

RESOLUTION NO. \_\_\_\_-19

A RESOLUTION AUTHORIZING THE ACQUISITION OF UP TO  
164 ACRES IN ROCK CREEK CANYON, AS AN ADDITION TO  
THE 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, through its Trails, Open Space and Parks Program ("TOPS"), has identified three parcels of land adjacent to the Cheyenne Mountain State Park as important properties for open space, trails and future recreation; and

WHEREAS, the Colorado Springs Park System Master Plan identifies these parcels as within an Open Space Candidate Area; and

WHEREAS, acquisition of the parcels will provide additional recreational opportunities for the citizens of Colorado Springs into the future; and

WHEREAS, the Parks, Recreation and Cultural Services Department has negotiated the acquisition of the three parcels (the "Property"), identified as Tax Schedule Numbers 75000-00-156, 75250-00-103 and 75000-00-239 legally described on Exhibit 1 and map depicted on Exhibit 2, which are currently owned by the Morgan family and the Montmeny family (the "Sellers"); and

WHEREAS, on September 4, 2019, the TOPS Working Committee, through the City's TOPS program, voted unanimously to recommend the acquisition of the Property and the Parks, Recreation and Cultural Services Advisory Board considered the acquisition at its September 12, 2019 meeting and voted unanimously to recommend this acquisition; and

WHEREAS, the three parcels include unique natural and recreational resources including panoramic views of the City, scenic mountain terrain, rich wildlife habitat and can provide additional trail connections; and

WHEREAS, the acquisition of this property is in the public interest, because it provides additional open space on the City of Colorado Springs' western boundary which protects the City's beautiful mountain backdrop; and

WHEREAS, the City has obtained appraisals for the Property that support the purchase price of \$1,184,000 and additional funding in the amount of \$100,000 will be required 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.* to complete the real estate transaction, and to test and perform demolition and disposal of buildings that are not needed for the program on one of the parcels.

**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 for open space and trail purposes to be in the best interest 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 \$1,184,000 which represents the fair market value of the Property. City Council also authorizes an additional sum of \$100,000 for testing, demolition and disposal of buildings that are not needed for the program and real estate transaction costs.

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 \_\_\_\_\_, 2019.

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

ATTEST:

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

Exhibit 1:Legal Description

El Paso County Tax Schedule Numbers

[75000-00-156, 75250-00-103 and 75000-00-239]

## Exhibit 2: Parcel Map