

RESOLUTION NO. 20-17

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY OWNED BY RUTH D. ROBERTS, ALSO KNOWN AS RUTH D. ANDERSON, AND RYAN B. ROBERTS TO BE USED FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS

WHEREAS, certain real property owned by Ruth D. Roberts, also known as Ruth D. Anderson, and Ryan B. Roberts (the "Property Owners"), consisting of 5.388 acres of land, which is located at 13120 Bradley Road, Colorado Springs, Colorado 80928 and known as El Paso County Tax Schedule Number 45050-01-001 ("Property"), has been identified as necessary for the completion of the Southern Delivery System Project; and

WHEREAS, by City Council Resolution No. 134-13, the City of Colorado Springs, through its enterprise Colorado Springs Utilities, was authorized to negotiate acquisition of the Property; and

WHEREAS, the Property is legally described on Exhibit A attached hereto and depicted on Exhibit B attached hereto; and

WHEREAS, the acquisition of the Property is in the public interest and is necessary for the construction of the Southern Delivery System Project; and

WHEREAS, pursuant to section 4.1 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests* ("Real Estate Manual"), City Council approval is required for acquisition of real property interests if the purchase price exceeds \$50,000.00; and

WHEREAS, the fair market value for the Property was determined to be \$348,000.00 based on a real estate appraisal conducted by an independent real estate appraiser; and

WHEREAS, the City desires to offer and the Property Owners desire to accept a purchase price of \$348,000.00 for the Property, and additional relocation assistance as required; and

WHEREAS, Colorado Springs Utilities requests the approval of City Council to purchase the Property for a purchase price of \$348,000.00.

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

Section 1. That the City Council finds the acquisition of the Property is in compliance with the City's Real Estate Manual, the City Charter, City Code, and all other applicable laws.

Section 2. That in accord with the Real Estate Manual, the City Council hereby authorizes the acquisition of the Property from the Property Owners for the purchase price of \$348,000.00 to be used in connection with the Southern Delivery System Project.

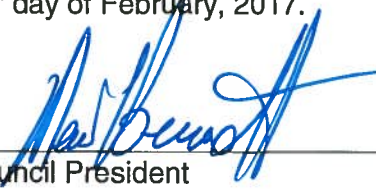
Section 3. That the City's Real Estate Services Manager is authorized to execute all documents necessary to complete the acquisition of the Property contemplated herein.

DATED at Colorado Springs, Colorado, this 28th day of February, 2017.

ATTEST:


Sarah B. Johnson, City Clerk




Council President

PARCEL DESIGNATION:	4505001001	DATE:	July 19, 2015
OWNER:	RUTH D. ROBERTS (Owner current as of the date of certification hereon)		

EXHIBIT A
LEGAL DESCRIPTION

Lot 1, Ryan Subdivision, according to the plat thereof recorded September 18, 2003 under Reception Number 203219614, County of El Paso, State of Colorado.

Said parcel contains 234,697 square feet or 5.388 acres, more or less.

EXHIBIT B SKETCH is attached hereto and is only intended to depict Exhibit A – Legal Description. In the event that Exhibit A contains an ambiguity, Exhibit B may be used to solve said ambiguity.

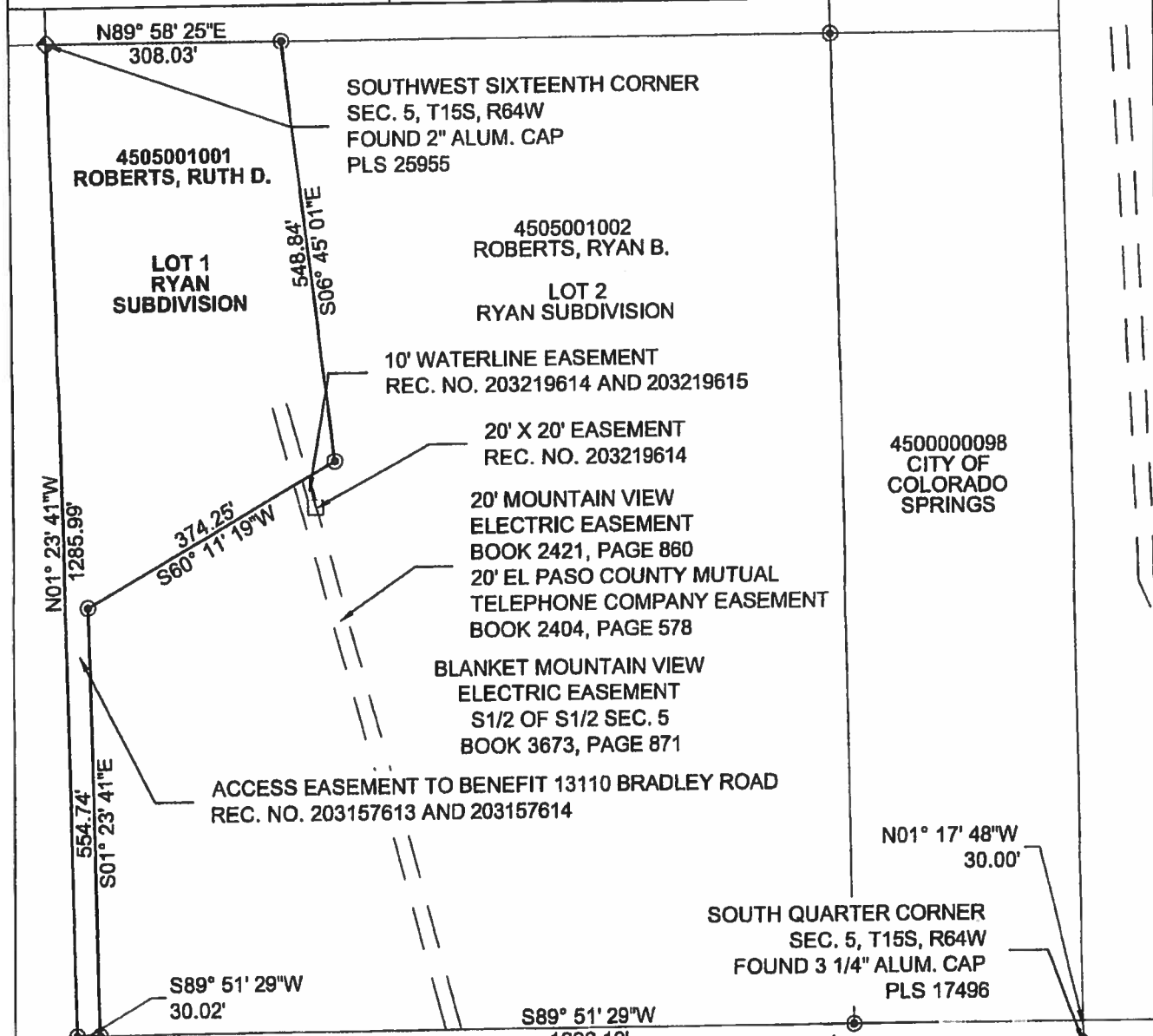


Prepared for and on behalf of Colorado Springs Utilities by: Basii Micah Hanson, PLS 38020, of CRITIGEN LLC, 2 North Cascade Avenue, Suite 460, Colorado Springs, CO 80903

4505001001_EXA.doc

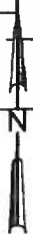

RDA RBR

DATE: 29-JUNE-2015	EXHIBIT B SKETCH	PARCEL #4505001001 SECTION 5 T 15 S, R 64 W, 6TH P.M. EL PASO COUNTY, COLORADO	CITY OF COLORADO SPRINGS
DRAWN BY: B HANSON			
CHECKED BY: L OSWALD			
APPROVED BY: B HANSON			
DRAWING: 4505001001_EXB			



NOTES:

- This sketch does not constitute a land survey plat by CRITIGEN, LLC., and is only intended to depict Exhibit A - Legal Description. In the event that Exhibit A contains an ambiguity, Exhibit B may be used to solve said ambiguity.
- Bearings are based on a line from NGS Station "Corral Bluffs" (PID JK1153), monumented by a 3" brass disk set in concrete to NGS Station "Clevenger" (PID JK1353), monumented by a stainless steel rod set in concrete, said line was assumed to bear South 03°57'12" West according to a survey control diagram prepared by Kirkham Michael Consulting Engineers deposited with the El Paso County Surveyor on August 10, 2004 at Survey Deposit Number 204900110.



 SCALE: 1" = 200' SHEET 1 OF 1

RDA RBR