

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

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DONATION OF CERTAIN PROPERTY WHICH SHALL SERVE AS THE FUTURE SITE FOR PARKS, OPEN SPACE, ROADWAY IMPROVEMENTS, RETAINING WALLS, AND UTILITIES

WHEREAS, the Colorado Springs Public Works Department, a department of the City of Colorado Springs, desires to obtain additional property in order to maintain road infrastructure, install retaining walls; and

WHEREAS, the property is owned by Winds of the Spirit, LLC (“Owner”); and

WHEREAS, the parcel of real property consists of approximately 23.85 acres is known by El Paso County Tax Schedule Number 73341-06-001 (the “Property”) see Exhibit A and B; and

WHEREAS, the Owner intends to donate the Property to the City without consideration, for the benefit of the City; and

WHEREAS, the donation will facilitate the improvement and future maintenance of Mesa Road and 30th Street; and

WHEREAS, the acceptance of the Property is in the public interest; and

WHEREAS, the Owner desires the conveyance to be acknowledged as a donation in accordance with Section 4.4 of Chapter 4 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests* (the “RES Manual”); and

WHEREAS, pursuant to Section 4.4 of the RES Manual, City Council must accept donations of real property by resolution; and

WHEREAS, the Public Works Department recommends that the City Council accept the donation of the Property.

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

Section 1. City Council hereby finds that acceptance of the donation of the Property for the use of its Public Works Department and as the future site of parks, open space, roadway improvements, retaining walls, maintenance and utilities is in the best interest of the City of Colorado Springs.

Section 2. In accordance with Chapter 4, Section 4.4 of The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests, City Council hereby accepts the donation of the Property to the City.

Section 3. The City's Real Estate Services Manager is hereby authorized to execute all documents necessary to effectuate Closing and, following Closing, the donation of the Property from the Owner to the City.

Dated at Colorado Springs, Colorado this \_\_\_\_ day of October, 2019.

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

ATTEST:

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

I, Sarah B. Johnson, City Clerk of the City of Colorado Springs, Colorado, do hereby certify that the foregoing is a true and correct copy of Resolution No. \_\_\_\_-19, adopted by the City Council of the City of Colorado Springs, Colorado on the \_\_\_\_ day of October, 2019, the original of which is on file in the City Clerk's Office.

Dated at Colorado Springs, Colorado, this \_\_ day of October, 2019