

RESOLUTION NO. 107-16

A RESOLUTION AUTHORIZING THE ACQUISITION OF
PROPERTY OWNED BY ARMIDA BARRAZA TO BE USED
FOR COLORADO SPRINGS UTILITIES 33rd STREET
INTAKE AND PUMP STATION UPGRADE PROJECT

WHEREAS, certain real property owned by Armida Barraza, consisting of 12,066 square feet and commonly known as a portion of 3317 West Colorado Avenue, Colorado Springs, Colorado 80904, and also known as El Paso County Tax Schedule Number 7403324066 (the "Property"), has been identified as necessary for the completion of the 33rd Street Intake and Pump Station Upgrade Project; 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 completion of the 33rd Street Intake and Pump Station Upgrade 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 City and the property owner have negotiated a purchase price of \$175,500.00 for the Property based on a real estate appraisal conducted by an independent real estate appraiser; and

WHEREAS, the City desires to offer and Armida Barraza desires to accept the negotiated purchase price in the amount of \$175,500.00 for the Property; and

WHEREAS, Colorado Springs Utilities requests the approval of City Council to purchase the Property at the established negotiated purchase price.

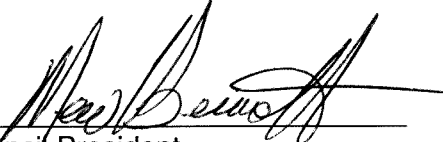
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

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 §7.7.1806, and all other applicable laws.

Section 2. That the City Council hereby authorizes the acquisition of the Property from the property owner for the purchase price of \$175,500.00 in accord with the Real Estate Manual to be used in connection with the 33rd Street Intake and Pump Station Upgrade 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 25th day of October, 2016.



Council President

ATTEST:



Sarah B. Johnson, City Clerk




Exhibit A
Legal Description

A portion of Lots 1 and 2, Block One, 34th Street Subdivision, filed for record on December 29, 1970 and duly recorded in Plat Book P-2 at Page 14 under reception number 773041, El Paso County Clerk and Recorder records, Colorado Springs, Colorado, more particularly described as follows:

Commencing at the Northeast Corner of said Lot 2, Block One, 34th Street Subdivision. Thence, along the North line of said Lot 2, N. 80 degrees 07 minutes 00 seconds W., to the Northwest corner of said Lot 2, also being the Northeast corner of said Lot 1, Block One, 34th Street Subdivision, 92.70 feet distance. Thence, along the West line of said Lot 2, also being the East line of said Lot 1, S. 9 degrees 53 minutes 00 seconds W., 250.00 feet distance, to the Point of Beginning;

Thence, departing said West line of said Lot 2, also being the said East line of said Lot 1, N. 80 degrees 07 minutes 00 seconds W., to a point on the West line of said Lot 1, 100.00 feet distance;

Thence, along said West line of said Lot 1, S. 9 degrees 53 minutes 00 seconds W., to the Southwest corner of said Lot 1, 35.00 feet distance;

Thence, along the South line of said Lot 1, S. 71 degrees 08 minutes 56 seconds E., to the Southeast corner of said Lot 1, also being the Southwest corner of said Lot 2, 101.24 feet distance;

Thence along the South line of said Lot 2, S. 71 degrees 08 minutes 56 seconds E., to an angle point on said South line of said Lot 2, 75.95 feet distance;

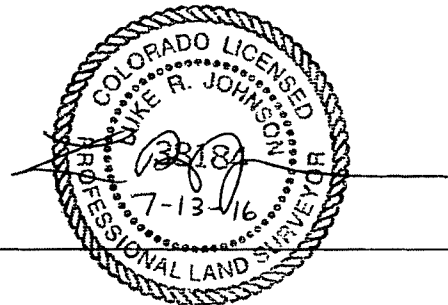
Thence, continuing along said South line of said Lot 2, N. 34 degrees 45 minutes 05 seconds E., to the Southeast corner of said Lot 2, 124.64 feet distance;

Thence, S. 78 degrees 16 minutes 51 seconds W., 137.07 feet distance, to the Point of Beginning, and containing 12,077 Square Feet of Land, more or less.

The bearings as stated hereon are based upon the consideration that the East line of Said Lot 2, Block One, 34th Street Subdivision, bears North (assumed), as depicted on said 34th Street Subdivision plat.

Legal description statement:

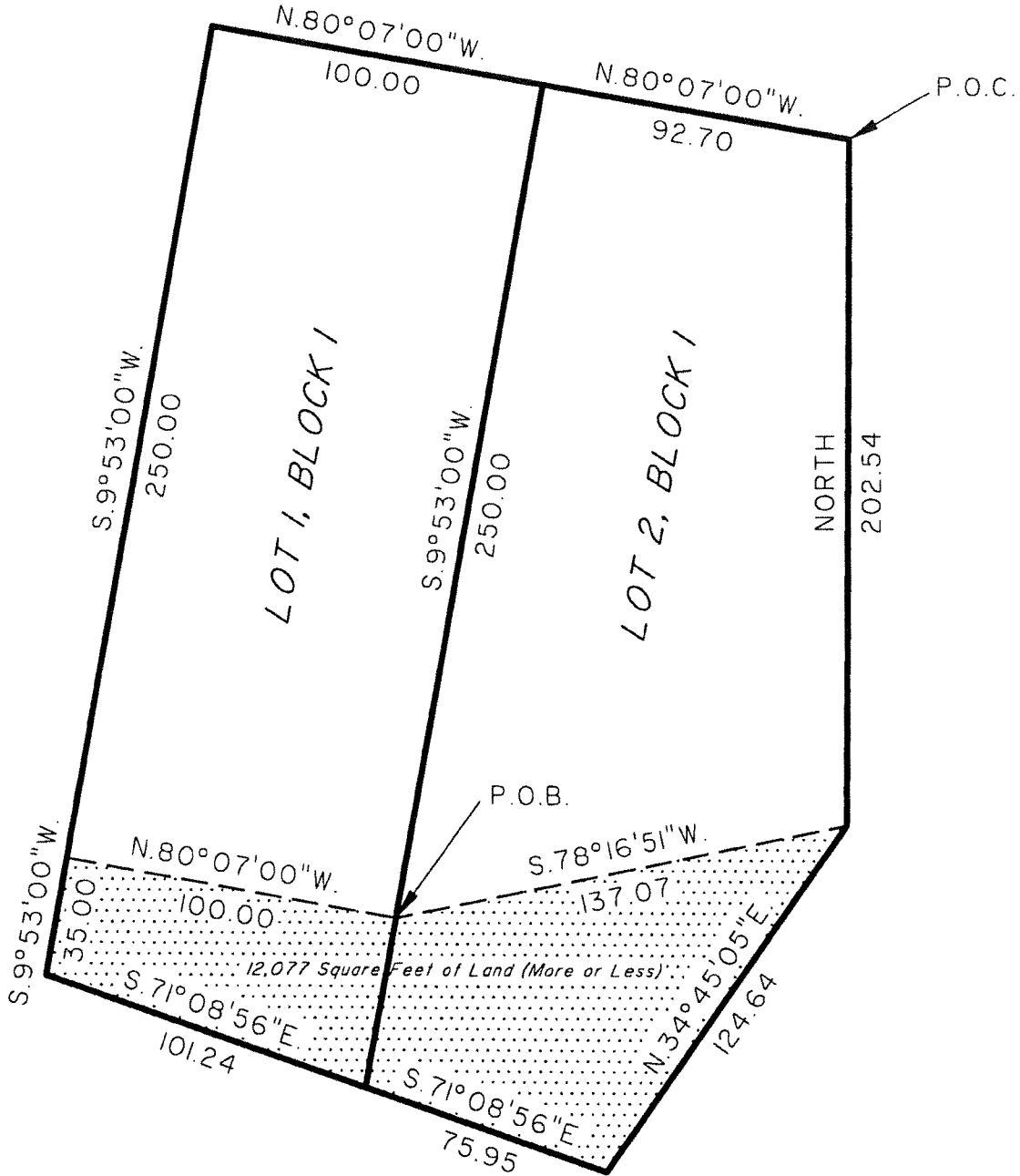
I, Luke R. Johnson, a Licensed Professional Land Surveyor in the State of Colorado, do hereby state that the above legal description and attached exhibit were prepared under my responsible charge and on the basis of my knowledge, information and belief are correct.



Luke R. Johnson, Colorado PLS 38184
For and on behalf of Colorado Springs Utilities

EXHIBIT B

A PORTION OF LOTS 1 AND 2, BLOCK 1, 34TH STREET SUBDIVISION, CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO



NOTES:
 Exhibit A - Legal Description

The bearings as stated hereon are based upon the consideration that the East line of Lot 2, Block One, 34th Street Subdivision, bears North (assumed), as depicted on said 34th Street Subdivision plot.

NOTE: THESE EXHIBITS DO NOT REPRESENT A MONUMENTED LAND SURVEY. EXHIBIT B IS INTENDED TO PROVIDE A GRAPHICAL REPRESENTATION OF THE WRITTEN DESCRIPTION IN EXHIBIT A.

LEGAL DESCRIPTION DEPICTION

Colorado Springs Utilities
 IT'S HOW WE'RE ALL CONNECTED
 LAND BASE SERVICES
 1501 HANCOCK EXPRESSWAY
 P.O. BOX 803, SUITE 1000 HQ
 COLORADO SPRINGS, CO 80947-1002
 719-448-4800

Drawn By: LRJ

Date: 6/30/2006

Sheet: 1 of 1

Scale: 1 inch = 50 U.S. Survey feet