



## Legislation Details (With Text)

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**Title:** A Resolution Authorizing the Acquisition of a 0.503-Acre Permanent Easement from Welltower Colorado Properties, LLC Using PPRTA Funds for the West Fillmore Culvert Replacement Project

**Presenter:**  
Gayle Sturdivant, P.E., City Engineer/Interim Public Works Director  
Darlene Kennedy, Real Estate Services Manager

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1\_Location Map, 2. 2\_Resolution for Welltower Easement, 3. 3\_Resolution for Welltower Easement\_Exhibits A&B, 4. 4\_Fillmore - Well Tower Presentation 20230710, 5. Signed Resolution No. 101-23.pdf

Date	Ver.	Action By	Action	Result
7/25/2023	1	City Council	adopted	Pass
7/10/2023	1	Council Work Session	referred	

A Resolution Authorizing the Acquisition of a 0.503-Acre Permanent Easement from Welltower Colorado Properties, LLC Using PPRTA Funds for the West Fillmore Culvert Replacement Project

**Presenter:**

Gayle Sturdivant, P.E., City Engineer/Interim Public Works Director  
Darlene Kennedy, Real Estate Services Manager

**Summary:**

The acquisition proposal would authorize the City of Colorado Springs Real Estate Services Manager and Public Works Director to enter into a Memorandum of Agreement with Welltower Colorado Properties, LLC (the "Property Owner") to acquire a 0.503-acre permanent easement (the "Easement") in connection with the West Fillmore Culvert Replacement Project (the "Project").

**Background:**

The Project was identified by the Pikes Peak Rural Transportation Authority ("PPRTA") as an "A-list" priority project, and the PPRTA committed funding for construction of the project in the amount of \$2,014,757.00 at its Board meeting on June 14, 2023. Construction is anticipated to start in July 2023 and be completed in 1st Quarter 2024.

The 0.503-acre Easement to be acquired is needed for access to the Project area and continued maintenance for the replacement of the existing culvert that carries drainage under West Fillmore Street east of Mesa Road and adjacent to Coronado High School (see Location Map for Project

location).

Pursuant to Chapter 9 of The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021 ("RES Manual"), an appraisal for the Easement was obtained, which supports the purchase price of \$121,730.00. Pursuant to the RES Manual, City Council must approve property acquisitions if the total acquisition amount of the property interest acquired in the transaction exceeds \$100,000.

After City Council approval, the PPRTA Board is scheduled to consider the acquisition at the August 2023 meeting.

Staff requests that City Council approve the Resolution for acquisition of the Easement from the Property Owner. Additionally, the attached Resolution authorizes the City's Real Estate Services Manager and the Public Works Director to execute all documents necessary to complete the acquisition.

**Previous Council Action:**

On August 14, 2012, City Council endorsed the extension of the Pikes Peak Rural Transportation Authority Capital Program in Resolution No. 109-12. Subsequently, on November 6, 2012, the citizens approved Ballot Issue 5A extending the PPRTA Capital Program until December 31, 2024, and the issue included this Project.

**Financial Implications:**

This Easement acquisition cost is accounted for in the PPRTA project budget.

**City Council Appointed Board/Commission/Committee Recommendation:**

N/A

**Stakeholder Process:**

The Property Owner has been engaged with the project throughout the engineering phase.

**Alternatives:**

To disapprove of the Resolution and not authorize the City to acquire the Easement.

To approve the Resolution and authorize the Easement acquisition.

**Proposed Motion:**

Move approval of the proposed Resolution authorizing purchase of the Easement needed for the West Fillmore Culvert Replacement Project.

N/A