



## Legislation Details (With Text)

**File #:** 14-0015      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Mayor's Office  
**File created:** 3/11/2014      **In control:** City Council  
**On agenda:** 4/22/2014      **Final action:** 4/22/2014

**Title:** A resolution acknowledging a land donation of a 1.65-acre parcel near Cowpoke Road from David D. Jenkins to the City of Colorado Springs. (Public Works - David Lethbridge)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Cowpoke - Formal Memo Exhibit A, 2. Cowpoke Formal CC Memo Exhibit B, 3. Cowpoke Rd Resolution, 4. Cowpoke - Resolution Exhibit A

| Date      | Ver. | Action By    | Action                     | Result |
|-----------|------|--------------|----------------------------|--------|
| 4/22/2014 | 1    | City Council | adopted                    | Pass   |
| 4/8/2014  | 1    | City Council | postpone to a date certain | Pass   |

A resolution acknowledging a land donation of a 1.65-acre parcel near Cowpoke Road from David D. Jenkins to the City of Colorado Springs. (Public Works - David Lethbridge)

**Summary:** The property owner, David D. Jenkins, has requested that the City accept a land donation of approximately 1.65 acres in-fee simple interest (Property) which is located and traverses along a portion of the most southerly boundary line of the owner’s parcel of land (TSN 5200000357, 235.23 acres) and formerly known as Cowpoke extension. Please see attached exhibit A, the legal description of the Property being donated, and Exhibit B, an aerial view of the Property.

**Previous Council Action:** None

**Background:** The proposed donated Property includes a segment of Cowpoke Road and the bridge over Cottonwood Creek which was historically maintained by the county. Since annexation of the area the city has assumed maintenance responsibility for the bridge. However, the roadway has been used as a private road serving the owner’s parcel of land as well as other private properties to the west.

The owner’s parcel of land, approximately 235.23 acres, was annexed into the City of Colorado Springs as part of the Briargate Addition No. 5 in 1982. It was reconfigured in 2006 and 2007 by the Platting of Cumbre Vista Subdivision Nos. 1 and 2, and the 2009 Plat for Cowpoke Road filing No. 1. This resulted in separating the proposed donated Property from the end of platted public Cowpoke Road, and consequently affected continued access to the rural properties to the west.

Staff anticipates future annexation and development in this area will need this portion of roadway for access and at such time developers will upgrade the roadway to current standards. In the meantime the city will restore and maintain the low grade chip-seal type surface suitable for the present low

volume of traffic.

Mr. Jenkins asked the City of Colorado Springs to accept the donation of the Property to the City of Colorado Springs as an in-kind donation for tax purposes. Pursuant to §4.4 of the City of Colorado Springs Procedure Manual for Acquisition and Disposition of Real Property interests, "A donation cannot be accepted by the City until the City Council passes a resolution authorizing the acceptance of this donation."

**Financial Implications:** The Property will be donated at no charge of the City. The City will pay for the costs to close the transaction at the title company. Less than \$1.00 of annual property tax revenue will be lost to the City as a consequence of this donation.

**Board/Commission Recommendation:** None

**Stakeholder process:** None

**Alternative** City Council could decline to adopt the resolution.

**Recommendation:**

Approve the Resolution acknowledging a land donation of a 1.65-acre parcel near Cowpoke Road from David D. Jenkins to the City of Colorado Springs.

**Proposed Motion:** Approve to accept the land donation of 1.65 acres near Cowpoke Road from David D. Jenkins.