

RESOLUTION NO. 18-16

A RESOLUTION APPROVING A LAND EXCHANGE
BETWEEN THE CITY OF COLORADO SPRINGS AND
INTERQUEST MARKETPLACE, LLC

WHEREAS, the City of Colorado Springs ("City") holds fee title to a strip of vacant land consisting of approximately 43,971 square feet north of the current alignment of New Life Drive between the intersections of Federal Drive to the west and Voyager Parkway to the east, which is legally described on Exhibit A and map depicted on Exhibit B, attached hereto and incorporated herein by reference, ("City Property"); and

WHEREAS, the Public Works Department is the Controlling Department of the City Property; and

WHEREAS, the City's Public Works Department has determined that it has no need for the City Property and as such the City Property is surplus and may be disposed; and

WHEREAS, no other City department or enterprise has expressed interest in maintaining fee ownership or reserving an easement on the City Property; and

WHEREAS, Interquest Marketplace, LLC holds fee title to a strip of vacant land consisting of approximately 43,976 square feet situated along the northern boundary of the Interquest Parkway right of way between Voyager Parkway and Federal Drive, which is legally described on Exhibit C and map depicted on Exhibit D, attached hereto and incorporated herein by reference ("Interquest Marketplace Property"); and

WHEREAS, the City desires to acquire the Interquest Marketplace Property and Interquest Marketplace, LLC desires to acquire the City Property; and

WHEREAS, the City, pursuant to Section 4.5 of Chapter 4 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests* ("RES Manual") is authorized to enter into a land exchange upon approval of City Council; and

WHEREAS, the City Property and the Interquest Marketplace Property are of approximately equal area and equal value; and

WHEREAS, Interquest Marketplace, LLC has agreed that if City Council approves the land exchange it will pay all transaction costs; and

WHEREAS, the Public Works Department recommends that City Council approve the proposed land exchange and authorize the City's Real Estate Services

Manager to execute all documents necessary to complete an exchange of the City Property for the Interquest Marketplace Property subject to appropriate terms, conditions, and restrictions.

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


Section 1. City Council hereby finds that the City Property is surplus property that is not necessary for the operation of the City, is unneeded for the proper conduct of City affairs, and its disposal is in compliance with City Code Section 7.71804A and Chapter 5 of the RES Manual.

Section 2. Pursuant to the RES Manual, Section 4.5, City Council hereby finds that the proposed land exchange is in the best interest of the City and approves a land exchange with Interquest Marketplace, LLC of the City Property for the Interquest Marketplace Property.

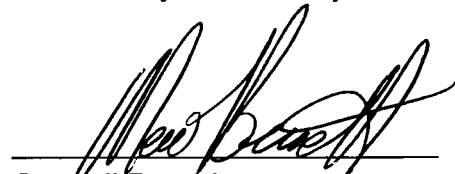
Section 3. Pursuant to the RES Manual, Section 2.11, City Council hereby authorizes the City's Real Estate Services Manager to execute all documents necessary to complete the land exchange of the City Property for the Interquest Marketplace Property and to obtain the Mayor's signature on the deed conveying the City Property to Interquest Marketplace, LLC.

DATED at Colorado Springs, Colorado, this 23rd day of February, 2016.

ATTEST:


Sarah B. Johnson, City Clerk




Council President



6385 Corporate Drive
Colorado Springs, Colorado 80919
(719)785-0790(719)785-0799(fax)

JOB NO. 2206.88-01
FEBRUARY 13, 2014
PAGE 1 OF 3

LEGAL DESCRIPTION:

(2) TWO PARCELS OF LAND BEING A PORTION THAT PARCEL OF LAND CONVEYED FROM STOUT PARTNERS, LLC TO THE CITY OF COLORADO SPRINGS, DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 098091345, LOCATED IN SECTION 20, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A TANGENT PORTION OF NEW LIFE DRIVE AS PLATTED IN MARKETPLACE AT INTERQUEST FILING NO. 2, RECORDED UNDER RECEPTION NO 208712786, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENT AT BOTH ENDS BY A NO. 5 REBAR AND 1 1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118", IS ASSUMED TO BEAR N85°41'01"W A DISTANCE OF 470.48 FEET.

PARCEL 1

COMMENCING AT THE WESTERLY END OF A TANGENT LINE ON THE NORTHERLY RIGHT OF WAY LINE OF NEW LIFE DRIVE AS PLATTED IN MARKETPLACE AT INTERQUEST FILING NO. 2 RECORDED UNDER RECEPTION NO 208712786, RECORDS OF EL PASO COUNTY, COLORADO, WHICH BEARS N85°41'01"W, A DISTANCE OF 470.48 FEET, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE N85°41'01"W, A DISTANCE OF 11.76 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 00°24'34", A RADIUS OF 740.00 FEET AND A DISTANCE OF 5.29 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE WESTERLY BOUNDARY OF THAT PARCEL OF LAND CONVEYED FROM STOUT PARTNERS, LLC TO THE CITY OF COLORADO SPRINGS, DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 098091345;
THENCE N00°15'11"W, ON SAID WESTERLY BOUNDARY A DISTANCE OF 60.71 FEET, TO A POINT BEING ON THE SOUTHERLY BOUNDARY OF A PARCEL OF LAND CONVEYED FROM RICHARD F. AND ANN A. LEACH TO THE CITY OF COLORADO SPRINGS, DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5896 AT PAGE 462, SAID POINT BEING POINT A;
THENCE N89°16'06"E, ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 5896 AT PAGE 462, A DISTANCE OF 991.27 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S08°49'20"E, HAVING A DELTA OF 15°04'00", A RADIUS OF 740.00 FEET AND A DISTANCE OF 194.59 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED THE DOCUMENT RECORDED UNDER RECEPTION NO. 098091345;

THENCE ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED THE DOCUMENT RECORDED UNDER RECEPTION NO. 098091345 THE FOLLOWING (2) TWO COURSES;

- 1. S89°57'47"W, A DISTANCE OF 687.81 FEET TO A POINT ON CURVE;
- 2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S00°08'54"E, HAVING A DELTA OF 21°54'11", A RADIUS OF 288.00 FEET AND A DISTANCE OF 102.45 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 43,138 SQUARE FEET

PARCEL 2

COMMENCING AT POINT A, HEREIN DESCRIBED, SAID POINT BEING ON THE WESTERLY BOUNDARY OF THAT PARCEL OF LAND CONVEYED FROM STOUT PARTNERS, LLC TO THE CITY OF COLORADO SPRINGS, DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 098091345 RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE N00°15'11"W, ON SAID WESTERLY BOUNDARY A DISTANCE OF 21.50 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 098091345;

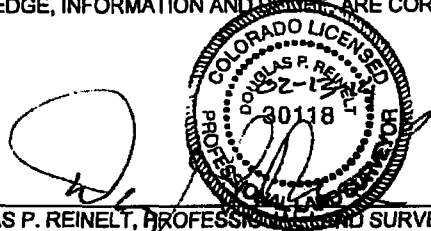
THENCE N89°57'47"E, ON THE NORTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 098091345, A DISTANCE OF 117.16 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE NORTHERLY BOUNDARY OF A PARCEL OF LAND CONVEYED FROM RICHARD F. AND ANN A. LEACH TO THE CITY OF COLORADO SPRINGS, DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5896 AT PAGE 462 ;

THENCE ON THE NORTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 5896 AT PAGE 462, ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S00°06'54"E, HAVING A DELTA OF 20°39'20", A RADIUS OF 332.00 FEET AND A DISTANCE OF 119.69 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 833 SQUARE FEET

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF ARE CORRECT.

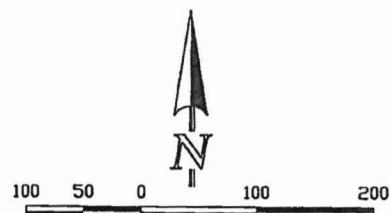
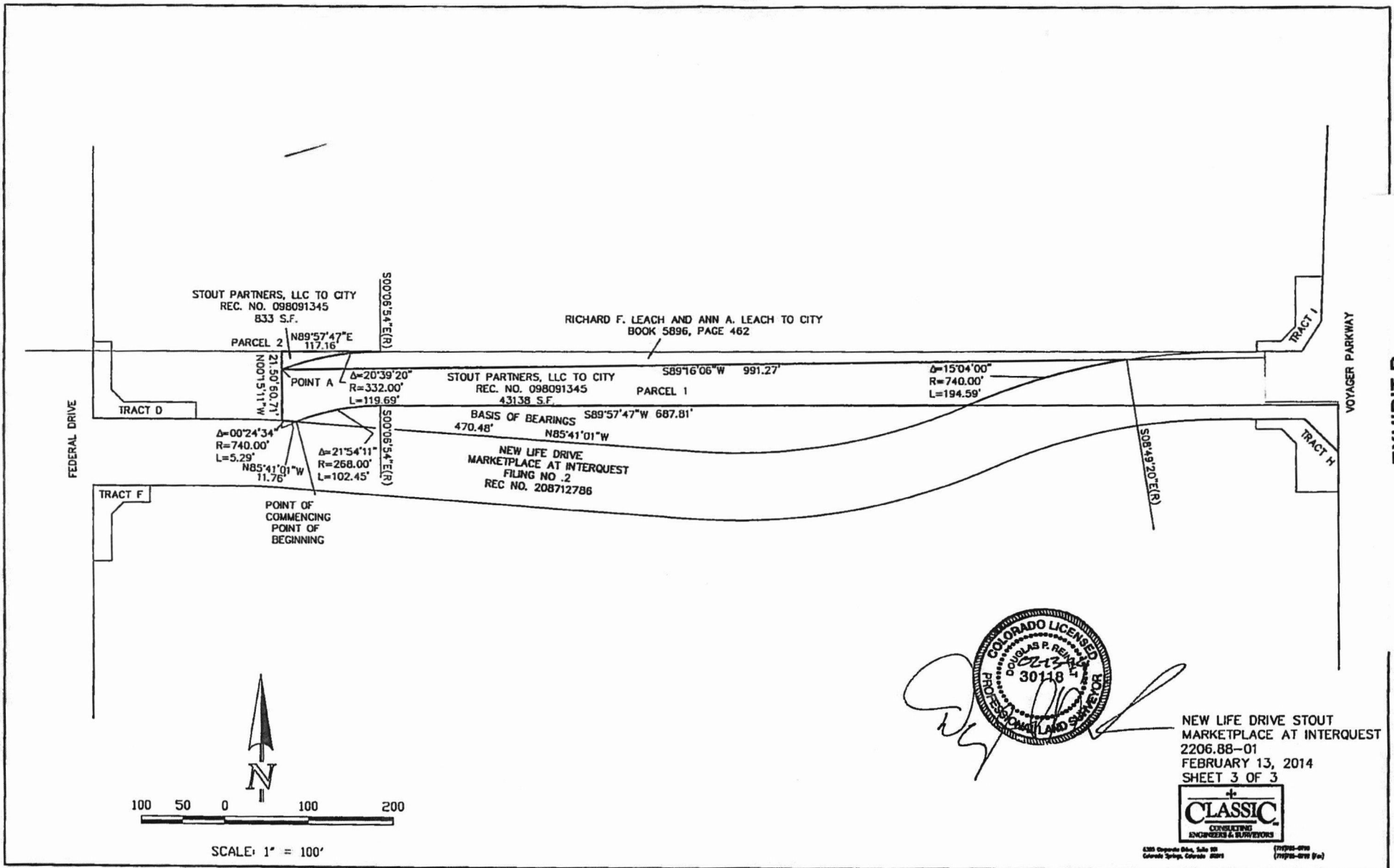


DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 30118
FOR AND ON BEHALF OF CLASSIC CONSULTING
ENGINEERS AND SURVEYORS

FEB 13, 2014
DATE

EXHIBIT A

2 of 2



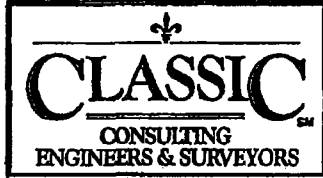
SCALE: 1" = 100'



NEW LIFE DRIVE STOUT
MARKETPLACE AT INTERQUEST
2206.88-01
FEBRUARY 13, 2014
SHEET 3 OF 3



4300 Corporate Blvd., Suite 100
Colorado Springs, Colorado 80901 (719) 598-0990
(719) 598-0999 (Fax)



619 N. Cascade Avenue, Suite 200
Colorado Springs, Colorado 80903
(719)785-0790 (719)785-0799(fax)

JOB NO. 2206.28
JANUARY 20, 2016
PAGE 1 OF 2

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 83 AS DESCRIBED IN A DOCUMENT RECORDED IN BOOK 1982 AT PAGE 416, RECORDS OF EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE NORTHERLY END AT THE SOUTHEASTERLY CORNER OF TRACT H AS PLATTED IN MARKETPLACE AT INTERQUEST FILING NO. 2 RECORDED UNDER RECEPTION NO. 208712786 BY A NO. 5 REBAR AND ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" AND AT THE SOUTHERLY END BY A NO. 5 REBAR AND ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" AND IS ASSUMED TO BEAR S00°03'04"E A DISTANCE OF 599.37 FEET.

COMMENCING AT THE SOUTHEASTERLY CORNER OF TRACT H AS PLATTED IN MARKETPLACE AT INTERQUEST FILING NO. 2 RECORDED UNDER RECEPTION NO. 208712786 RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 83 AS DESCRIBED IN A DOCUMENT RECORDED IN BOOK 1982 AT PAGE 416;

THENCE ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING (3) THREE COURSES:

1. S00°03'04"E A DISTANCE OF 604.82 FEET;
2. S02°35'50"W, A DISTANCE OF 384.10 FEET;
3. S00°50'50"E, A DISTANCE OF 181.11 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S00°50'50"E, ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 2.67 FEET TO NORTHEASTERLY CORNER OF THE RIGHT OF WAY VACATION AS RECORDED UNDER RECEPTION NO. 204182050,

THENCE ON THE BOUNDARY OF SAID RIGHT OF WAY VACATION, THE FOLLOWING (6) SIX COURSES:

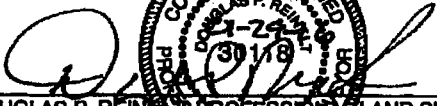
1. S39°02'41"W, A DISTANCE OF 60.11 FEET;
2. N89°34'38"W, A DISTANCE OF 504.45 FEET;
3. N86°32'38"W, A DISTANCE OF 222.41 FEET;
4. N88°12'11"W, A DISTANCE OF 401.22 FEET;
5. N89°30'18"W, A DISTANCE OF 56.40 FEET;
6. N00°15'11"W, A DISTANCE OF 14.68 FEET;

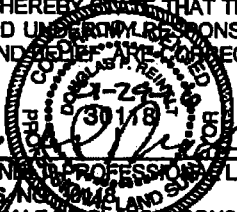
THENCE CONTINUING N00°15'11"W, A DISTANCE OF 2.67 FEET;
THENCE N89°54'55"E, A DISTANCE OF 1221.76 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 43,976 S.F.

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF TO BE CORRECT.


 DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
 COLORADO P.L.S. NO. 1048 AND S.P.S. NO. 1048
 FOR AND ON BEHALF OF CLASSIC CONSULTING
 ENGINEERS AND SURVEYORS



JAN 29, 2016
DATE

1/20/2016 10:02:16 AM drcabed

FEDERAL DRIVE

TRACT H
MARKETPLACE
AT INTERQUEST
FILE NO. 2
RECEPTION NO.
208712789

POINT OF
COMMENCING

BASIS OF BEARINGS
S00°03'04"E 598.37'
S00°03'04"E 604.82'
S02°35'50"E 181.11'

HIGHWAY 69
BOOK 1862, PAGE 418

EXHIBIT D

* UNPLATTED *

N00°15'11"W 2.67'
N00°15'11"W 14.68'
N89°30'18"W 56.40'

N88°12'11"W 401.22'

N89°54'55"E 1221.76'

43,976 SF

INTERQUEST PARKWAY

N86°32'38"W 222.41'

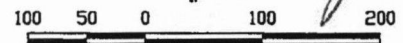
N89°34'38"W 504.45'

POINT OF
BEGINNING

S00°50'50"E 2.67'

S39°02'41"W 60.11'

CCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.



SCALE: 1" = 100'

INTERQUEST PARKWAY EXHIBIT
MARKETPLACE AT INTERQUEST
JOB NO. 2206.28
JANUARY 20, 2016
SHEET 2 OF 2



611 N. Grand Avenue, Suite 200
Colorado Springs, Colorado 80903

(719) 593-8700
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