

A RESOLUTION AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY AND THE ACCEPTANCE OF A DONATION OF CERTAIN PROPERTY, WHICH TOGETHER SHALL SERVE AS THE FUTURE SITE OF THE CITY OF COLORADO SPRINGS POLICE DEPARTMENT SAND CREEK SUBSTATION

WHEREAS, the Colorado Springs Police Department ("Police Department"), a department of the City of Colorado Springs, desires to obtain additional land to serve as a future site to develop and construct a new Sand Creek Substation; and

WHEREAS, the Police Department has identified land that would be an appropriate site for the future Sand Creek Substation which consists of an approximately 8.69 acre parcel of land identified by El Paso County Tax Schedule Number 6423306005 and legally described on Exhibit A attached hereto and made a part hereof ("Property"), and an approximately 1.88 acre parcel of land identified by El Paso County Tax Schedule Number 6423306017 and legally described on Exhibit B attached hereto and made a part hereof ("Donation Property"). Both the Property and the Donation Property are depicted on Exhibit C attached hereto and made a part hereof; and

WHEREAS, the property owner, 123 Cascade Associates, LLC, desires to sell the Property to the City and the City desires to purchase the Property for a purchase price of \$760,000 in accordance with the *Contract to Buy and Sell Real Estate and Donation of Property* dated May 27, 2015 ("Contract"); and

WHEREAS, if the purchase of the Property closes, 123 Cascade Associates, LLC desires to convey the Donation Property to the City by donation; and

WHEREAS, the land acquisition for the future Sand Creek Substation is in the public interest; and

WHEREAS, the funding for the acquisition of the Property as the site for the future Sand Creek Substation is included in a line item in an approved annual budget; and

WHEREAS, the proposed land acquisitions are subject to the procedures of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests* ("Real Estate Manual"); and

WHEREAS, pursuant to the Section 4.1 of the Real Estate Manual and City Code section 7.7.1802, City Council must approve property acquisitions if the total acquisition amount for the property interest acquired in the transaction exceeds \$50,000; and

WHEREAS, pursuant to Section 4.4 of the Real Estate Manual, City Council must authorize the acceptance of donated property; and

WHEREAS, the Police Department requests City Council's approval of the purchase of the Property and authorization for the acceptance of the Donation Property, in accordance with the Contract.

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

Section 1. Pursuant to the Real Estate Manual, Section 4.1, City Council hereby authorizes the acquisition of the Property from 123 Cascade Associates, LLC for the purchase price of \$760,000, in accordance with the Contract.

Section 2. Pursuant to the Real Estate Manual, Section 4.4, City Council hereby authorizes the acceptance of the donation of the Donation Property from 123 Cascade Associates, LLC, in accordance with the Contract.

Section 3. Pursuant to the Real Estate Manual, Section 2.11, the City's Real Estate Services Manager is authorized to execute all documents necessary to complete the acquisition of the Property and the acceptance of the donation of the Donation Property.

Dated at Colorado Springs, Colorado this 11th day of August, 2015.


Merv Bennett, Council President

ATTEST:


Sarah B. Johnson, City Clerk



EXHIBIT A

That portion of the southwest quarter of SECTION 23, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., situate in the City of Colorado Springs, El Paso County, Colorado. More particularly described as follows:

Commencing at the southwest corner of said section 23, thence N 00°25'09"W (an assumed bearing to which all others contained herein are relative thereto) along the west line of the southwest quarter (SW 1/4) of said section 23, a distance of 1244.43 feet;

thence N 89°34'51" E, 40.00 feet;

thence N 00°25'09" W parallel with said west line of the southwest (SW 1/4) and 40.00 feet easterly therefrom, a distance of 935.31 feet to a point on the Right of Way line of Academy Academy Park Loop as platted in Gateway Plaza Filing No. 1 as recorded June 11, 1981 in plat book N3 at page 100 of the records of said El Paso County;

thence N 89°34'51" E along said south Right of Way line a distance of 460.00 feet to the point of beginning;

(The following 4 courses continue along said Right of Way line);

thence N 89°34'51" E a distance of 116.30 feet;

thence along the arc of a curve to the right, said curve having a central angle of 56°11'14", a radius of 653.10 feet, and an arc length of 640.46 feet;

thence S 34°13'55" E, 329.88 feet;

thence along the arc of a curve to the right, said curve having a central angle of 16°14'23", a radius of 328.22 feet, and an arc length of 93.03 feet;

thence S 79°00'28" W on a non-tangent line to the last described curve, a distance of 36.90 feet;

thence along the arc of a curve to the right, said curve having a central angle of 10°34'23", a radius of 260.00 feet, and an arc length of 47.98 feet;

thence S 89°34'51" W a distance of 372.98 feet;

thence along the arc of a curve to the right, said curve having a central angle of 45°00'00", a radius of 260.00 feet, and an arc length of 204.20 feet;

thence N 45°25'09" W, 234.40 feet;

thence along the arc of a curve to the right, said curve having a central angle of 45°00'00", a radius of 260.00 feet, and an arc length of 204.20 feet;

thence N 00°25'09" W, 232.74feet to the Point of Beginning;

Except that portion thereof platted as dedicated Right of Way as contained in the plat of Gateway Corporate Plaza Filing No. 1 as recorded June 20, 1986 in plat book A4 at page 135 of the records of said El Paso County, Colorado.


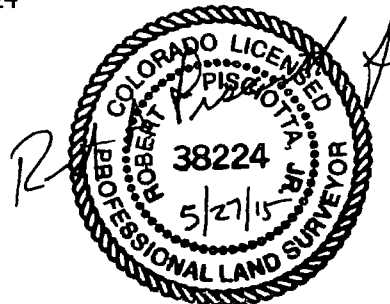
 CITY OF COLORADO SPRINGS	
Parcel Southwest 1/4 of Section 23, Township 14 South, Range 66 West of the 6th P.M.	
Drawn By: <u>R. Kolwica</u>	Date: <u>May 27, 2015</u>
Job Number: <u>2015703</u>	

EXHIBIT B

That portion of the southwest quarter of SECTION 23, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., situate in the City of Colorado Springs, El Paso County, Colorado. More particularly described as follows:

Commencing at the southwest corner of said section 23, thence N 00°25'09"W (an assumed bearing to which all others contained herein are relative thereto) along the west line of the southwest quarter (SW 1/4) of said section 23, a distance of 1244.43 feet;
thence N 89°34'51" E, 40.00 feet;
thence S 84°29'54" E, 477.44 feet;
thence N 05°30'06" E, 49.51 feet;
thence N 00°25'09" W, 355.68 feet;
thence N 45°25'09" W, 31.92 feet;
thence N 44°34'51" E, 75.00 feet;
to the Point of Beginning;
thence S 45°25'09" E, 190.74 feet;
thence on a curve to the left, said curve having a central angle of 45°00'00", a radius of 340.00 feet, and an arc length of 267.04 feet;
thence N 89°34'51" E, 372.98 feet;
thence on a curve to the left, said curve having a central angle of 10°34'23", a radius of 340.00 feet, and an arc length of 62.74 feet;
thence N 79°00'28" E, 36.86 feet a point on the westerly right of way line of Academy Park Loop as platted in Gateway Plaza Filing No. 1 as recorded June 11, 1981 in plat book N3 at page 100 of the records of said El Paso County;
thence on a curve to the left, said curve having a central angle of 30°14'53", a radius of 328.22 feet, and an arc length of 173.28 feet (the chord of said curve bears N 19°06'29" W, 171.27 feet);
thence N 34°13'55" W, 329.88 feet;
thence on a curve to the left, said curve having a central angle of 47°55'23", a radius of 653.10 feet, an arc length of 546.26 feet;
thence S 07°50'42" W, 10.00 feet;
thence southeasterly on a curve to the right, said curve having a central angle of 47°55'23", a radius of 643.10 feet, and an arc length of 537.90 feet (the chord of said curve bears S 58°11'36" E, 522.36 feet);
thence N 34°13'55" E, 329.88 feet;
thence on a curve to the right, said curve having a central angle of 16°01'37", a radius of 318.22 feet, and an arc length of 89.01 feet;
thence S 79°00'28" W, 26.79 feet;
thence on a curve to the right, said curve having a central angle of 10°34'23", a radius of 260.00 feet, and an arc length of 47.98 feet;
thence S 89°34'51" W, 372.98 feet;
thence on a curve to the right, said curve having a central angle of 45°00'00", a radius of 260.00 feet, and an arc length of 204.20 feet;
thence N 45°25'09" W, 190.74 feet;
thence S 44°34'51" W, 80.00 feet to the point of beginning.
Said portion containing a protracted area of 81,086.3 Square feet.

This legal description was prepared for and on behalf of The City of Colorado Springs by
Robert A. Pisciotta Jr. Colorado P.L.S. 38224
30 S. Nevada Ave. Suite 402
Colorado Springs, CO
719-385-5545




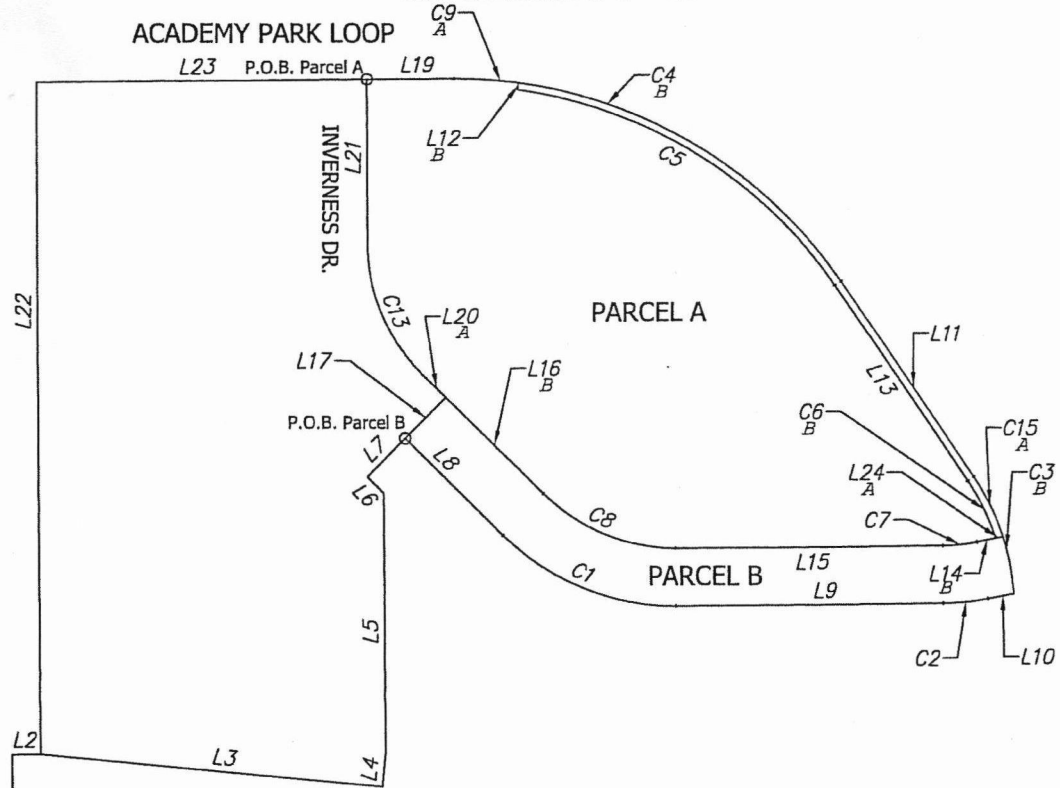
 CITY OF COLORADO SPRINGS	
Parcel Southwest 1/4 of Section 23, Township 14 South, Range 66 West of the 6th P.M.	
Drawn By: <u>R. Kotwica</u>	Date: <u>May 27, 2015</u>
Job Number: <u>2015703</u>	

EXHIBIT C



A-DENOTES PARCEL A COURSE
B-DENOTES PARCEL B COURSE

Parcel Line Table		
Line #	Length	Direction
L1	1244.43	N0° 25' 09"W
L2	40.00	N89° 34' 51"E
L3	477.44	S84° 29' 54"E
L4	49.51	N5° 30' 06"E
L5	355.68	N0° 25' 09"W
L6	31.92	N45° 25' 09"W
L7	75.00	N44° 34' 51"E
L8	190.74	S45° 25' 09"E
L9	372.98	N89° 34' 51"E
L10	36.86	N79° 00' 28"E
L11	329.88	N34° 13' 55"W
L12	10.00	S7° 50' 42"W
L13	329.88	N34° 13' 55"W
L14	26.79	S79° 00' 28"W
L15	372.98	S89° 34' 51"W
L16	190.74	S45° 25' 09"E
L17	80.00	S44° 34' 51"W
L18	131.05	S0° 26' 27"E
L19	116.30	N89° 34' 51"E
L20	234.40	N45° 25' 09"W
L21	232.74	N0° 25' 09"W
L22	935.31	N0° 25' 09"W
L23	460.00	N89° 34' 51"E
L24	36.90	S79° 00' 28"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	267.04	340.00	45°00'00"	S67° 55' 09"E	260.22
C2	62.74	340.00	10°34'23"	N84° 17' 40"E	62.65
C12	19.37	323.22	3°26'03"	N2° 09' 28"W	19.37
C11	184.89	615.00	17°13'29"	N8° 10' 18"E	184.19
C10	185.79	618.00	17°13'29"	N8° 10' 18"E	185.09
C4	546.26	653.10	47°55'23"	N58° 11' 36"W	530.48
C5	537.90	643.10	47°55'23"	N58° 11' 36"W	522.36
C6	89.01	318.22	16°01'37"	N26° 13' 06"W	88.72
C7	47.98	260.00	10°34'23"	N84° 17' 40"E	47.91
C8	204.20	260.00	45°00'00"	S67° 55' 09"E	199.00
C3	173.28	328.22	30°14'53"	N19° 06' 29"W	171.27
C9	640.46	653.10	56°11'14"	N62° 19' 32"W	615.11
C15	93.03	328.22	16°14'23"	N26° 06' 43"W	92.72
C13	204.20	260.00	45°00'00"	S22° 55' 09"E	199.00

CITY OF COLORADO SPRINGS

Parcel
Southwest 1/4 of Section 23,
Township 14 South, Range 66
West of the 6th P.M.

Drawn By: R. Kofwica Date: May 27, 2015
Job Number: 2015703