

A RESOLUTION AUTHORIZING THE ACQUISITION OF A PERMENANT EASEMENT ON PROPERTY OWNED BY WASTE CONNECTIONS OF COLORADO, INC., A DELAWARE CORPORATION, BEING THE SURVIVOR OF A MERGER WITH SPRINGS WASTE SYSTEMS, LLC, A COLORADO LIMITED LIABILITY COMPANY, TO BE USED FOR THE KELKER TO SOUTH PLANT TRANSMISSION PROJECT

WHEREAS, certain real property owned by Waste Connections of Colorado, Inc., a Delaware corporation, being the survivor of a merger with Springs Waste Systems, LLC, a Colorado limited liability company, ("Property Owner") which is located at 2540 Weston Road, Colorado Springs, Colorado, also known as El Paso County Tax Schedule Number 6433102061 in the records of the El Paso County Clerk and Recorder, El Paso County, Colorado, (the "Property"), has been identified as necessary for the Kelker to South Plant Transmission Project ("Project"); and

WHEREAS, the City of Colorado Springs on behalf of its enterprise Colorado Springs Utilities ("Utilities") desires to purchase a permanent easement which is approximately 1.294 acres (the "Easement") and the Property Owner desires to sell the Easement to the City for a purchase price of \$148,000; and

WHEREAS, the \$148,000 purchase price for the Easement is supported by a real estate appraisal conducted by an independent real estate appraiser; and

WHEREAS the acquisition of the Easement is in the public interest and is necessary for the Project; and

WHEREAS, pursuant to 9.6 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021* ("Real Estate Manual"), City Council approval is required for acquisition of real property interests if the purchase price exceeds \$100,000; and

WHEREAS, Utilities requests the approval of City Council to purchase the Easement from the Property for a purchase price of \$148,000.

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 Easement to be in compliance with the 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 Easement for the purchase price of \$148,000.

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 _____ day of _____, 2023.

ATTEST:

Council President

Sarah B. Johnson, City Clerk