

RESOLUTION NO. ____-23

A RESOLUTION AUTHORIZING THE ACQUISITION OF APPROXIMATELY 1,018 ACRES OF PROPERTY, COMMONLY REFERRED TO AS THE WILD HORSE RANCH ACQUISITION THROUGH THE TRAILS, OPEN SPACE AND PARKS PROGRAM

WHEREAS, the City of Colorado Springs ("City"), on behalf of its Parks, Recreation and Cultural Services Department, through its Trails, Open Space and Parks Program ("TOPS"), has identified approximately 1,018 acres of land owned by the Waldo Morris WHR, LLC ("Owner") and known as El Paso County Tax Schedule Numbers 44000-00-457 and 54000-00-022 ("Property") as a Park System Master Plan priority acquisition for open space, trails and future recreation, and candidate open space; and

WHEREAS, the Property lies directly south of the Corral Bluffs Open Space Area across Highway 94 and is depicted on **Exhibit A** attached hereto; and

WHEREAS, acquisition of the Property would provide many benefits to the citizens of Colorado Springs and the Pikes Peak Region including conservation of and protection of the of important wildlife habitat, regional and city open space connectivity, and expanded recreational opportunities for the citizens of Colorado Springs into the future; and

WHEREAS, the Parks, Recreation and Cultural Services Department has partnered with The Conservation Fund ("TCF"), a respected national non-profit conservation organization, to secure ownership of the Property and subsequently convey ownership to the City; and

WHEREAS, TCF has entered into a purchase contract with the Owner and, following closing on the Property, will execute a purchase contract with the City to convey the Property to the City; and

WHEREAS, TCF, on behalf of itself and the City, has obtained an appraisal for the Property, that supports the purchase price of \$7,500,000; and

WHEREAS, the purchase price, direct costs of the real estate transaction, and professional services fee to TCF would be paid from the fund balance in the Colorado Springs Trails, Open Space and Parks fund as authorized by the City Code of the City of Colorado Springs, § 4.6.101, *et seq.* and § 4.6.201, *et seq.* to complete the real estate transaction; and

WHEREAS, on February 1, 2023, the TOPS Working Committee, through the City's TOPS program, voted unanimously to recommend the acquisition of the Property, and the Parks, Recreation and Cultural Services Advisory Board is scheduled to consider the acquisition at its March 9, 2023 meeting.

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

Section 1. City Council finds the acquisition of the Property for open space and trail purposes to be in the best interest of the citizens of Colorado Springs.

Section 2. Pursuant to the *City of Colorado Springs Procedural Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021* ("Real Estate Manual"),

Section 4.1, City Council hereby authorizes the acquisition of the Property for the appraised value of \$7,500,000 plus the direct costs of the real estate transaction, and the professional services fee to TCF.

Section 3. The City of Colorado Springs Real Estate Manager and the Parks, Recreation and Cultural Services Director are authorized to execute any and all documents necessary to complete the acquisition, in accord and compliance with the Real Estate Manual.

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this _____ day of _____, 2023.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

Exhibit A

El Paso County Tax Schedule Numbers
44000-00-457 and 54000-00-022