anna L., and Thomas J. Alimena prior to the City's ownership and that Matthew A. and Anna L. Alimena will be responsible to insure all contents of the house and pay all utility bills during the term of the lease agreement.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2014.

Keith King, Council President

ATTEST:

Sarah B. Johnson, City Clerk