



## Legislation Details (With Text)

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**Type:** Informational Report      **Status:** Mayor's Office  
**File created:** 10/26/2017      **In control:** City Council  
**On agenda:** 11/28/2017      **Final action:** 11/28/2017  
**Title:** A Resolution Accepting a Donation of Real Property Consisting of Approximately 10,130.64 Square Feet from Belvedere Properties, LLC to the City of Colorado Springs

**Presenter:**  
Kathleen Krager, Traffic Engineering Division Manager

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Resolution for Donation\_Belvedere, 2. Attachment A, 3. Signed Resolution 124-17

Date	Ver.	Action By	Action	Result
11/28/2017	1	City Council	adopted	Pass
11/13/2017	1	Council Work Session	referred	

A Resolution Accepting a Donation of Real Property Consisting of Approximately 10,130.64 Square Feet from Belvedere Properties, LLC to the City of Colorado Springs

**Presenter:**  
Kathleen Krager, Traffic Engineering Division Manager

**Summary:**  
The Traffic Engineering staff requests City Council approval of a resolution accepting a donation of real property from Belvedere Properties, LLC ("Belvedere") to the City of Colorado Springs for the purpose of a public street, currently known as Stone Mesa Point.

**Previous Council Action:**  
N/A

**Background:**  
Due to the increase in traffic on a private street known as Stone Mesa Point caused by residential development east of Templeton Gap Road, Traffic Engineering staff determined that Stone Mesa Point should become a public street.

Stone Mesa Point was originally built as a private street by adjacent land owners. Stone Mesa Point provided access to two commercial properties between Tutt Boulevard and Templeton Gap Road.

As residential property developed to the east of Templeton Gap Road along Wolf Ranch Road, Stone

Mesa Point became a desirable route (and one of the only two routes) that connected Tutt Boulevard with Templeton Gap Road.

Since private streets are meant to carry local traffic only and can be altered or closed by the street owners, Traffic Engineering staff asked that this private street be converted to a public street so that the City could assure its future use.

The land owners have a 17 foot wide improved road on a 22.5 foot wide strip of land ("Property") by the Warranty Deed recorded at reception number 216076052 and is asking that the City Council acknowledge this as a donation. The neighbor to the south of Belvedere conveyed the other half of the road (17 foot wide improved road on a 22.5 foot wide strip of land) as a gift to the City and does not desire that its conveyance be recognized as a donation.

Pursuant to the provisions of the Colorado Constitution and the Colorado Springs City Charter, the City is empowered to acquire real property necessary for City capital projects. Additionally, Section 4.4 of The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests (the "RES Manual") authorizes property owners to make a gift or donation of property to the City, provided that City Council accepts the donation by resolution.

Traffic Engineering requests that City Council adopt the attached resolution accepting the donation of the Property. Additionally, the attached resolution authorizes the City's Real Estate Services Manager to execute all documents necessary to acknowledge the donation of the Property to the City.

This item supports the City's strategic goal of investing in infrastructure.

**Financial Implications:**

Traffic Engineering does not anticipate any major expenditure for Stone Mesa Point. The Operations and Maintenance Division will add this small segment of a collector street to the street system for routine maintenance.

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

Negotiations with Belvedere were conducted in accordance with the RES Manual, and all applicable federal, state and local laws.

**Alternatives:**

Approve the attached Resolution Accepting a Donation of approximately 10,130.64 square feet of Real Property; or do not approve the attached Resolution.

**Proposed Motion:**

Move approval of the proposed Resolution.

N/A