

RESOLUTION NO. _____-14

A RESOLUTION AUTHORIZING THE CITY OF COLORADO SPRINGS TO SELL THE PROPERTY KNOWN AS JONES PARK TO THE HIGHEST BIDDER OR, IF NOT SOLD, DONATED TO EL PASO COUNTY FOR A PUBLIC PURPOSE

WHEREAS, the City of Colorado Springs is a home rule municipal corporation created and organized pursuant to Article XX of the Colorado Constitution and the Charter of the City of Colorado Springs; and

WHEREAS, City Council finds Jones Park is surplus property and is not necessary for the operation of City Utilities, and

WHEREAS, City Council authorizes the sale of the property to the highest bidder using the city's disposal process, and

WHEREAS, all bidders must comply with the protection of the greenback cutthroat trout and the NEPA process, and with the City's process of disposal of property, and

WHEREAS, if there are no bidders, City Council desires to donate the land to El Paso County as the appropriate owner for Jones Park, to manage the recreational access, protect the greenback cutthroat trout and effectively manage Jones Park, and

WHEREAS, El Paso County has expressed its willingness to facilitate the transfer of Jones Park and obtain public input to implement the trail and stream improvement work identified in the NEPA process, and

WHEREAS, the City Council believes that local ownership of Jones Park is the best way to effectively manage the property, and

WHEREAS, El Paso County will survey the property and be responsible for all transaction costs associated with the donation of Jones Park, and

WHEREAS, El Paso County will hold title to the Jones Park property and assume all associated liabilities for the sole purpose of transferring the property to the county as soon as reasonably possible, and

WHEREAS, if the City Council donates the property to El Paso County it will serve a public purpose and is consistent with applicable laws and regulations, and is permissible and reasonable.

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

Section 1. City Council hereby finds Jones Park is surplus property which is not necessary for the operation of Utilities and is unneeded for the proper conduct of City affairs and its disposal is in compliance with section 6-80 of the City Charter.

Section 2. City Council hereby authorized the property know as Jones Park to be offered for sale to the highest bidder.

Section 3. The City Council will make the final decision as to the sale of the property. If no party bids on the property, the City Council will begin the process of donating the property to El Paso County. El Paso County will be responsible for the survey of the property at no cost to the city.

Section 4. In accordance with the "City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests" ("RES Manual"), Chapter 1, Section 1.1b and Chapter 5, City Council hereby finds a public purpose is served by donation of Jones Park to El Paso County, who will then provide unified management of recreational access and protection of the greenback cutthroat trout on the property.

Section 5: Pursuant to the RES Manual, Chapter 2.11, the City's Real Estate Services Manager is authorized to execute all documents necessary to complete the disposition of Jones Park and to obtain the Mayor's signature on the deed donating Jones Park to El Paso County.

DATED AT Colorado Springs, Colorado this _____ day of _____, 2014.

Keith King, Council President

ATTEST:

Sarah B. Johnson, City Clerk