

RESOLUTION NO. \_\_\_\_\_-18

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COLORADO SPRINGS, COLORADO, AND THE REGENTS OF THE UNIVERSITY OF COLORADO RELATED TO CONVEYANCE OF NEW RIGHT-OF-WAY AND EASEMENTS AND VACATION OF OLD RIGHT-OF-WAY

WHEREAS, pursuant to § 29-1-203, C.R.S., the City of Colorado Springs is authorized to enter into intergovernmental agreements with other governmental entities for the purpose of cooperating on or contracting for the provision of any function, service, or facility lawfully authorized to each of them; and

WHEREAS, the City of Colorado Springs ("City"), on behalf of its Public Works Department ("Public Works") and its enterprise, Colorado Springs Utilities ("Utilities"), desires to enter into that Intergovernmental Agreement ("IGA") attached hereto and incorporated herein by reference as Attachment "1" to this Resolution under which the Regents of the University of Colorado, on behalf of the University of Colorado Colorado Springs ("UCCS") desires to convey to the City new right-of-way for Eagle Rock Road and new utility easements at no cost to Public Works and Utilities; and

WHEREAS, as part of the attached IGA and in exchange for the conveyance of the new Eagle Rock Road right-of-way, the City agrees to vacate a portion of the existing Eagle Rock Road right-of-way, part of which may be vacated by quitclaim deed and part of which must be vacated by separate ordinance of City Council; and

WHEREAS, UCCS desires to and the City is amenable to allowing UCCS to construct, maintain, and operate certain landscaping and other improvements identified in the IGA in accordance with the terms set forth in the IGA, including the City's waiver of revocable permit fees; and

WHEREAS, approval of the attached IGA is in the best interest of the citizens of the City of Colorado Springs and ratepayers of Colorado Springs Utilities.

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

Section 1. The City Council hereby approves the attached Intergovernmental Agreement between the City of Colorado Springs and the Regents of the University of Colorado, attached hereto as Attachment "1".

Section 2. The City Council hereby authorizes the Mayor of the City of Colorado Springs and the Chief Executive Officer of Colorado Springs Utilities, or his designee, to execute the attached Intergovernmental Agreement.

Section 3. The Mayor and the City's Real Estate Services Manager are hereby authorized to execute all documents necessary to complete the land transactions contemplated by the Intergovernmental Agreement, except to the extent such transactions require separate City Council approval by ordinance.

DATED at Colorado Springs, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
Council President

\_\_\_\_\_  
Sarah B. Johnson, City Clerk