

A RESOLUTION DECLARING REAL PROPERTY TO BE SURPLUS AND AUTHORIZING THE CITY'S REAL ESTATE SERVICES OFFICE TO RETAIN A CONSULTANT TO AID IN DISPOSITION

WHEREAS, in July 2000, the City of Colorado Springs ("City"), on behalf of its enterprise Colorado Springs Utilities ("Utilities"), entered into a Purchase Agreement for the purchase of office condominium space in the South Tower of the Plaza of the Rockies, to include the third floor, and closed on the acquisition of the purchase on April 25, 2001; and

WHEREAS, Utilities has determined that it no longer requires the third floor of the South Tower of the Plaza of the Rockies, consisting of a 19,673 square foot office condominium, as further described in Exhibit A (the "Property") for its business or operational purposes; and

WHEREAS, in accordance with the process set forth in Chapter 5 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests* (the "RES Manual"), the City's Real Estate Services Office has consulted with other City departments and enterprises to determine whether any other City department or enterprise has a need for the Property and no other City department or enterprise has expressed interest in maintaining fee ownership of or reserving easements on the Property; and

WHEREAS, §6-80 of the City Charter, § 7.7.1804 of the City Code, and Chapter 5 of the RES Manual authorize the disposal of surplus Utilities-controlled City property where it is no longer needed by Utilities or other City departments or its enterprises and Utilities recommends the disposal of the Property; and

WHEREAS, it is appropriate to retain a consultant to aid in the sale of the Property rather than hold a sealed bid auction, due to the specialized nature of the Property; and

WHEREAS, pursuant to sections 5.1 and 5.6 of the RES Manual, City Council must deem the Property to be surplus and authorize the City's Real Estate Services Office and Utilities to retain a consultant to assist in the sale of the Property.

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

Section 1. City Council finds that the Property, as described in Exhibit A, is surplus and not necessary for the efficient operations of Colorado Springs Utilities, is not a substantial part of the property of Utilities, is not needed for the proper conduct of City or Utilities' affairs, and is not needed by other City departments or enterprises, and the disposal of the Property is in compliance with City Charter §6-80, City Code § 7.7.1804(A), and RES Manual Chapter 5.

Section 2. City Council further finds that it is appropriate and hereby authorizes Utilities and the City's Real Estate Services Office to retain a consultant to assist in the sale and marketing of the Property rather than hold a sealed bid auction.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2017.

ATTEST:

Council President

Sarah B. Johnson, City Clerk