

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY OWNED BY GARY M. MOORE AND JUDITH E. MOORE PURSUANT TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S HAZARD MITIGATION GRANT PROGRAM

WHEREAS, the purpose of the Federal Emergency Management Agency ("FEMA") Hazard Mitigation Grant Program ("HMGP") is to help communities implement hazard mitigation measures following a Presidential major disaster declaration; and

WHEREAS, certain properties have been identified for acquisition and demolition by the City of Colorado Springs (the "City") acting pursuant to the FEMA HMGP administered by the Colorado Division of Homeland Security and Emergency Management; and

WHEREAS, that certain real property owned by Gary M. Moore and Judith E. Moore, located at 1832 Mt. Washington Avenue, Colorado Springs, Colorado 80906, and also known as El Paso County Tax Schedule Number 6430213009, together with all improvements located thereon ("Property") has been identified as a candidate for acquisition by the City pursuant to the FEMA HMGP due to the damage sustained by the Property as a result of flooding in 2013; and

WHEREAS, the Property is legally described on Exhibit A and depicted on Exhibit B, both of which are attached hereto and made a part hereof; and

WHEREAS, the acquisition, demolition, and subsequent conversion of the Property to open space pursuant to the FEMA HMGP is in the public interest; 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 require City Council approval of the acquisition of a real property interest if the total acquisition amount exceeds \$50,000.00; and

WHEREAS, the fair market value for the Property was determined to be \$257,500.00 based on a real estate appraisal conducted by an independent real estate appraiser; and

WHEREAS, the FEMA HMGP requires a local match and the Property owners, Gary M. Moore and Judith E. Moore, have agreed to be responsible for the local -match in the amount of \$49,730.12; and

WHEREAS, the City desires to offer, and Gary M. Moore and Judith E. Moore desire to accept the amount of \$207,769.88 as the purchase price for the Property, which represents the fair market value less the local-match; and

WHEREAS, the City's Public Works Department requests the approval of City Council to purchase the Property for the purchase price of \$207,769.88.

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 is in compliance with the City's Real Estate Manual, the City Charter, the City Code, and all other applicable law.

Section 2. In accord with section 4.1 of the Real Estate Manual, City Council hereby authorizes the acquisition by the City of the Property from Gary M. Moore and Judith E. Moore pursuant to the FEMA HMGP for the purchase price of \$207,769.88.

Section 3. The City's Real Estate Services Manager is authorized to execute all documents necessary to complete the acquisition of the Property from Gary M. Moore and Judith E. Moore.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2017.

Council President

ATTEST:

Sarah B. Johnson, City Clerk