

RESOLUTION NO. 166 -24

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY AND A TEMPORARY EASEMENT USING PPRTA FUNDS FOR THE MARKSHEFFEL ROAD – NORTH CAREFREE TO DUBLIN PROJECT

WHEREAS, in connection with the Marksheffel Road – North Carefree to Dublin Project (“Project”), the City of Colorado Springs Public Works Department has identified the need to acquire a temporary construction easement and real property to be used as an extension of the Marksheffel Road right-of-way, from Southwest Equity Associates, LLP and Trigon Land & Cattle Company. (the “Property Owners”); and

WHEREAS, the acquisition of the real property and temporary construction easement will allow for the widening of the Marksheffel Road right-of-way and the construction of its improvements for the Project; and

WHEREAS, the real property and temporary construction easement are further described in the attached exhibits and identified in the table below:

Property Owner	TSN	Property Interest	Exhibits
Southwest Equities Associates, LLP	5321001003	62,693 SF Real Property and 7,671 SF Temporary Easement	A, B and C
Trigon Land & Cattle Company	5316002021	30,657 SF Real Property	D and E
Southwest Equities Associates, LLP	5316002020	30,753 SF Real Property	F and G

hereinafter referred to as (the “Properties”); and

WHEREAS, the City of Colorado Springs, on behalf of its Public Works Department desires to purchase and the Property Owners desire to sell the Properties to the City for a total purchase price of \$786,200.00 as shown below; and

TSN	Property Owner	Acquisition Amount
5321001003	Southwest Equities Associates, LLP	\$571,200.00
5316002021	Trigon Land & Cattle Company	\$107,300.00
5316002020	Southwest Equities Associates, LLP	\$107,700.00
	TOTAL	\$786,200.00

WHEREAS, the total purchase price of \$786,200.00 is supported by real estate appraisals conducted by an independent real estate appraiser.

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

Section 1. City Council finds the acquisition of the Properties to be in the best interest of the citizens of Colorado Springs.

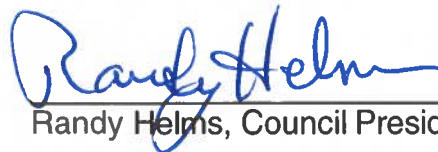
Section 2. Pursuant to the City of Colorado Springs Procedural Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021 (“Real Estate Manual”), City Council hereby authorizes the acquisition of the Properties for the amount of \$786,200.00.

Section 3. The City of Colorado Springs Real Estate Services Manager and the Public Works Director are authorized to enter into Real Estate Purchase and Sale Agreements with the Property Owners and to execute all documents necessary to complete the conveyance.

Section 4. This Resolution is contingent on funding of the Purchase by the Pikes Peak Rural Transportation Authority (“PPRTA”).

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this 12th day of November 2024.


Randy Helms, Council President

ATTEST:


Sarah B. Johnson, City Clerk



EXHIBIT A - PAGE 1 OF 2

PARCEL DESIGNATION	5321001003	DATE:	July 23, 2024
OWNER:	SOUTHWEST EQUITY ASSOCIATES		

EXHIBIT A

LEGAL DESCRIPTION

RIGHT OF WAY – RW-17 REV

A portion of that parcel of land as described in Book 3396, Page 432, of the records of El Paso County, said parcel is in the Northwest Quarter of Section 21, Township 13 South, Range 65 West of the Sixth Principal Meridian, El Paso County, Colorado, more particularly described as follows:

Commencing at the West Sixteenth Corner common to Section 16 and said Section 21 (being a 2 ½" Aluminum cap "PLS 30118), thence S.60°02'00" W., a distance of 1,357.33 feet, to a point being on the southerly property line of said property described in Book 3396, Page 432, said point also being the **POINT OF BEGINNING**;

1. Thence along said southerly property line, S. 89°09'00" W., to the southwest corner of said property, said corner also lying on the east right of way line of Marksheffel Road, a distance of 94.39 feet;
2. Thence along said east right of way line, N. 00°35'18" W., to the northwest corner of said property, said corner also lying on the south right of way line of Huber Road, a distance of 630.02 feet;
3. Thence along said south right of way line, N. 89°07'48" E., a distance of 339.69 feet;
4. Thence S. 81°31'09" W., a distance of 244.65 feet;
5. Thence S. 89°11'11" W., a distance of 4.35 feet;
6. Thence S. 00°35'18" E., a distance of 551.23 feet;
7. Thence S. 02°18'23" E., a distance of 46.44 feet, more or less, to the **POINT OF BEGINNING**.

Said parcel of land contains 62,693 square feet or 1.439 acres, more or less.

EXHIBIT B SKETCH is attached hereto and thereby incorporated as a part of the preceding legal description.

Bearings are based on a GPS Static Survey performed July 20, 2006, by CH2M Hill Inc. A line from the West Sixteenth Corner common to Section 16 and said Section 21 (a 2-1/2" aluminum cap, PLS 30118) to the West Quarter Corner of Section 16 (a 3-1/4" aluminum cap, PLS 30829) bears S 26°11'36" W., a distance of 2,967.58 feet.

EXHIBIT A - PAGE 2 OF 2

This description was prepared by:
Kevin Williams, P.L.S. 28294
On behalf of Wilson & Co.
990 S. Broadway, Ste. 220
Denver, CO 80209



EXHIBIT B - PAGE 1 OF 2

DATE: 23-JULY-2024

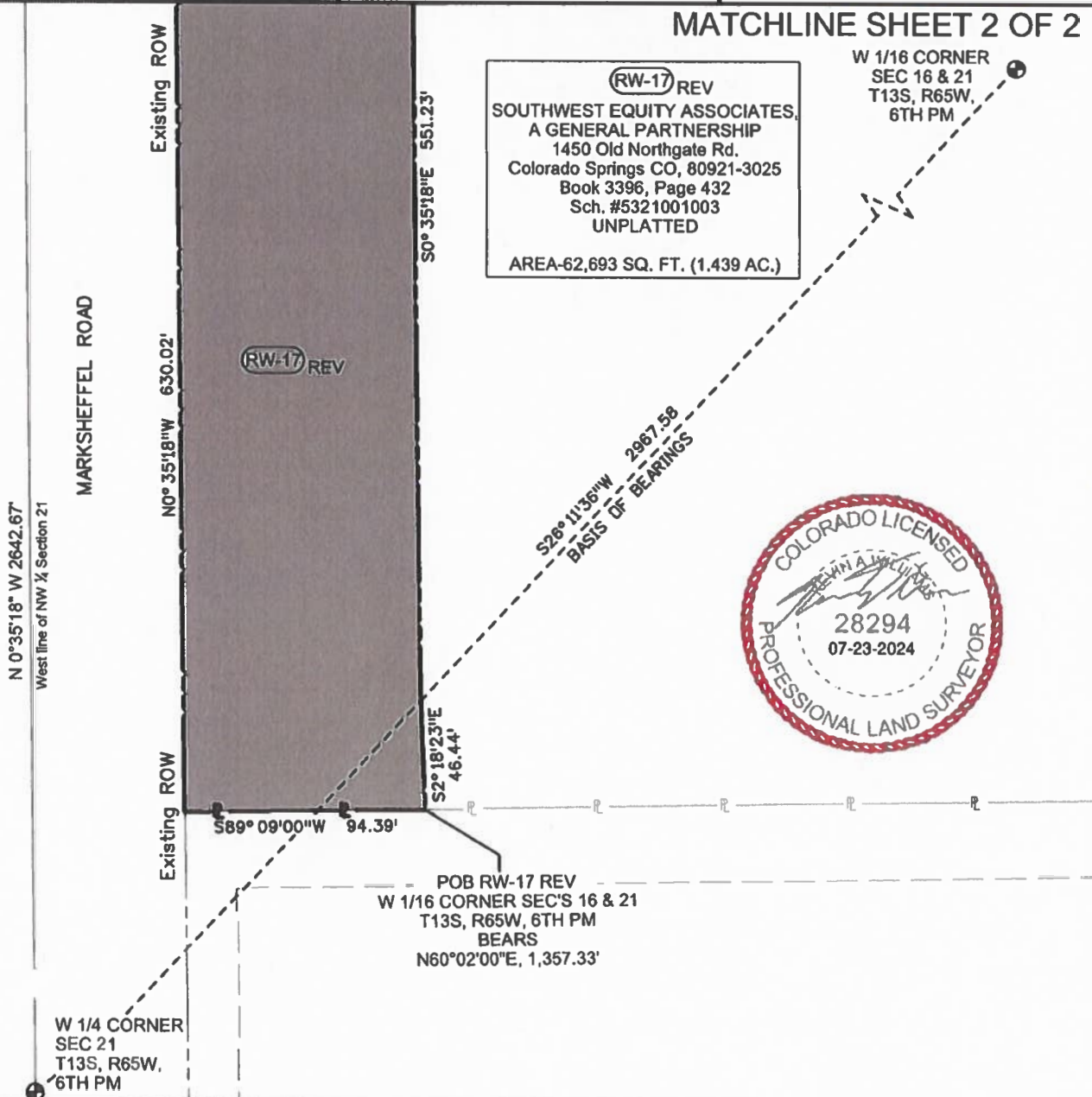
APPROVED BY: K. WILLIAMS

18300ROW_RW-17-REV_Exhibit_1-2.dgn

EXHIBIT B SKETCH
 RIGHT OF WAY RW-17 REV
 PARCEL 5321001003
 SECTION 21
 T 13 S, R 65 W, 6TH P.M.
 CITY OF COLORADO SPRINGS,
 EL PASO COUNTY, COLORADO



MATCHLINE SHEET 2 OF 2



NOTES:

- This sketch does not constitute a land survey plat by Wilson & Co.
- This sketch is a graphic representation of the burdened property. In the event Exhibit B is inconsistent with Exhibit A, Exhibit A shall control.
- Bearings are based on a GPS Static Survey performed July 20, 2006 by CH2M Hill Inc. The line between stations DOT1 (a EPC Brass Cap) and E_24 (a USCGS Brass Cap) bears N 48°53'48" E a distance of 40,950.79 ft.

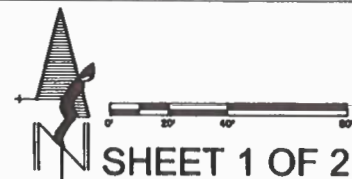
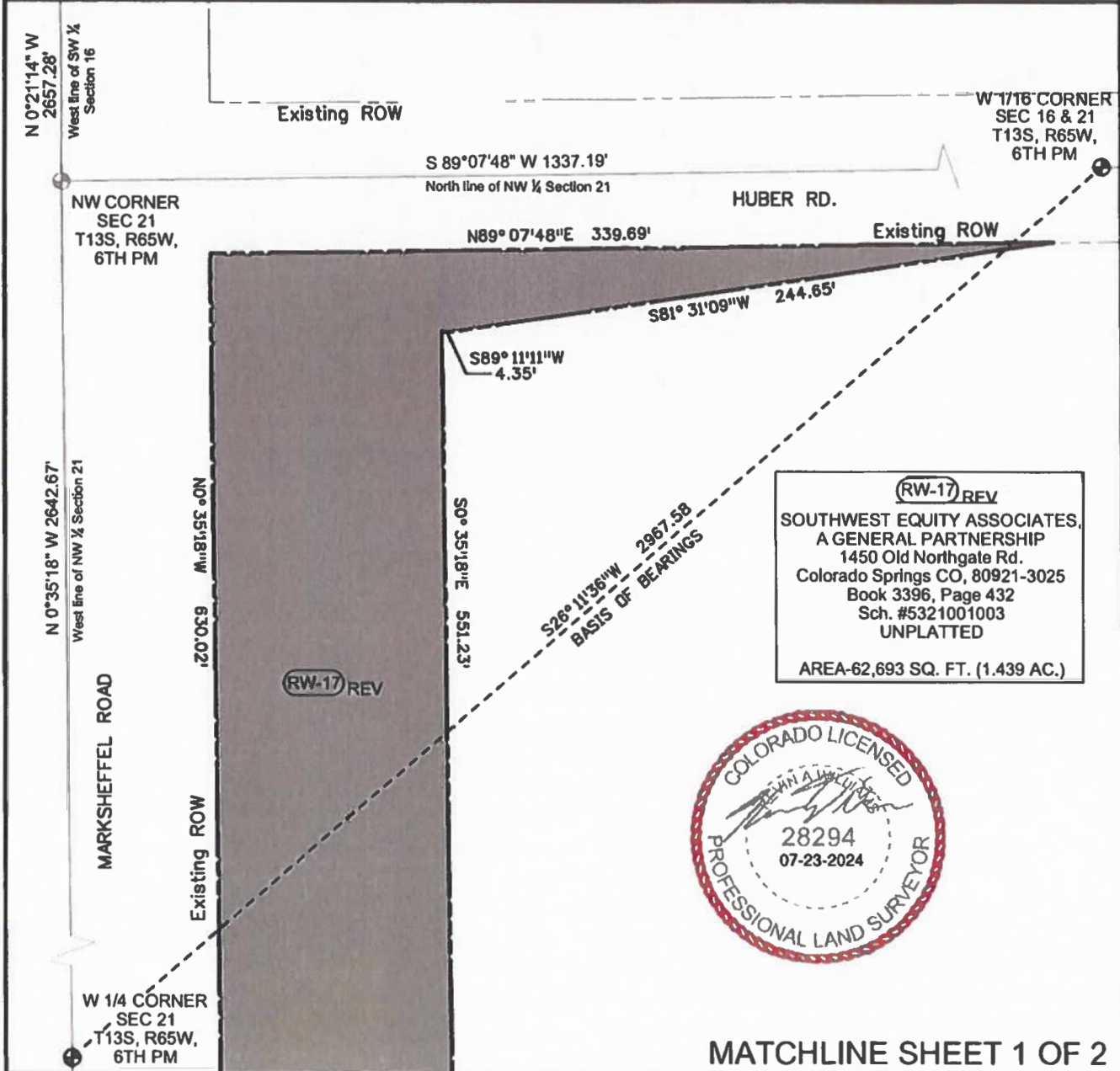


EXHIBIT B - PAGE 2 OF 2

DATE: 23-JULY-2024	EXHIBIT B SKETCH RIGHT OF WAY RW-17 REV PARCEL 5321001003 SECTION 21 T 13 S, R 65 W, 6TH P.M. CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO	 COLORADO SPRINGS OLYMPIC CITY USA
APPROVED BY: K. WILLIAMS		
18300ROW_RW-17-REV_Exhibit_2-2.dgn		

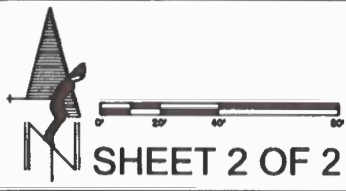


(RW-17) REV
 SOUTHWEST EQUITY ASSOCIATES,
 A GENERAL PARTNERSHIP
 1450 Old Northgate Rd.
 Colorado Springs CO, 80921-3025
 Book 3396, Page 432
 Sch. #5321001003
 UNPLATTED
 AREA-62,693 SQ. FT. (1.439 AC.)



MATCHLINE SHEET 1 OF 2

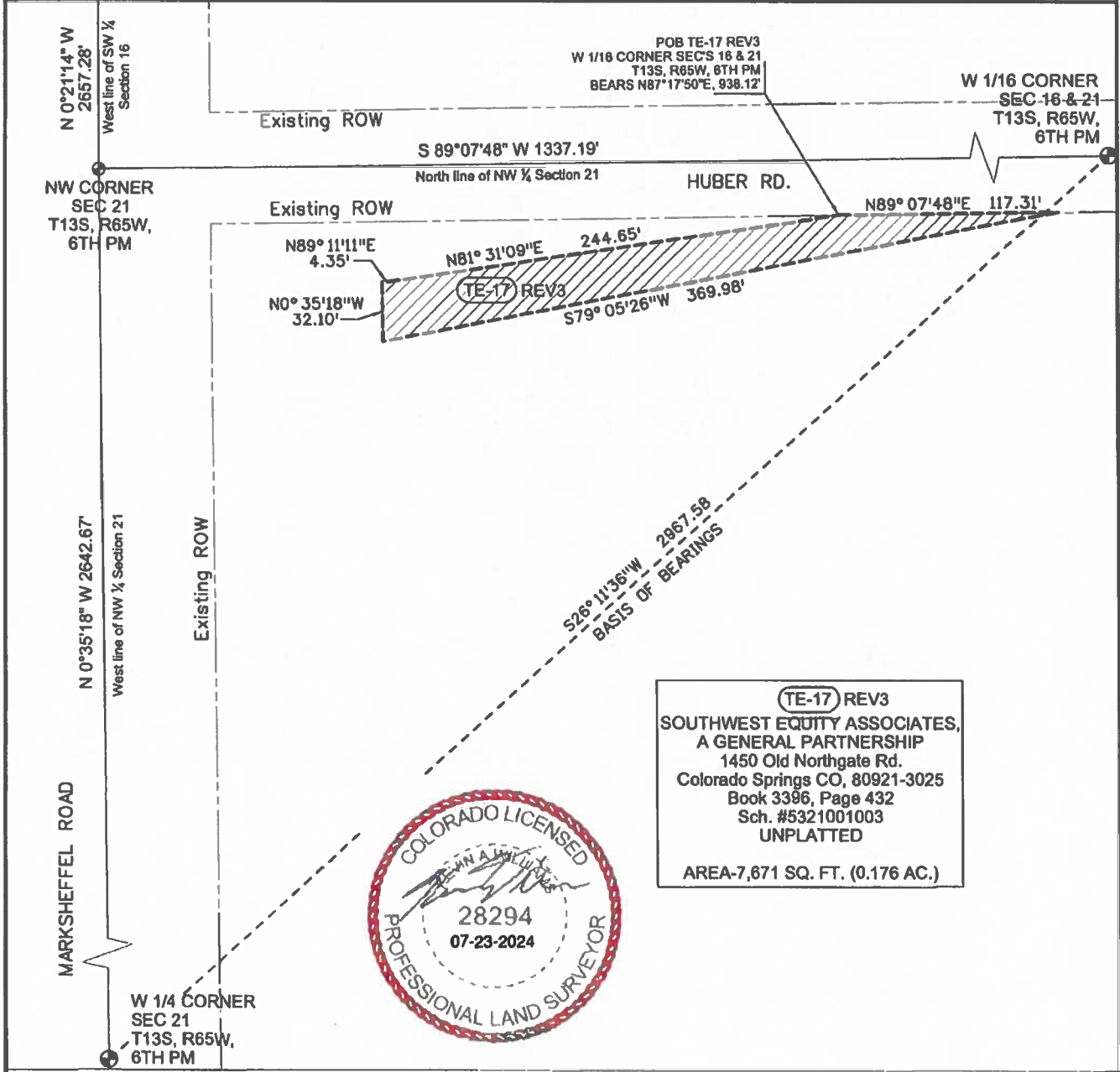
- NOTES:**
1. This sketch does not constitute a land survey plat by Wilson & Co.
 2. This sketch is a graphic representation of the burdened property. In the event Exhibit B is inconsistent with Exhibit A. Exhibit A shall control.
 3. Bearings are based on a GPS Static Survey performed July 20, 2006 by CH2M Hill Inc. The line between stations DOT1 (a EPC Brass Cap) and E_24 (a USCGS Brass Cap) bears N 48°53'48" E a distance of 40,950.79 ft.



SHEET 2 OF 2

EXHIBIT C - PAGE 1 OF 1

DATE: 23-JULY-2024	EXHIBIT A	
APPROVED BY: K. WILLIAMS	TEMPORARY EASEMENT TE-17 REV3	
18300ROW_TE-17-REV3.dgn	PARCEL 5321001003 SECTION 21 T 13 S, R 65 W, 6TH P.M. CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO	




TE-17 REV3


SOUTHWEST EQUITY ASSOCIATES,
 A GENERAL PARTNERSHIP
 1450 Old Northgate Rd.
 Colorado Springs CO, 80921-3025
 Book 3396, Page 432
 Sch. #5321001003
 UNPLATTED

AREA-7,671 SQ. FT. (0.176 AC.)



- NOTES:**
1. This sketch does not constitute a land survey plat by Wilson & Co.
 2. This sketch is a graphic representation of the burdened property.
 3. Bearings are based on a GPS Static Survey performed July 20, 2006 by CH2M Hill Inc. The line between stations DOT1 (a EPC Brass Cap) and E_24 (a USCGS Brass Cap) bears N 48°53'48" E a distance of 40,950.79 ft.





SHEET 1 OF 1

EXHIBIT D - PAGE 1 OF 1

PARCEL DESIGNATION	5316002021	DATE:	July 23, 2024
OWNER:	TRIGON LAND AND CATTLE CO.		

EXHIBIT A

LEGAL DESCRIPTION

RIGHT OF WAY – RW-24 REV

A portion of that parcel of land as described in Book 3430, Page 670, of the records of El Paso County, said parcel is located in Lot 5, Block 1, Toy Ranches Estates in the Southwest Quarter of Section 16, Township 13 South, Range 65 West of the Sixth Principal Meridian, El Paso County, Colorado, more particularly described as follows:

Commencing at the West Quarter Corner of said Section 16 (being a 3 ¼" Aluminum cap LS 30829), thence S. 5°44'18" E., a distance of 1,651.72 feet, to a point being on the northerly property line of said property described in Book 3430, Page 670, said point also being the **POINT OF BEGINNING**;

1. Thence along said northerly property line, S. 89°07'48" W., to the east right of way line of Marksheffel Road, a distance of 95.00 feet;
2. Thence along said east right of way line, S. 00°21'14" E., to the southerly property line of said property described in Book 3430, Page 670, a distance of 322.70 feet;
3. Thence along said southerly property line, N. 89°07'48" E., a distance of 95.00 feet;
4. Thence N. 0°21'14" W., a distance of 322.70 feet, more or less, to the **POINT OF BEGINNING**.

Said parcel of land contains 30,657 sq. ft. or 0.704 acres, more or less.

EXHIBIT B SKETCH is attached hereto and thereby incorporated as a part of the preceding legal description.

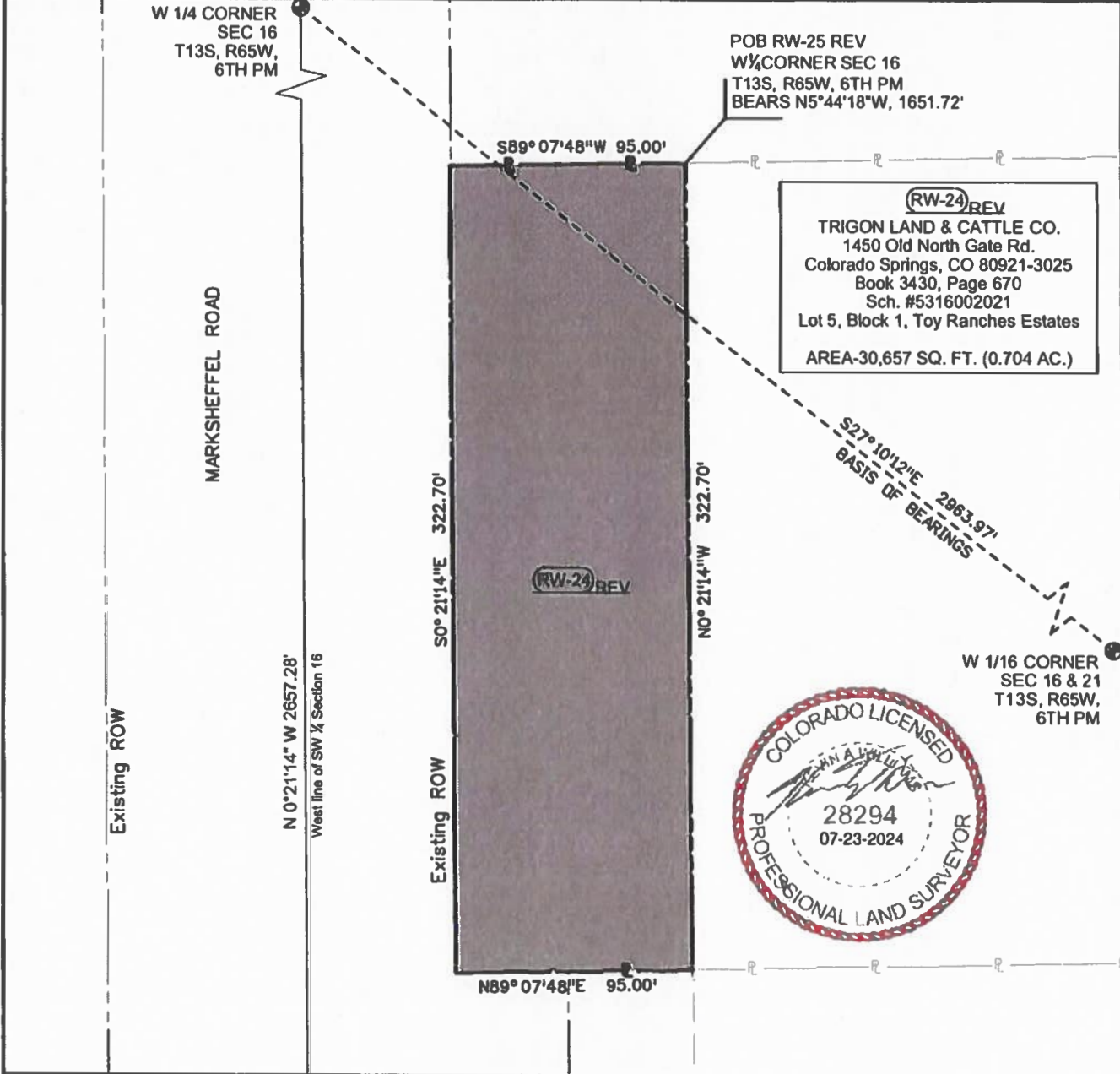
Bearings are based on a GPS Static Survey performed July 20, 2006, by CH2M Hill Inc. A line from the West Quarter Corner of said Section 16 (a 3-1/4" aluminum cap, PLS 30829) to the West Sixteenth Corner common to said Section 16 and Section 21 (a 2-1/2" aluminum cap, PLS 30118) bears S 27°10'12" E., a distance of 2,963.97 feet.

This description was prepared by:
Kevin Williams, P.L.S. 28294
On behalf of Wilson & Co.
990 S. Broadway, Ste. 220
Denver, CO 80209



EXHIBIT E - PAGE 1 OF 1

DATE: 23-JULY-2024	EXHIBIT B SKETCH RIGHT OF WAY RW-24 REV PARCEL 5316002021 SECTION 16 T 13 S, R 65 W, 6TH P.M. CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO	 COLORADO SPRINGS OLYMPIC CITY USA
APPROVED BY: K. WILLIAMS		
18300ROW_RW-24-REV_Exhibit.dgn		



- NOTES:
1. This sketch does not constitute a land survey plat by Wilson & Co.
 2. This sketch is a graphic representation of the burdened property. In the event Exhibit B is inconsistent with Exhibit A, Exhibit A shall control.
 3. Bearings are based on a GPS Static Survey performed July 20, 2006 by CH2M Hill Inc. The line between stations DOT1 (a EPC Brass Cap) and E_24 (a USCGS Brass Cap) bears N 48°53'48" E a distance of 40,950.79 ft.

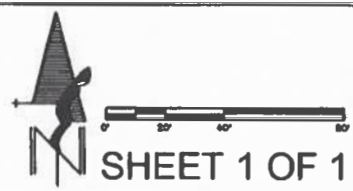


EXHIBIT F - PAGE 1 OF 1

PARCEL DESIGNATION	5316002020	DATE:	July 23, 2024
OWNER:	SOUTHWEST EQUITY ASSOCIATES		

EXHIBIT A

LEGAL DESCRIPTION

RIGHT OF WAY – RW-25 REV

A portion of that parcel of land as described in Book 3430, Page 673, of the records of El Paso County, said parcel is located in Lot 4, Block 1, Toy Ranches Estates in the Southwest Quarter of Section 16, Township 13 South, Range 65 West of the Sixth Principal Meridian, El Paso County, Colorado, more particularly described as follows:

Commencing at the West Quarter Corner of said Section 16 (being a 3 ¼" Aluminum cap LS 30829), thence S. 5°44'18" E., a distance of 1,651.72 feet, to a point being on the southerly property line of said property described in Book 3430, Page 673, said point also being the **POINT OF BEGINNING**;

1. Thence S. 89°07'48" W., to the east right of way line of Marksheffel Road, a distance of 95.00 feet;
2. Thence along said east right of way line, N. 00°21'14" W., to the northerly property line of said property described in Book 3430 Page 673, a distance of 323.71 feet;
3. Thence along said northerly property line, N. 89°07'48" E., a distance of 95.00 feet;
4. Thence S. 0°21'14" E., a distance of 323.71 feet, more or less, to the **POINT OF BEGINNING**.

Said parcel of land contains 30,753 sq. ft. or 0.706 acres, more or less.

EXHIBIT B SKETCH is attached hereto and thereby incorporated as a part of the preceding legal description.

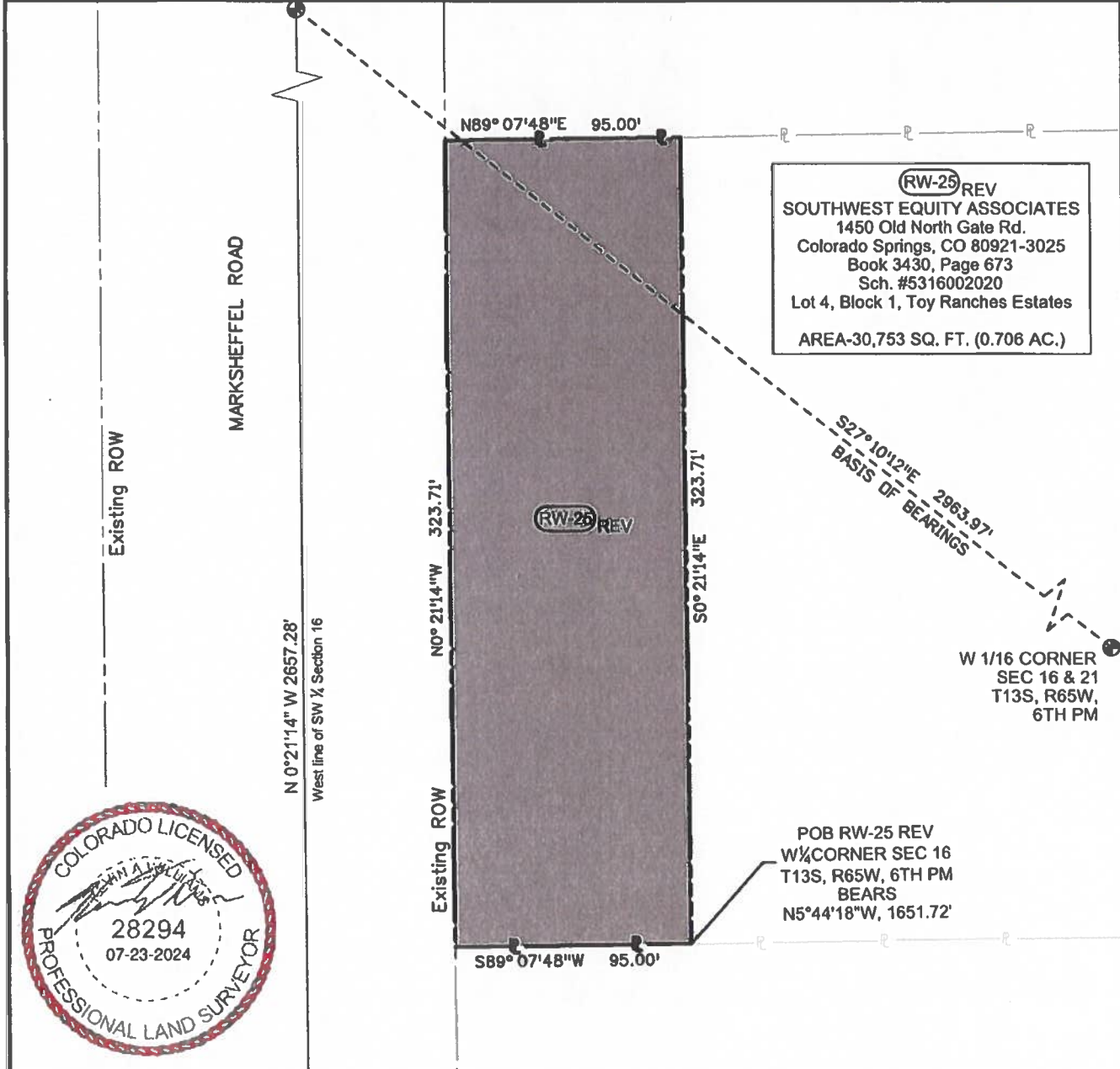
Bearings are based on a GPS Static Survey performed July 20, 2006, by CH2M Hill Inc. A line from the West Quarter Corner of said Section 16 (a 3-1/4" aluminum cap, PLS 30829) to the West Sixteenth Corner common to said Section 16 and Section 21 (a 2-1/2" aluminum cap, PLS 30118) bears S 27°10'12" E., a distance of 2,963.97 feet.

This description was prepared by:
Kevin Williams, P.L.S. 28294
On behalf of Wilson & Co.
990 S. Broadway, Ste. 220
Denver, CO 80209



EXHIBIT G - PAGE 1 OF 1

DATE: 23-JULY-2024	EXHIBIT B SKETCH RIGHT OF WAY RW-25 REV PARCEL 5316002020 SECTION 16 T 13 S, R 65 W, 6TH P.M. CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO	 COLORADO SPRINGS OLYMPIC CITY USA
APPROVED BY: K. WILLIAMS		
18300ROW_RW-25-REV_Exhibit.dgn		



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- Bearings are based on a GPS Static Survey performed July 20, 2006 by CH2M Hill Inc. The line between stations DOT1 (a EPC Brass Cap) and E_24 (a USCGS Brass Cap) bears N 48°53'48" E a distance of 40,950.79 ft.