

A RESOLUTION AUTHORIZING THE ACQUISITION OF APPROXIMATELY 31.918 ACRES OF PROPERTY, KNOWN AS THE SNELL PROPERTY, AND A PERMANENT ACCESS EASEMENT OF .299 ACRES FOR THE EXPANSION OF CHEYENNE MOUNTAIN STATE PARK THROUGH THE TRAILS, OPEN SPACE AND PARKS (TOPS) PROGRAM

WHEREAS, the City of Colorado Springs (“City”) Parks, Recreation and Cultural Services Department has through its Trails, Open Space and Parks Program (“TOPS”), identified a parcel of land adjacent to Cheyenne Mountain State Park as an important asset for preservation; and

WHEREAS, the Parks, Recreation and Cultural Services Department has negotiated the acquisition of a parcel of land adjacent to Cheyenne Mountain State Park, comprised of approximately 31.918 acres, known as TSN 75000-00-244 (the “Property”), legally described on Exhibit 1A and depicted on Exhibit 2A, which is currently owned by Jacob and Shantell C. Snell, (the “Sellers”); and

WHEREAS, the current Colorado Springs Park System Master Plan identifies the Property as an Open Space Candidate Area and it provides a critical link for the Cheyenne Mountain Heritage Trail; and

WHEREAS, Sellers are also willing to convey a .299 acre permanent access easement (the “Easement”), legally described on Exhibit 1B and depicted on Exhibit 2B across their remaining property for the purpose of park maintenance access; and

WHEREAS, on April 4, 2018 the TOPS Working Committee, through the City’s TOPS Program, voted unanimously to support the acquisition of the Property and easement; and

WHEREAS, on April 12, 2018 the City Parks and Recreation Advisory Board voted to support the acquisition of the Property and easement as an extension of Cheyenne Mountain State Park; and

WHEREAS, the Property includes unique natural and recreational resources including a riparian corridor, mature forest, wildlife habitat and unique geologic formations; and

WHEREAS, the acquisition of the Property and the Easement is in the public interest, provides additional open space and is needed for the future Cheyenne Mountain Heritage Trail; and

WHEREAS, the City has negotiated a purchase price of \$135,500 for the Property and the Easement; and

WHEREAS, funding will be required for the acquisition of the Property in the amount of up to \$135,500 from the Trails Open Space and Parks (TOPS) Open Space Category as authorized by the City Code of the City of Colorado Springs, § 4.6.101, *et. seq.* and § 4.6.201, *et. seq.*

**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 and the Easement for open space purposes to be in the best interests 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 ("Real Estate Manual"), Section 4.1, City Council hereby authorizes the acquisition of the Property for a purchase price of \$135,500.

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

Dated at Colorado Springs, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk

Exhibit 1A: Legal Description  
El Paso County Tax Schedule Number 750000244

A tract or parcel of land for the City of Colorado Springs, State of Colorado, located within the Southwest Quarter of the Southeast Quarter of Section 26, Township 15 South, Range 67 West of the Sixth Principal Meridian, in El Paso County, Colorado.

The above described tract or parcel of land contains 31.918 acres, more or less.

Exhibit 1B: Legal Description  
El Paso County Tax Schedule Number 750000244

A permanent easement for the City of Colorado Springs, State of Colorado, located within the Southwest Quarter of the Southeast Quarter of Section 26, Township 15 South, Range 67 West of the Sixth Principal Meridian, in El Paso County, Colorado.

The above described permanent easement contains 0.299 acres, more or less.

Exhibit 2A: Parcel Map

Exhibit 2B: Parcel Map