



## Legislation Details (With Text)

**File #:** 22-758      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Mayor's Office

**File created:** 11/14/2022      **In control:** City Council

**On agenda:** 12/13/2022      **Final action:** 12/13/2022

**Title:** A Resolution Authorizing the Disposal of City Owned Property (Banning Lewis Ranch Drainage Tracts) to Applicable Owners

**Presenter:**  
 Peter Wysocki, Planning Director  
 Richard Mulledy, Stormwater Enterprise Manager, Public Works Department  
 Darlene Kennedy, Real Estate Services Manager  
 Travis Easton, P.E., Director of Public Works

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. BLR Drainage TractsRES-2022-11-14, 2. BLRDrainageTractsRESExhibit A, 3. BLRDrainageTractsRESExhibit B-1, 4. CLRDrainageTractsRESExhibit B-2, 5. CC MEMO-Banning Lewis Drainage Tracts REVISED 11-4-22, 6. Signed Resolution No. 224-22, 7. Receipt 212258\_Sandcreek

Date	Ver.	Action By	Action	Result
12/13/2022	1	City Council	adopted	Pass
11/21/2022	1	Council Work Session	referred	

A Resolution Authorizing the Disposal of City Owned Property (Banning Lewis Ranch Drainage Tracts) to Applicable Owners

**Presenter:**

Peter Wysocki, Planning Director  
 Richard Mulledy, Stormwater Enterprise Manager, Public Works Department  
 Darlene Kennedy, Real Estate Services Manager

**Summary:**

The Public Works Department desires to transfer a portion of one drainage tract, and ten entire drainage tracts totaling approximately 275.369 acres of land (the "Property") to the various Banning Lewis Ranch ownership entities ("Applicable Owners"). These drainage tracts will be replaced by drainage tracts required by new development under the current criteria.

**Background:**

In 2005, CPH Banning Lewis Ranch, LLC, dedicated Tracts A, B, C, D, E, F, G, H, I, J, and K, Banning Lewis Ranch Filing No. 4, and Tract E, Banning Lewis Ranch Filing No. 2 ("Drainage Tracts") to the City of Colorado Springs for drainage purposes. In 2021, Tract B, Banning Lewis Ranch Filing No. 4 was replatted and is now known as Tract E, Banning Lewis Ranch Filing No. 40.

The Amended and Restated Banning Lewis Ranch Annexation Agreement adopted by City Council Resolution No. 36-18 on April 24, 2018, and recorded October 18, 2018 at Reception No. 218121366 of the records of the El Paso County, Colorado, Clerk and Recorder (“Annexation Agreement”) anticipates the conveyance of the previously dedicated Drainage Tracts to the Applicable Owners and closing of the Sand Creek Drainage Basin within Banning Lewis Ranch.

The City/County Drainage Board, at its October 11, 2022 meeting, approved the closure of the Sand Creek Drainage Basin within Banning Lewis Ranch contingent on the payment of the outstanding drainage fees, and the execution of the Real Estate Transfer Agreements.

**Previous Council Action:**

In April of 2018, City Council approved the Amended and Restated Annexation Agreement for Banning Lewis Ranch which anticipated the conveyance of the Drainage Tracts to the Applicable Owners.

**Financial Implications:**

N/A

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

N/A

**Stakeholder Process:**

N/A

**Alternatives:**

The Alternative is not transferring the Property to the Applicable Owners, in which case, the City will maintain ownership of the drainage tracts.

**Proposed Motion:**

Approve the resolution authorizing the disposal of surplus City property to the Applicable Owners and authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of the approximately 275.369 acres of land to the Applicable Owners.

N/A