

RESOLUTION NO. 6-19

A RESOLUTION AUTHORIZING THE ACQUISITION OF TWO PARCELS OF LAND TOTALING APPROXIMATELY 1.744 ACRES OF REAL PROPERTY AND A TEMPORARY CONSTRUCTION EASEMENT CONTAINING APPROXIMATELY 0.212 ACRES FROM HERIBERTO LOPEZ AND BLANCA F. MAGALLAN VELASQUEZ

WHEREAS, the City of Colorado Springs, Colorado Springs Utilities, and Pueblo County executed an Intergovernmental Agreement dated April 28, 2016 ("IGA"); and

WHEREAS, two (2) parcels consisting of approximately 1.285 acres and 0.459 acres (the "Property") owned by Heriberto Lopez and Blanca F. Magallan Velasquez ("Sellers") have been identified as necessary to complete Pond PR-2 as set forth in the IGA; and

WHEREAS, the Property is legally described and depicted on Exhibits A-1, A-2, B-1, and B-2, and the Temporary Construction Easement is described and depicted on Exhibits C-1 and C-2 which are attached hereto and made a part hereof; and

WHEREAS, the Sellers have agreed to convey the Property to the City for \$100,000 which is supported by an appraisal and a negotiated settlement; and

WHEREAS, pursuant to Section 4.1 of the Real Estate Manual and City Code 7.7.1802, City Council must approve property acquisitions if the total acquisition amount of the property interest acquired in the transaction exceeds \$50,000; and

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

Section 1. City Council hereby finds that acquisition of the Property for the use of its Water Resources Engineering Division, for the construction of the Regional Stormwater Detention Pond PR-2, is in the best interest of the City of Colorado Springs.

Section 2. Pursuant to Section 4.1 of the Real Estate Manual and City Code 7.7.1802, City Council hereby authorizes the acquisition by the City of the Property from Heriberto Lopez and Blanca F. Magallan Velasquez for \$100,000.

Section 3. The City's Real Estate Services Manager is hereby authorized to execute all documents necessary to acquire the Property (attached herein as Exhibits A-1, A-2, B-1, B-2, C-1 and C-2) from Heriberto Lopez and Blanca F. Magallan Velasquez to the City.

DATED at Colorado Springs, Colorado this 22nd day of January, 2019.



Council President

ATTEST:



Sarah B. Johnson, City Clerk




EXHIBIT A-1

LEGAL DESCRIPTION:

A portion of the tract of land described in the Warranty Deed recorded at Reception No. 217058373 of the records of El Paso County, Colorado and located in a portion of the North 472 feet of the Southwest quarter of the Northwest quarter (SW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., El Paso County, Colorado being more particularly described as follows:

COMMENCING at a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586 at the Northeast corner of Government Lot 4, being the Northwest quarter of the Northwest quarter (NW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., from which a No. 6 rebar with 3-1/4" aluminum cap stamped by RLS No 10377 bears N00°28'36"W a distance of 1320.85 feet at the Northeast corner of the Southwest quarter of the Southwest quarter (SW1/4SW1/4) of Section 31, Township 12 South, Range 65 West of the 6th P.M, and is the basis of bearings used herein; thence S00°19'26"W on the East line of said Government Lot 4, a distance of 1303.18 feet to a 5/8" inside diameter iron pipe, at the Northeast corner of said SW1/4NW1/4; thence S00°19'26"W on the East line of said SW1/4NW1/4, a distance of 472.19 feet to the Southeast corner of said tract of land; thence S88°42'56"W on the South line of said tract of land, a distance of 50.02 feet to the POINT OF BEGINNING at a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence continuing S88°42'56"W on said South line, a distance of 240.27 feet; thence N00°46'13"W a distance of 175.60 feet; thence N64°33'08"E a distance of 270.42 feet to a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence S00°19'26"W parallel with said East line, a distance of 286.40 feet to the POINT OF BEGINNING and containing 1.285 acres or 55,968 square feet of land, more or less.

See Exhibit "B" attached.

Prepared by:
John L. Bailey PLS #19586
for and on behalf of
Rockwell Consulting, Inc.
January 25, 2018



JOB NO. 17-023

FILE: 17023EXD.DWG
DATE: 01/25/18

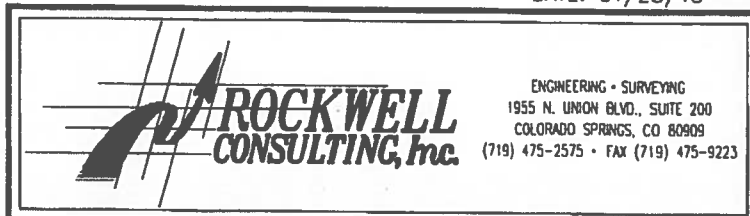
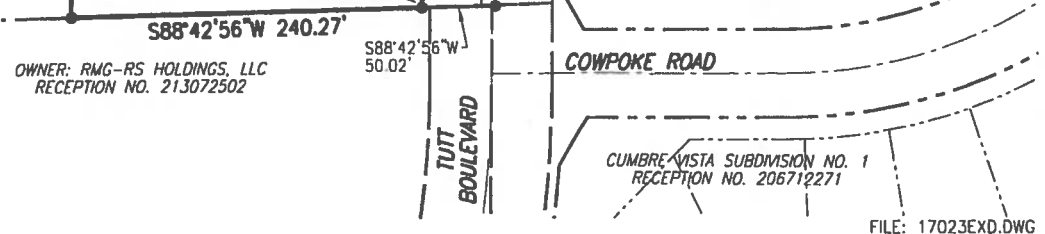
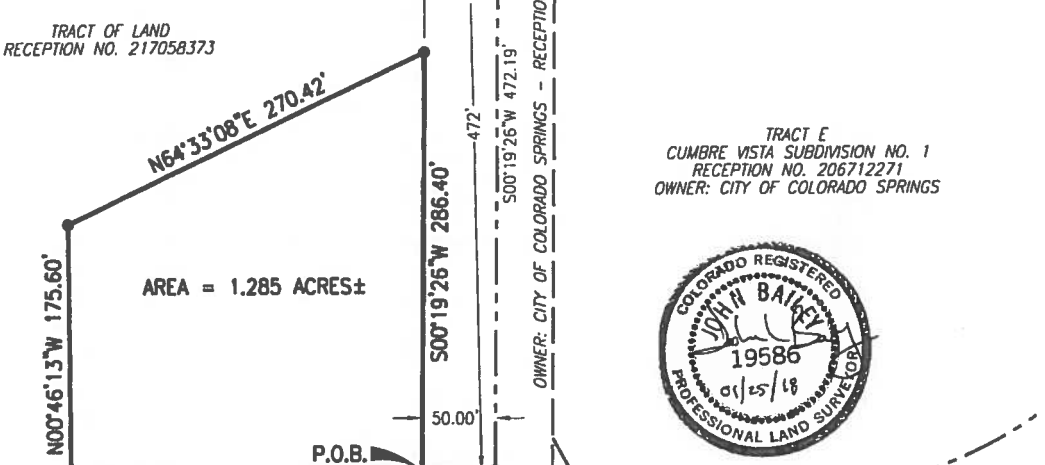
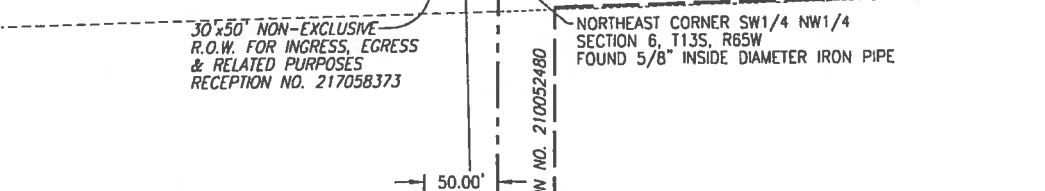
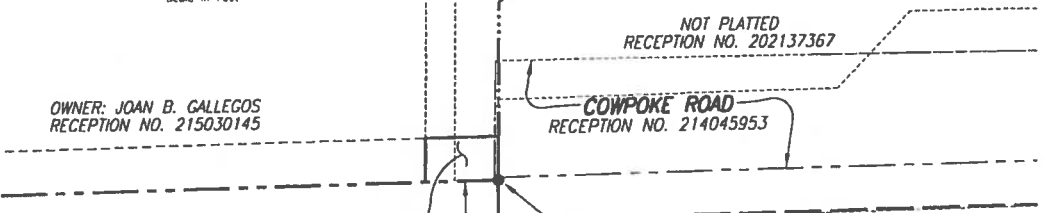
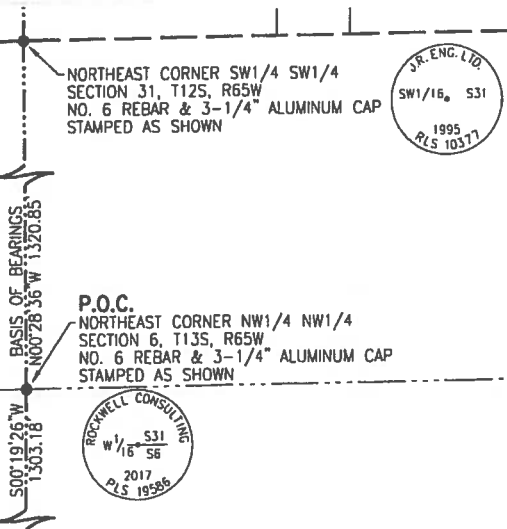
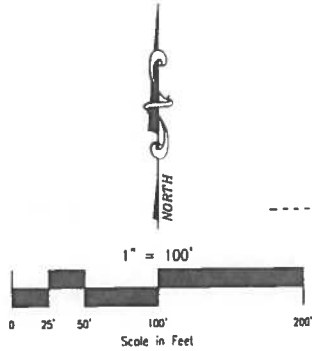


EXHIBIT A-2



LOCATED IN A PORTION OF
 THE NORTH 472' OF
 THE SW 1/4 OF THE NW 1/4
 OF SECTION 6
 T-13-S, R-65-W OF THE 6th P.M.,
 EL PASO COUNTY, COLORADO

JOB NO. 17-023

FILE: 17023EXD.DWG
 DATE: 01/25/18

ROCKWELL CONSULTING, Inc.
 ENGINEERING • SURVEYING
 1955 N. UNION BLVD., SUITE 200
 COLORADO SPRINGS, CO 80909
 (719) 475-2575 • FAX (719) 475-9223

EXHIBIT B-1

LEGAL DESCRIPTION:

A portion of the tract of land described in the Warranty Deed recorded at Reception No. 217058373 of the records of El Paso County, Colorado and located in a portion of the North 472 feet of the Southwest quarter of the Northwest quarter (SW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., El Paso County, Colorado being more particularly described as follows:

BEGINNING at the Northeast corner of said SW1/4NW1/4; thence S00°19'26"W on the East line of said SW1/4NW1/4, a distance of 472.19 feet to the Southeast corner of said tract of land; thence S88°42'56"W on the South line of said tract of land, a distance of 50.02 feet, to a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence N00°19'26"E parallel with said East line, a distance of 286.40 feet; thence S89°40'34"E a distance of 19.50 feet to a point thirty and one-half (30.50) feet West of said East line, as measured perpendicular thereto; thence N00°19'26"E parallel with said East line, a distance of 186.33 feet to the North line of said SW1/4NW1/4; thence N88°42'56"E on said North line, a distance of 30.51 feet to the POINT OF BEGINNING and containing 0.459 acre or 19,981 square feet of land, more or less.

See Exhibit "B" attached.

Prepared by:
John L. Bailey PLS #19586
for and on behalf of
Rockwell Consulting, Inc.
December 04, 2017



JOB NO. 17-023

FILE: 17023EXB.DWG
DATE: 12/04/17



EXHIBIT B-2

NOT PLATTED
RECEPTION NO. 202137367

OWNER: JOAN B. GALLEGOS
RECEPTION NO. 215030145

COWPOKE ROAD
RECEPTION NO. 214045953

N88°42'56"E, 30.51'

P.O.B.

30'x50' NON-EXCLUSIVE
R.O.W. FOR INGRESS, EGRESS
& RELATED PURPOSES
RECEPTION NO. 217058373

TRACT OF LAND
RECEPTION NO. 217058373

S89°40'34"E
19.50'

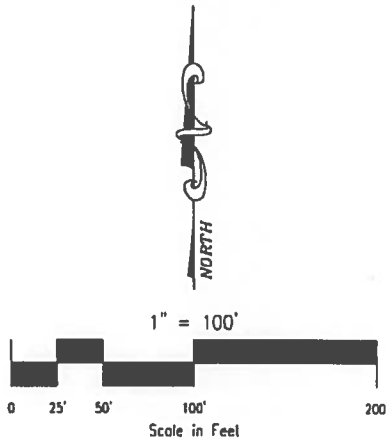
N00°19'26"E 186.33'

30.50'
500°19'26"W 472.19'
OWNER: CITY OF COLORADO SPRINGS - RECEPTION NO. 210052480

AREA = 0.459 ACRES ±
472'

N00°19'26"E 286.40'

TRACT E
CUMBRE VISTA SUBDIVISION NO. 1
RECEPTION NO. 206712271
OWNER: CITY OF COLORADO SPRINGS



S88°42'56"W
50.02'

OWNER: RMG-RS HOLDINGS, LLC
RECEPTION NO. 213072502

COWPOKE ROAD



TUTT
BOULEVARD

CUMBRE VISTA SUBDIVISION NO. 1
RECEPTION NO. 206712271

JOB NO. 17-023

FILE: 17023EXB.DWG
DATE: 12/04/17

LOCATED IN A PORTION OF
THE NORTH 472' OF
THE SW 1/4 OF THE NW 1/4
OF SECTION 6
T-13-S, R-65-W OF THE 6th P.M.,
EL PASO COUNTY, COLORADO

**ROCKWELL
CONSULTING, Inc.**

ENGINEERING • SURVEYING
1955 N. UNION BLVD., SUITE 200
COLORADO SPRINGS, CO 80909
(719) 475-2575 • FAX (719) 475-9223

EXHIBIT C-1

LEGAL DESCRIPTION:

A portion of the tract of land described in the Warranty Deed recorded at Reception No. 217058373 of the records of El Paso County, Colorado and located in a portion of the North 472 feet of the Southwest quarter of the Northwest quarter (SW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., El Paso County, Colorado being more particularly described as follows:

COMMENCING at a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586 at the Northeast corner of Government Lot 4, being the Northwest quarter of the Northwest quarter (NW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., from which a No. 6 rebar with 3-1/4" aluminum cap stamped by RLS No 10377 bears N00°28'36"W a distance of 1320.85 feet at the Northeast corner of the Southwest quarter of the Southwest quarter (SW1/4SW1/4) of Section 31, Township 12 South, Range 65 West of the 6th P.M, and is the basis of bearings used herein; thence S00°19'26"W on the East line of said Government Lot 4, a distance of 1303.18 feet to a 5/8" inside diameter iron pipe, at the Northeast corner of said SW1/4NW1/4; thence S88°42'56"W on the North line of said SW1/4NW1/4, a distance of 30.51 feet to a point thirty and one-half (30.50) feet West of the East line of said SW1/4NW1/4, as measured perpendicular thereto; thence S00°19'26"W parallel with said East line, a distance of 186.33 feet; thence N89°40'34"W a distance of 19.50 feet to a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence S64°33'08"W a distance of 270.42 feet; thence N25°26'52"W a distance of 20.00 feet; thence N64°33'08"E a distance of 279.52 feet to a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence N00°19'26"E parallel with said East line, a distance of 163.80 feet to the North line of said SW1/4NW1/4; thence N88°42'56"E on said North line, a distance of 20.01' feet to the POINT OF BEGINNING and containing 0.212 acre or 9,215 square feet of land, more or less.

See Exhibit "B" attached.

Prepared by:
John L. Bailey PLS #19586
for and on behalf of
Rockwell Consulting, Inc.
February 07, 2018



JOB NO. 17-023

FILE: 17023EXE.DWG
DATE: 02/07/18

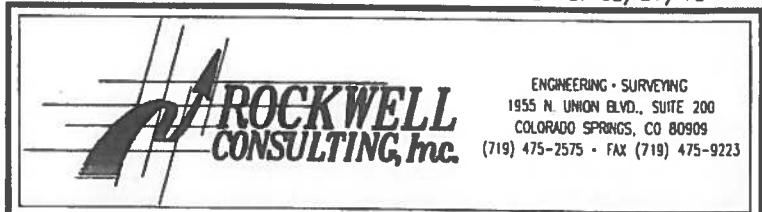
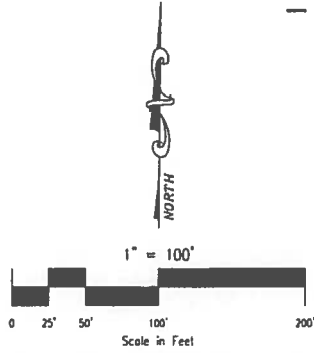


EXHIBIT C-2



NORTHEAST CORNER SW1/4 SW1/4
SECTION 31, T12S, R65W
NO. 6 REBAR & 3-1/4" ALUMINUM CAP
STAMPED AS SHOWN



BASIS OF BEARINGS
N00°28'36"W 1370.65'
S00°19'26"W 1303.18'

P.O.C.
NORTHEAST CORNER NW1/4 NW1/4
SECTION 6, T13S, R65W
NO. 6 REBAR & 3-1/4" ALUMINUM CAP
STAMPED AS SHOWN



30'x50' NON-EXCLUSIVE
R.O.W. FOR INGRESS, EGRESS
& RELATED PURPOSES
RECEPTION NO. 217058373
OWNER: JOAN B. GALLEGOS
RECEPTION NO. 215030145

NOT PLATTED
RECEPTION NO. 202137367

COWPOKE ROAD
RECEPTION NO. 214045953

N88°42'56"E
20.01'

S88°42'56"W
30.51'

NORTHEAST CORNER SW1/4 NW1/4
SECTION 6, T13S, R65W
FOUND 5/8" INSIDE DIAMETER IRON PIPE

TRACT OF LAND
RECEPTION NO. 217058373

AREA = 0.212 ACRE±



OWNER: CITY OF COLORADO SPRINGS - RECEPTION NO. 210052480

TRACT E
CUMBRE VISTA SUBDIVISION NO. 1
RECEPTION NO. 206712271
OWNER: CITY OF COLORADO SPRINGS



OWNER: RMG-RS HOLDINGS, LLC
RECEPTION NO. 213072502

COWPOKE ROAD

TUIT
BOULEVARD

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