

A RESOLUTION DECLARING REAL PROPERTY TO BE SURPLUS, AUTHORIZING THE CITY'S REAL ESTATE SERVICES OFFICE TO RETAIN A CONSULTANT TO AID IN DISPOSITION, AND AUTHORIZING THE DISPOSAL OF REAL PROPERTY FOR AT LEAST THE FAIR MARKET VALUE

WHEREAS, as part of the Southern Delivery System Project ("SDS"), the City of Colorado Springs ("City"), on behalf of its enterprise Colorado Springs Utilities ("Utilities"), in accordance with Resolution Nos. 198-09, 315-09, 47-10, and 115-10, purchased the six properties in Pueblo West identified in Exhibit A, attached hereto and incorporated by reference (the "Properties"); and

WHEREAS, during construction of the SDS pipeline, Utilities required ownership of the entirety of the Properties in order to facilitate construction activities and provide adequate staging areas; and

WHEREAS, upon completion of construction of the SDS pipeline, Utilities has determined that it no longer requires the Properties for its business or operational purposes so long as it reserves the necessary pipeline easement; and

WHEREAS, in accordance with the process set forth in Chapter 5 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests* (the "RES Manual"), the City's Real Estate Services Office has consulted with other City departments and enterprises to determine whether any other City department or enterprise has a need for the Properties and no other City department or enterprise has expressed interest in maintaining fee ownership of or reserving easements on the Properties; and

WHEREAS, §6-80 of the City Charter, § 7.7.1804 of the City Code, and Chapter 5 of the RES Manual authorize the disposal of surplus Utilities-controlled City property where it is no longer needed by Utilities or other City departments or its enterprises and Utilities recommends the disposal of the Properties; and

WHEREAS, it is appropriate to retain a consultant to aid in the sale of the Properties rather than hold a sealed bid auction, due to the number and locations of the Properties; and

WHEREAS, Utilities recommends approval of the disposal of the Properties for at least the fair market value; and

WHEREAS, pursuant to §§ 5.1, 5.6, and 5.9 of the RES Manual, City Council must deem the Properties to be surplus, authorize the City's Real Estate Services Office and Utilities to retain a consultant to assist in the sale of the Properties, and approve the disposal of City-owned real property.

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

Section 1. City Council finds that the Properties identified in Exhibit A are surplus and not necessary for the efficient operations of Colorado Springs Utilities, are not a substantial part of the property of Utilities, are not needed for the proper conduct of City or Utilities' affairs, and are not needed by other City departments or enterprises, and the disposal of the Properties is in compliance with City Charter §6-80, City Code § 7.7.1804(A), and RES Manual Chapter 5.

Section 2. In accordance with §§ 5.1 and 5.6 of the RES Manual, City Council finds that it is appropriate and hereby authorizes Utilities and the City's Real Estate Services Office to retain a consultant to assist in the sale and marketing of the Properties rather than hold a sealed bid auction.

Section 3. City Council hereby authorizes the sale of the Properties for at least the fair market value subject to the imposition of the appropriate terms and conditions and the provisions of the RES Manual, including the reservation of a pipeline easement for the benefit of the City on behalf of Colorado Springs Utilities.

Section 4. Pursuant to the RES Manual, §2.11, the City's Real Estate Services Manager is authorized to execute all documents necessary to complete the disposition of the Properties and to obtain the Mayor's signature on Quitclaim Deeds to convey the Properties.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2018.

ATTEST:

Council President

Sarah B. Johnson, City Clerk

Exhibit A

Assessor's Parcel Number (APN)	Property Address	Type
05-050-05-020	1070 E Sequoya Drive, Pueblo, CO 81007	Vacant Land
05-050-10-011	1078 E Marengo Drive, Pueblo, CO 81007	Vacant Land
05-080-06-016	1112 E Paramount Drive, Pueblo, CO 81007	Land/House
05-080-10-006	1133 E Industrial Avenue, Pueblo, CO 81007	Vacant Land
95-290-11-047	1051 E Linda Avenue, Pueblo, CO 81007	Vacant Land
95-320-26-011	1080 E Desert Cove Drive, Pueblo, CO 81007	Vacant Land