

RESOLUTION NO. 99-20

A RESOLUTION AUTHORIZING THE ACQUISITION OF
PROPERTY TO BE USED IN SUPPORT OF THE LOWER
WILLIAMS CREEK SITE PROJECTS

WHEREAS, certain real property owned by Corundum V LLC, a Delaware limited liability company, ("Corundum") which is a portion of the property located at 0 Squirrel Creek Road, Colorado Springs, Colorado, also known as El Paso County Tax Schedule Number 56000-00-153, in the records of the El Paso County Clerk and Recorder totaling approximately 73.407 acres (the "Property"), has been identified as necessary for support of the Lower Williams Creek Site Projects ("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 support of the Projects; and

WHEREAS, the City of Colorado Springs on behalf of Colorado Springs Utilities desires to purchase and Corundum desires to sell the Property to the City for a purchase price of \$500,000 for the Property; and

WHEREAS, the \$500,000 purchase price for the Property is supported by a real estate appraisal conducted by an independent real estate appraiser; 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, Colorado Springs Utilities requests the approval of City Council to purchase the Property from Corundum for a purchase price of \$500,000.

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 Corundum for the purchase price of \$500,000.


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

DATED at Colorado Springs, Colorado, this 10th day of November, 2020.



ATTEST:

Council President



Sarah B. Johnson, City Clerk

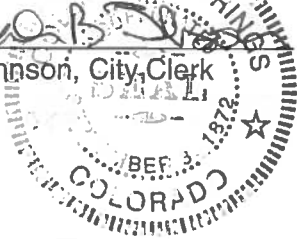


Exhibit A

A parcel of land lying within Section 2 and Section 11, Township 16 South, Range 65 West of the 6th P.M., El Paso County, Colorado, being more particularly described as a portion of that land conveyed by Special Warranty Deed as recorded in the Real Property Records of El Paso County, Colorado at reception number 210014782.

Basis of Bearings: A line beginning at the East 1/16 (One Sixteenth) corner of said Section 2, being monumented by a ¾ inch diameter rebar with a 2 ½ inch diameter aluminum cap stamped "CCES T15S R65W S35 S2 E 1/16 T16S 2007 PLS 30118" and terminating at the Northeast corner of said Section 2, monumented by a 2-3/8ths inch diameter metal pipe with a 3-1/2 inch diameter aluminum cap stamped "SEC 35 SEC 36 SEC 1 SEC 2 LS 9489 T16S R65W", said line is assumed to bear North 89 Degrees 26 Minutes 29 Seconds East, a distance of 1323.58 feet.

Commencing at the aforementioned East 1/16th (One Sixteenth) corner;

Thence North 89 Degrees 26 Minutes 29 Seconds East, coincident with the north line of said Section 2, a distance of 784.93 feet;

Thence South 0 Degrees 33 Minutes 31 Seconds East, departing from said north line, a distance of 30.00 feet to a point coincident with the southerly right-of-way line of the 60-foot-wide right-of-way for Squirrel Creek Road and the true **Point of Beginning**;

Thence North 89 Degrees 26 Minutes 29 Seconds East, coincident with said southerly right-of-way, a distance of 366.57 feet to a point coincident with the east line of that 36-foot-wide ingress and egress access easement as recorded in Book 5896 at Page 387 in said real property records;

Thence South 2 Degrees 32 Minutes 21 Seconds West, departing said southerly right-of-way and coincident with said east line, a distance of 38.48 feet;

Thence South 0 Degrees 44 Minutes 00 Seconds West, coincident with said east line, a distance of 449.97 feet;

Thence South 2 Degrees 02 Minutes 20 Seconds West, coincident with said east line, a distance of 243.82 feet;

Thence South 0 Degrees 38 Minutes 06 Seconds East, coincident with said east line, a distance of 457.24 feet;

Thence South 18 Degrees 16 Minutes 57 Seconds East, coincident with said east line, a distance of 397.17 feet;

Thence South 0 Degrees 58 Minutes 10 Seconds East, coincident with said east line, a distance of 358.13 feet;

Thence South 1 Degree 05 Minutes 41 Seconds East, coincident with said east line, a distance of 365.59 feet;

Thence South 1 Degree 28 Minutes 05 Seconds East, coincident with said east line, 116.00 feet;

Thence South 39 Degrees 30 Minutes 35 Seconds West, departing said east line, a distance of 1232.02 feet, to a point coincident with an angle point in the south line of that public utility easement as recorded in said real property records at reception number 211013475;

Thence South 63 Degrees 19 Minutes 47 Seconds West, coincident with the southeasterly line of said public utility easement, a distance of 424.90 feet;

Thence South 40 Degrees 49 Minutes 47 Seconds West, coincident with said southeasterly line, a distance of 192.25 feet;

Thence South 4 Degrees 55 Minutes 54 Seconds East, coincident with said southeasterly line, a distance of 100.53 feet;

Thence South 84 Degrees 52 Minutes 57 Seconds West, coincident with said southeasterly line, a distance of 50.02 feet;

Thence North 5 Degrees 07 Minutes 01 Seconds West, coincident with said southeasterly line, a distance of 51.82 feet;

Thence South 40 Degrees 49 Minutes 47 Seconds West, coincident with said southeasterly line, a distance of 516.94 feet to a point coincident with the northwesterly boundary of the parcel of land described as "Parcel A" in that Special Warranty Deed as recorded in said real property records at reception number 201140882;

Thence South 88 Degrees 52 Minutes 29 Seconds West, coincident with said northwesterly boundary, a distance of 4.57 feet;

Thence South 0 Degrees 46 Minutes 58 Seconds East, coincident with said northwesterly boundary, a distance of 1201.86 feet to the most easterly corner of said westerly boundary;

Thence South 88 Degrees 50 Minutes 47 Seconds West, coincident with said northwesterly boundary, a distance of 928.66 feet to the most northerly corner of the most westerly line of said "Parcel A";

Thence South 0 Degrees 52 Minutes 41 Seconds East, coincident with said most westerly line, a distance of 3974.24 feet to the southwest corner of said "Parcel A";

Thence North 88 Degrees 50 Minutes 44 Seconds East, coincident with the south line of said "Parcel A", a distance of 57.64 feet to the northwest corner of that parcel of land as described in that Warranty Deed as recorded in said real property records at reception number 097046158;

Thence South 1 Degrees 04 Minutes 05 Seconds East, coincident with the west line of said parcel, a distance of 772.75 feet, to a point coincident with the most southerly corner of said public utility easement as recorded at reception number 211013475 in said real property records;

Thence North 26 Degrees 52 Minutes 42 Seconds West, departing said west line and coincident with the southwesterly line of said public utility easement, a distance of 1018.53 feet;

Thence North 63 Degrees 16 Minutes 10 Seconds East, coincident with said southwesterly line, a distance of 216.09 feet;

Thence North 0 Degrees 51 Minutes 58 Seconds West, departing said southwesterly line, a distance of 3696.74 feet;

Thence North 21 Degrees 34 Minutes 13 Seconds East, a distance of 466.03 feet;

Thence North 40 Degrees 49 Minutes 47 Seconds East, a distance of 2052.08 feet;

Thence North 63 Degrees 19 Minutes 47 Seconds East, a distance of 447.69 feet;

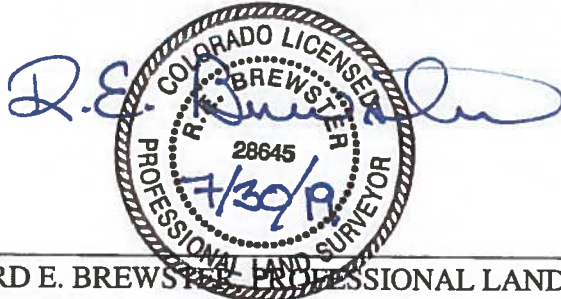
Thence North 39 Degrees 30 Minutes 35 Seconds East, a distance of 639.11 feet;

Thence North 0 Degrees 45 Minutes 13 Seconds West, a distance of 2717.08 feet to the **Point of Beginning**.

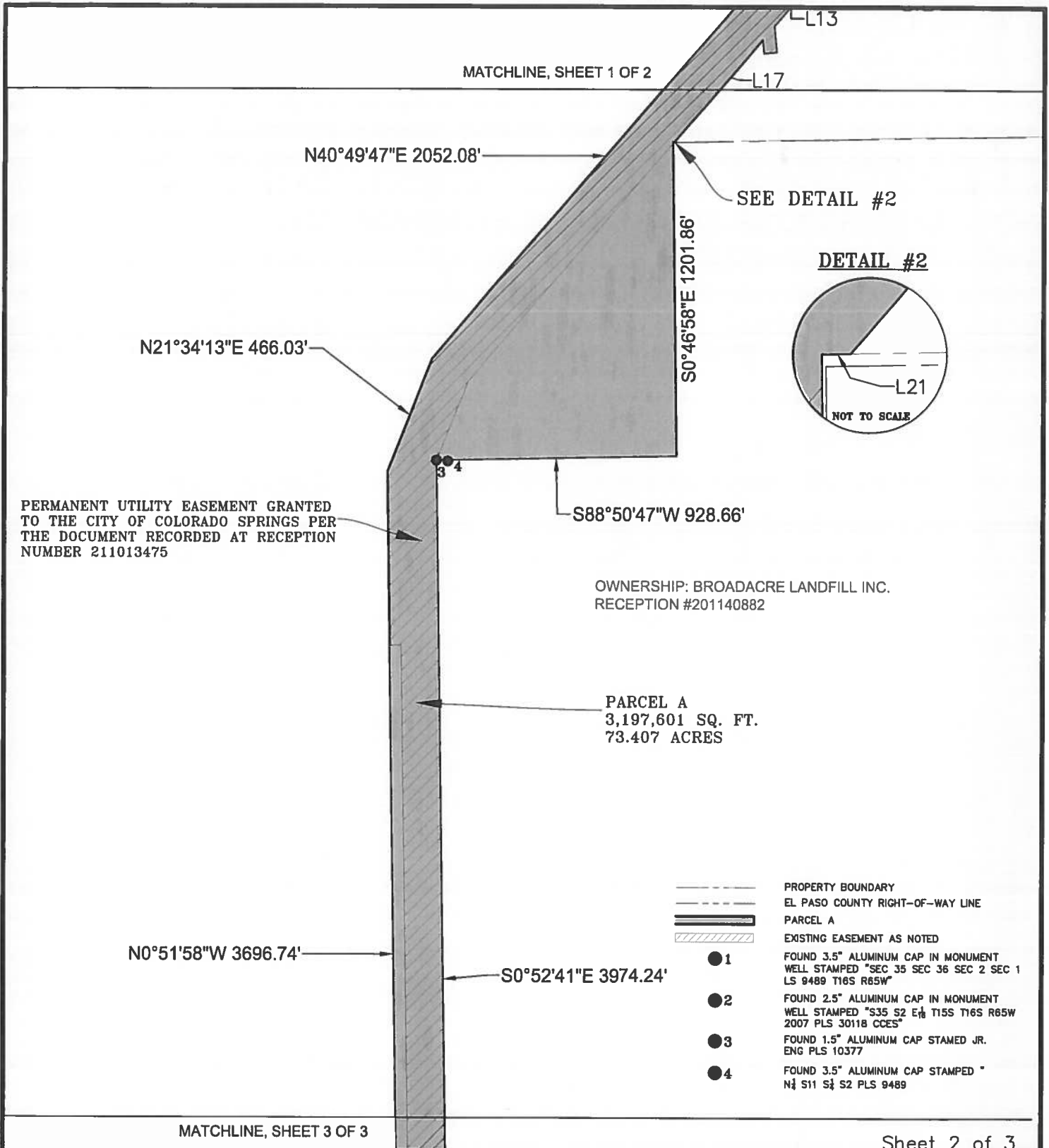
The above described parcel contains 3,197,601 Sq. Ft. or 73.407 Acres of land, more or less.

LEGAL DESCRIPTION STATEMENT:

I, RICHARD E. BREWSTER, A 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.



RICHARD E. BREWSTER, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 28645
FOR AND ON BEHALF OF COLORADO SPRINGS UTILITIES



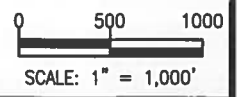

Colorado Springs Utilities
It's how we're all connected

ASSET MANAGEMENT SECTION
 Land Base Services
 1521 Hancock Expressway
 Colorado Springs, Colorado 80947



EXHIBIT B

Note: This exhibit does not represent a monumented land survey, it is only intended to graphically represent the attached legal description.



Drawn by: A. WHITLOCK
 Checked by: R. BREWSTER

Date: JULY 30, 2019
 Date: JULY 30, 2019

MATCHLINE, SHEET 2 OF 3

N0°51'58"W 3696.74'

S0°52'41"E 3974.24'

OWNERSHIP: BROADACRE LANDFILL INC.
RECEPTION #201140882

PARCEL A
3,197,601 SQ. FT.
73.407 ACRES

N63°16'10"E 216.09'

N88°50'44"E 57.64'

PERMANENT UTILITY EASEMENT GRANTED
TO THE CITY OF COLORADO SPRINGS PER
THE DOCUMENT RECORDED AT RECEPTION
NUMBER 211013475









S1°04'05"E 772.75'

N26°52'42"W 1018.53'

OWNERSHIP: CITY OF COLORADO SPRINGS
RECEPTION #097046158

SECTION 11, T16S, R65W

SECTION 14, T16S, R65W

-  PROPERTY BOUNDARY
-  EL PASO COUNTY RIGHT-OF-WAY LINE
-  PARCEL A
-  EXISTING EASEMENT AS NOTED
-  1 FOUND 3.5" ALUMINUM CAP IN MONUMENT
WELL STAMPED "SEC 35 SEC 36 SEC 2 SEC 1
LS 9489 T16S R65W"
-  2 FOUND 2.5" ALUMINUM CAP IN MONUMENT
WELL STAMPED "S35 S2 E 1/4 T15S T16S R65W
2007 PLS 30118 CCES"
-  3 FOUND 1.5" ALUMINUM CAP STAMPED JR.
ENG PLS 10377
-  4 FOUND 3.5" ALUMINUM CAP STAMPED "
N 1/4 S11 S 1/4 S2 PLS 9489

OWNERSHIP: CITY OF COLORADO SPRINGS
LAND TITLE SURVEY RECEPTION #90000321

Sheet 3 of 3



Colorado Springs Utilities
It's how we're all connected

ASSET MANAGEMENT SECTION

Land Base Services
1521 Hancock Expressway
Colorado Springs, Colorado 80947



EXHIBIT B

0 500 1000

SCALE: 1" = 1,000'

Note: This exhibit does not represent a monumented land survey, it is only intended to graphically represent the attached legal description.

Drawn by: A. WHITLOCK

Date: JULY 30, 2019

Checked by: R. BREWSTER

Date: JULY 30, 2019