

RESOLUTION NO. ____ – 21
A RESOLUTION AUTHORIZING THE DISPOSAL OF CITY
REAL PROPERTY TO THE COLORADO DEPARTMENT OF
TRANSPORTATION (“CDOT”)

WHEREAS, the City of Colorado Springs (“**City**”), by and through its enterprise, the Colorado Springs Municipal Airport (“**Airport**”), desires to transfer approximately 3,073.7 square feet of land, as described and depicted on **Exhibit A** (“**Property**”), to the Colorado Department of Transportation (“**CDOT**”); and

WHEREAS, in 1970 the City purchased the Property (with the assistance of federal funding) as part of a larger parcel for the purpose of noise abatement and runway protection; and

WHEREAS, on June 14, 2004, the Federal Aviation Administration (FAA) released 1546.8981 acres of land that is now known as Peak Innovation Park land, which includes the Property, from aeronautical use regulations. Thereafter, the Airport began developing Peak Innovation Park into a “Class A” business park (the “Development”) as a means to further civil aviation and diversify its revenue so that the Airport is as self-sustainable as possible and as required by FAA regulations. As part of the Development, including the 70 acre land transaction known as the Amazon Fulfillment Center, the intersection of South Powers Boulevard and Grinnell Boulevard must be widened and a right-in, deceleration lane will be constructed on Airport land to accommodate the traffic needs of the business park. As part of the intersection improvements, the Airport will construct drainage system improvements, including a concrete box culvert and associated head-walls and wing-walls (“Drainage Improvements”); and

WHEREAS, CDOT desires to assume control of the Drainage Improvements which will (i) be constructed on the Property and contiguous to a right of way area owned by CDOT; and (ii) provide mutual storm water management and risk mitigation benefits to CDOT and the Airport; in order to ensure the maintenance, repair, and replacement obligations are fulfilled so that CDOT may utilize them as part of its existing storm water management plan and environmental risk mitigation obligations to include protections of its roadway. Accordingly, CDOT needs to be granted substantial rights in the Property; and

WHEREAS, no City Department or Enterprise has expressed an interest in retaining the Property and CDOT is the one logical potential purchaser for the purpose of maintaining the Drainage Improvements; and

WHEREAS, conveying the Property to CDOT is for the purpose maintaining the Drainage Improvements, which contribute to the overall development of the Amazon Fulfillment Center and the Peak Innovation Park.

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

Section 1. City Council finds that the disposal of the Property complies with the City's Real Estate Manual, the City Charter, the City Code, and all other applicable laws.

Section 2. In accordance with the provisions of Colorado Constitution Article XI § 2, City Council hereby finds that a public purpose exists for the conveyance of the Property from the Airport to CDOT, for the purposes of maintaining the Drainage Improvements and of economic development.

Section 3. Council finds that the Property is surplus and not necessary for the operations of the City, and that CDOT is the one logical potential purchaser.

Section 4. Pursuant to the Real Estate Manual, Chapter 2, Section 2.11, the City's Real Estate Services Manager is authorized to execute all documents necessary to complete the transfer of property and to obtain the Mayor's signature on the Quitclaim Deed to convey the Property to CDOT.

Section 5. City Council hereby authorizes the sale of the Property to CDOT for the purchase price of ten dollars (\$10.00), as negotiated and recommended by the Airport and Real Estate Services.

Section 6. City Council approves this Resolution which shall be effective immediately upon its passage.

Dated at Colorado Springs, Colorado this ____ day of _____, 2021.

Council President

ATTEST:

Sarah B. Johnson, City Clerk