

RESOLUTION NO. \_\_\_\_\_-23

A RESOLUTION AUTHORIZING THE ACQUISITION OF A  
0.503-ACRE PERMANENT EASEMENT FROM WELLTOWER  
COLORADO PROPERTIES, LLC, USING PPRTA FUNDS FOR  
THE WEST FILLMORE CULVERT REPLACEMENT  
PROJECT

WHEREAS, in connection with the West Fillmore Culvert Replacement Project, the City of Colorado Springs Engineering Division of the Public Works Department has identified the need to acquire a permanent easement from Welltower Colorado Properties, LLC (the "Property Owner"); and

WHEREAS, the acquisition of the Easement will allow for the replacement of the existing culvert that carries drainage under West Fillmore Street east of Mesa Road and adjacent to Coronado High School; and

WHEREAS, the City has been negotiating with the Property Owner for the acquisition of a 0.503-acre permanent public improvement easement more particularly described on Exhibit A and depicted on Exhibit B (the "Easement"); and

WHEREAS, the Property Owner has agreed to sell the Easement to the City; and

WHEREAS, the purchase price of \$121,730.00 was negotiated based upon the City's Appraisal; and

WHEREAS, The Pikes Peak Rural Transportation Authority Board is scheduled to consider the acquisition at its August 9, 2023 meeting.

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

Section 1. City Council finds the acquisition of the Property to be in the best interest of the citizens of Colorado Springs.

Section 2. Pursuant to the City of Colorado Springs Procedural Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021 ("Real Estate Manual"), City Council hereby authorizes the acquisition of the Easement for the amount of \$121,730.00 based on the appraisal plus the direct costs of the real estate transaction.

Section 3. The City of Colorado Springs Real Estate Services Manager and the Public Works Director are authorized to enter into a Memorandum of Agreement with the Property Owner and to execute all documents necessary to complete the conveyance.

Section 4. This Resolution is contingent on funding of the Purchase by the Pikes Peak Rural Transportation Authority (“PPRTA”).

Section 5. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Randy Helms, Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk