



Legislation Details (With Text)

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Title: A Resolution Authorizing the Disposal of Surplus City Property to the One Logical, Potential Purchaser, Being the Directors of Peak Metropolitan District No. 3

Presenter:
Greg Phillips, Director of Aviation, Colorado Springs Airport

Sponsors:

Indexes:

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Attachments: 1. Resolution Peak Metropolitan District 3 Directors Parcel 2022 07 25.pdf, 2. Exhibit A Peak Metropolitan District 3 Peak Innovation Park Resolution 2022 07 25.pdf, 3. Exhibit B Peak Metropolitan District 3 Directors Parcel Location Resolution 2022 07 25.pdf, 4. Slideshow Peak Metropolitan District 3 Directors Parcel Resolution 2022 07 25.pdf, 5. Signed Resolution No. 105-22

Date	Ver.	Action By	Action	Result
8/9/2022	1	City Council	adopted	Pass
7/25/2022	1	Council Work Session	referred	

A Resolution Authorizing the Disposal of Surplus City Property to the One Logical, Potential Purchaser, Being the Directors of Peak Metropolitan District No. 3

Presenter:

Greg Phillips, Director of Aviation, Colorado Springs Airport

Summary:

This matter requests City Council to authorize the disposal of surplus City property to one logical, potential purchaser in accordance with City Code § 7.7.1804(B) and the City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interest ("Real Estate Manual"). The proposed conveyance is 0.114 acres to metropolitan district directors, as tenants in common, necessary to create a director parcel for Peak Metropolitan District No. 3 in accordance with Colorado law.

Background:

City Council Resolution 95-18 approved the Service Plan necessary for the creation of Peak Metropolitan District Nos. 1, 2, and 3, which construct, manage, finance, and maintain public infrastructure improvements necessary for the development of Peak Innovation Park. Such Service Plan was amended by Resolutions 22-19 and 28-22. Districts Nos. 1 and 3 are financial districts, and District No. 2 is an operations/maintenance district. The use of district financing for construction and maintenance of infrastructure reduces investments of Airport and City funds that would otherwise be required to develop Peak Innovation Park. Furthermore, City Council has previously approved

similar sales of property to assist in standing up the metropolitan districts for Peak Innovation Park by Resolutions 32-18 through 36-18, and by Resolutions 23-19 through 27-19.

The proposed conveyance is 0.114 acres to metropolitan district directors, as tenants in common, necessary to create a director parcel for Peak Metropolitan District No. 3. The land is not independently developable because it sits on the slope of an embankment to a detention pond. The City's Real Estate Services Department ("RES"), pursuant to the Real Estate Manual, made a Value Finding determining the market value of the parcel is less than \$20,000.00, and no further appraisal is required under the Real Estate Manual. Accordingly, the selection of the parcel for purposes of standing up the metropolitan district is appropriate and meets the requirements for one logical purchaser under Chapter 5, § 5.6(d)(v) of the Real Estate Manual.

The City purchased the subject property on December 23, 1977, with Federal Aviation Administration ("FAA") grant funds for the purpose of runway approach protection and airport development. The Airport discussed the potential sale of the property with the FAA and the FAA agreed the intended purpose is a compatible land use with the Airport. Accordingly, the FAA currently supports the sale of the land for purposes of the metropolitan district and will provide a letter of release for the sale.

The Airport will comply with the Real Estate Manual, including selling the land at a price not less than the fair market value established by the RES Value Finding. Moreover, the interests of the City and its enterprises, such as utilities and drainage, will be preserved as a part of the property transfer.

Previous Council Action:

Previous City Council action relating to this item is provided in the background information above, including Resolution 95-18, Resolution 22-19, Resolution 28-22, Resolutions 32-18 through 36-18, and Resolutions 23-19 through 27-19.

Financial Implications:

As this property was acquired with FAA funds, the proceeds from the sale of this transaction will go to the Airport enterprise and will be used for eligible projects/purposes per FAA guidelines.

City Council Appointed Board/Commission/Committee Recommendation:

The Airport Advisory Commission is scheduled to meet for purposes of providing a recommendation as to the resolution. City Council will be updated as to the recommendation in work session.

Stakeholder Process:

N/A

Alternatives:

N/A

Proposed Motion:

Motion to approve the resolution authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of 0.114 acres, more or less, of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the property to the Purchaser as the one logical, potential purchaser and authorize the Mayor to sign all necessary petitions and other documents for the inclusion of certain real property into the boundaries of the Peak Metropolitan District No. 3.

N/A