

RESOLUTION NO. 184 - 23

A RESOLUTION AUTHORIZING THE ACQUISITION OF PERMENANT EASEMENTS ON THE PROPERTIES IDENTIFIED BY EL PASO COUNTY TAX SCHEDULE NUMBERS 6420300033 AND 6419100027 TO BE USED FOR THE KELKER TO SOUTH PLANT TRANSMISSION PROJECT

WHEREAS, certain easements on the real property located at South Royer Drive, Colorado Springs, Colorado, also known as El Paso County Tax Schedule Numbers 6420300033 and 6419100027 (the "Property") have been identified as necessary for the Kelker to South Plant Transmission Project ("Project"); and

WHEREAS, the City of Colorado Springs on behalf of its enterprise Colorado Springs Utilities ("Utilities") desires to purchase the permanent easements which are approximately 6.77 acres (the "Easements") and the property owner desires to sell the Easements to the City for a purchase price of \$950,000, which is supported by a real estate appraisal conducted by an independent real estate appraiser; and

WHEREAS, the acquisition of the Easements is in the public interest and is necessary for the Project; and

WHEREAS, pursuant to 9.6 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021* ("Real Estate Manual"), City Council approval is required for acquisition of real property interests if the purchase price exceeds \$100,000; and

WHEREAS, Utilities requests the approval of City Council to purchase the Easements for a purchase price of \$950,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That the City Council finds the acquisition of the Easements to be in compliance with the Real Estate Manual, the City Charter, City Code, and all other applicable laws.

Section 2. That in accord with the Real Estate Manual, the City Council hereby authorizes the acquisition of the Easements for the purchase price of \$950,000.

Section 3. That the City's Real Estate Services Manager is authorized to execute all documents necessary to complete the acquisition of the Easements as contemplated herein.

DATED at Colorado Springs, Colorado, this 14th day of November 2023.

ATTEST:


Randy Helms, Council President


Sarah B. Johnson, City Clerk



EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF THE ATCHISON TOPEKA AND SANTA FE RAILWAY COMPANY'S PROPERTY SITUATED IN THE EAST ONE-HALF OF SECTION 19 AND THE SOUTH ONE-HALF OF SECTION 20, TOWNSHIP 14 SOUTH, RANGE 60 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEARINGS FOR THIS DESCRIPTION BEING BASED ON THE WESTERLY LINE OF ROYER STREET EXTENDED, BEING A 100 FEET RIGHT-OF-WAY AS SHOWN ON AN EXISTING PLAT OF SUBDIVISION ENTITLED "WASHINGTON HEIGHTS ADDITION" RECORDED AMONG SAID LAND RECORDS, ASSUMED TO BE NORTH 00°07'54" EAST, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAID PARCEL OF LAND AT A POINT BEING ON THE CENTERLINE OF SAID ROYER STREET, SAID POINT ALSO BEING N 75°42'21" W A DISTANCE OF 679.27 FEET FROM THE EAST ONE-QUARTER CORNER OF SAID SECTION 19;

THENCE N 00°07'54" E A DISTANCE OF 118.38 FEET, ALONG SAID CENTERLINE;

THENCE LEAVING SAID CENTERLINE S 57°30'44" E A DISTANCE OF 312.88 FEET TO A POINT OF CURVATURE;

THENCE 491.27 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 2814.79 FEET, AND A CENTRAL ANGLE OF 10°00'00" TO A POINT;

THENCE S 67°30'44" E, A DISTANCE OF 1208.85 FEET TO A POINT OF CURVATURE;

THENCE 457.85 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 2914.79 FEET, AND A CENTRAL ANGLE OF 09°00'00" TO A POINT;

THENCE S 58°30'44" E A DISTANCE OF 867.20 FEET TO A POINT;

THENCE S 00°45'32" E A DISTANCE OF 118.24 FEET TO A POINT;

THENCE N 58°30'44" W A DISTANCE OF 930.28 FEET TO A POINT OF CURVATURE;

THENCE 442.15 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 2814.79 FEET AND A CENTRAL ANGLE OF 09°00'00" TO A POINT;

THENCE N 67°30'44" W, A DISTANCE OF 1208.85 FEET TO A POINT OF CURVATURE;

THENCE 508.73 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 2914.79 FEET AND A CENTRAL ANGLE OF 10°00'00" TO A POINT;

THENCE N 57°30'44" W A DISTANCE OF 249.50 FEET TO THE POINT OF BEGINNING.

EXHIBIT A-1

[LEGAL DESCRIPTION PER EL PASO COUNTY TAX ASSESSOR]

TRACT IN SOUTHWEST 1/4 OF SECTION 20-14-66 AS FOLLOWS, BEGINNING AT A POINT 203 FEET SOUTHERLY FROM THE WEST QUARTER CORNER, SAID POINT BEING THE INTERSECTION OF WEST LINE OF SECTION 20 AND THE SOUTHERLY LINE OF ATCHISON, TOPEKA, & SANTA FE RAILROAD RIGHT-OF-WAY, THENCE S 65°17' E 973.3 FEET ALONG SAID RIGHT-OF-WAY, ANGLED RIGHT 92°30' SOUTHWESTERLY 113.45 FT, ANGLE RIGHT ALONG NORTHERLY LINE OF D + R G R/W TO POINT OF INTERSECTION WITH WEST LINE OF SAID SECTION, THENCE N 00°28' WEST ALONG SAID WEST LINE 112.65 FT TO THE POINT OF BEGINNING.

SURVEYED BY:
BLEW & ASSOCIATES P.A.
3825 N SHILOH DRIVE
FAYETTEVILLE, AR, 72703
PHONE #479-443-4506
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EXHIBIT B

PARCELS OF LAND LYING WITHIN SECTIONS 19 & 20, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, AS RECORDED IN THE REAL PROPERTY RECORDS OF EL PASO COUNTY, COLORADO AT BOOK 6089, PAGE 722, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF LANDS DESCRIBED IN DEED BOOK 6089, PAGE 722 AT A POINT ON THE CENTERLINE OF SOUTH ROYER STREET;

THENCE NORTH 01 DEGREES 46 MINUTES 24 SECONDS EAST, A DISTANCE OF 100.81 FEET ALONG THE CENTERLINE OF SOUTH ROYER STREET;

THENCE SOUTH 47 DEGREES 48 MINUTES 29 SECONDS EAST, A DISTANCE OF 92.38 FEET;

THENCE SOUTH 59 DEGREES 30 MINUTES 32 SECONDS EAST, A DISTANCE OF 326.09 FEET;

THENCE SOUTH 60 DEGREES 27 MINUTES 03 SECONDS EAST, A DISTANCE OF 314.68 FEET;

THENCE SOUTH 59 DEGREES 55 MINUTES 14 SECONDS EAST, A DISTANCE OF 386.28 FEET;

THENCE SOUTH 74 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 339.36 FEET;

THENCE SOUTH 65 DEGREES 14 MINUTES 50 SECONDS EAST, A DISTANCE OF 391.34 FEET;

THENCE SOUTH 64 DEGREES 41 MINUTES 24 SECONDS EAST, A DISTANCE OF 393.43 FEET;

THENCE SOUTH 58 DEGREES 00 MINUTES 53 SECONDS EAST, A DISTANCE OF 365.01 FEET TO A POINT ON THE SOUTHERLY LINE OF LOTS 30, 31 MOUNT WASHINGTON SUBDIVISION;

THENCE SOUTH 56 DEGREES 37 MINUTES 40 SECONDS EAST, A DISTANCE OF 726.78 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 1 BLOCK 1 METRO SUBDIVISION;

THENCE SOUTH 00 DEGREES 16 MINUTES 44 SECONDS WEST, A DISTANCE OF 116.77 FEET ALONG THE NORTHWESTERLY LINE OF THE LOT 1, LEON YOUNG SERVICE CENTER SOUTH, FILING NO. 1 TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF E LAS VEGAS STREET;

THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF THE PROPERTY DESCRIBED IN EXHIBIT A REFERENCED ABOVE NORTH 56 DEGREES 45 MINUTES 42 SECONDS WEST, A DISTANCE OF 929.19 FEET;

THENCE CONTINUING ALONG SAID LINE FOLLOWING A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 442.12', HAVING A RADIUS OF 2814.67', WITH A CHORD BEARING OF NORTH 61 DEGREES 08 MINUTES 18 SECONDS WEST, WITH A CHORD LENGTH OF 441.67';

THENCE NORTH 66 DEGREES 53 MINUTES 22 SECONDS WEST, A DISTANCE OF 563.81 FEET;

THENCE NORTH 62 DEGREES 14 MINUTES 00 SECONDS WEST, A DISTANCE OF 391.00 FEET;

THENCE NORTH 61 DEGREES 21 MINUTES 50 SECONDS WEST, A DISTANCE OF 314.99 FEET;

THENCE NORTH 58 DEGREES 12 MINUTES 03 SECONDS WEST, A DISTANCE OF 312.15 FEET;

THENCE NORTH 56 DEGREES 22 MINUTES 39 SECONDS WEST, A DISTANCE OF 58.70 FEET TO THE POINT OF BEGINNING BEING ON THE CENTERLINE OF SOUTH ROYER STREET.

CONTAINING 294,856 SQ. FEET, OR 6.769 ACRES, OF LAND MORE OR LESS.

SURVEYOR'S CERTIFICATE



BUCKLEY D. BLEW
LICENSED PROFESSIONAL LAND SURVEYOR NO. 38540
STATE OF COLORADO

BASIS OF BEARING

ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83. THE BEARING OF THE LINE BETWEEN NGS PID JK0841 (A STAINLESS STEEL ROD IN MONUMENT CASE STAMPED "Y 395 1983") AND NGS PID JK0839 (A STAINLESS STEEL ROD IN MONUMENT CASE STAMPED "S 393 1983") IS S 44°54'47" E. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES. COMBINED PROJECT SCALE FACTOR (GRID TO GROUND) IS 1.00018917943.

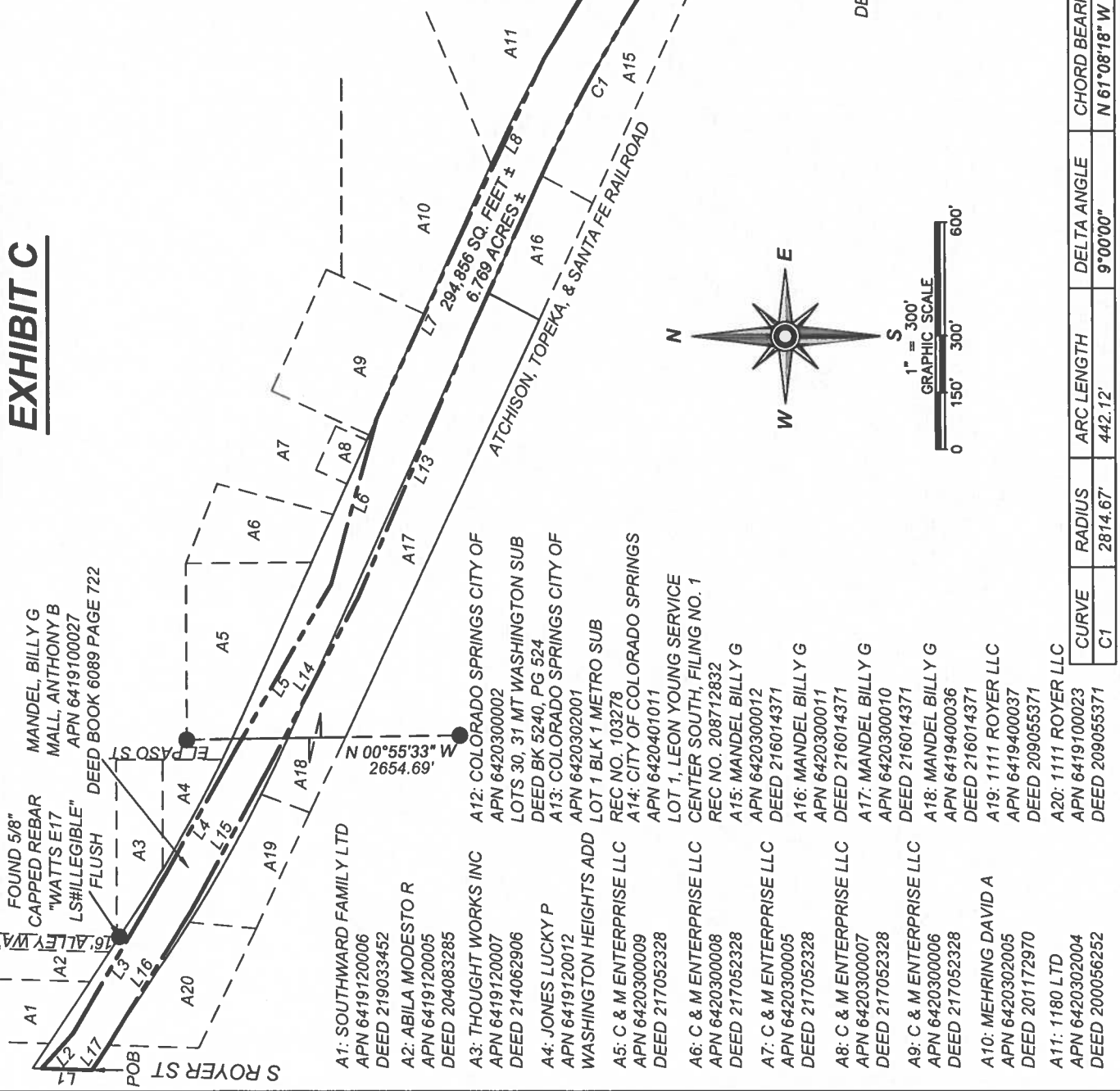
SURVEYED BY:
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EXHIBIT C

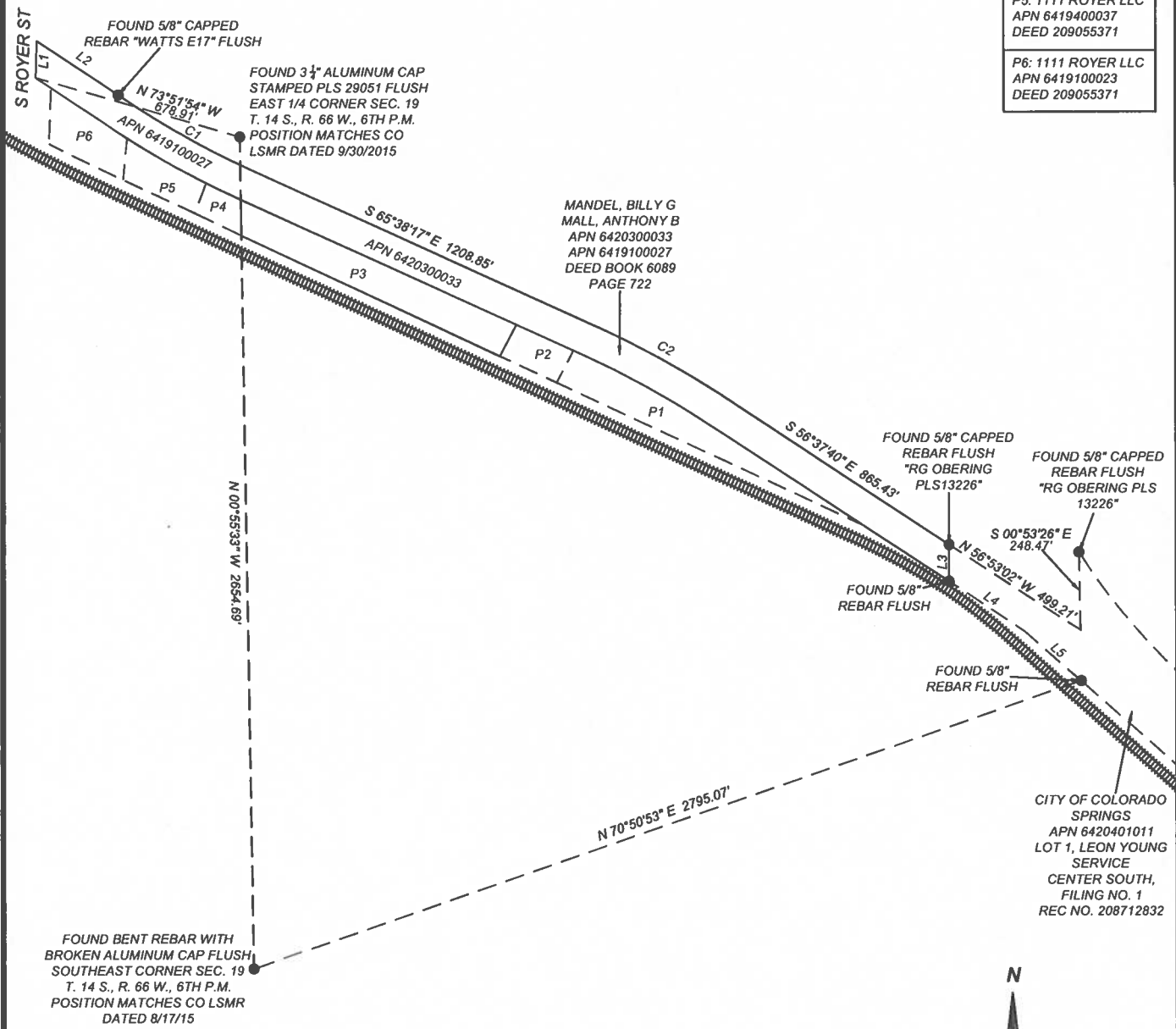
- FOUND MONUMENT AS NOTED
- POB POINT OF BEGINNING
- A(#) ADJOINER
- BOUNDARY LINE
- - - PUBLIC UTILITY EASEMENT LINE

LINE	BEARING	DISTANCE
L1	N 01°46'24" E	100.81'
L2	S 47°48'29" E	92.38'
L3	S 59°30'32" E	326.09'
L4	S 60°27'03" E	314.68'
L5	S 59°55'14" E	386.28'
L6	S 74°34'32" E	339.36'
L7	S 65°14'50" E	391.34'
L8	S 64°41'24" E	393.43'
L9	S 58°00'53" E	365.01'
L10	S 56°37'40" E	726.78'
L11	S 00°16'44" W	116.77'
L12	N 56°45'42" W	929.19'
L13	N 66°53'22" W	563.81'
L14	N 62°14'00" W	391.00'
L15	N 61°21'50" W	314.99'
L16	N 58°12'03" W	312.15'
L17	N 56°22'39" W	58.70'



MONUMENTATION DETAIL

P1: MANDEL BILLY G APN 6420300012 DEED 216014371
P2: MANDEL BILLY G APN 6420300011 DEED 216014371
P3: MANDEL BILLY G APN 6420300010 DEED 216014371
P4: MANDEL BILLY G APN 6419400036 DEED 216014371
P5: 1111 ROYER LLC APN 6419400037 DEED 209055371
P6: 1111 ROYER LLC APN 6419100023 DEED 209055371



LINE	BEARING	DISTANCE
L1	N 01° 46' 24\" E	118.57'
L2	S 56° 14' 41\" E	312.12'
L3	S 00° 16' 44\" W	116.77'
L4	S 56° 32' 23\" E	290.67'
L5	S 48° 26' 16\" E	238.17'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	2814.62'	491.27'	10° 00' 02\"	S 60° 38' 17\" E	490.65'
C2	2914.79'	457.85'	9° 00' 00\"	S 61° 08' 17\" E	457.38'

