

RESOLUTION NO. \_\_\_\_\_ -25

A RESOLUTION DECLARING CITY-OWNED PROPERTY IDENTIFIED AS EL PASO COUNTY TAX SCHEDULE NUMBER 63262-08-002 AS SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL OF SUCH PROPERTY TO JAMES B. KLEIN AS THE ONE LOGICAL PURCHASER

WHEREAS, the City of Colorado Springs ("City"), on behalf of its Stormwater Enterprise ("SWENT"), owns a parcel located at 1103 Lily Place, also known by El Paso County Tax Schedule Number 63262-08-002, which is depicted on **Exhibit A**, (the "Property"); and

WHEREAS, pursuant to the *Intergovernmental Agreement Between El Paso County And The City of Colorado Springs Regarding Annexation Of And Improvements To The Park Vista South Area dated March 14, 2023, as amended* ("Park Vista IGA"), the City agreed to take ownership of certain rights of way and real property in order to address roadway and stormwater drainage infrastructure needs for the Park Vista area; and

WHEREAS, the City received ownership of the Property by way of the Quitclaim Deed recorded on May 3, 2023, in the real property records of El Paso County at Reception Number 223036080; and

WHEREAS, the City Council previously on December 10<sup>th</sup>, 2024 by Resolution No. 191-24 approved a land exchange between the City and James B. Klein that included the Property, however James B Klein later denied the land exchange and the needed parcels owned by James B Klein were purchased at the appraised value and no land exchange occurred; and

WHEREAS, the Property, in its entirety, is not needed to fulfill the City's obligations of the Park Vista IGA and desires to convey the Property to James B. Klein as the One Logical Purchaser as defined in the *City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021* ("RES Manual"); and

WHEREAS, no other City department or enterprise has expressed interest in maintaining ownership of the Property; and

WHEREAS, SWENT will reserve a public improvement easement identified in the attached **Exhibits B and C** in order to maintain stormwater drainage infrastructure; and

WHEREAS, Utilities will reserve a permanent utility easement identified in the attached **Exhibits D and E** for the existing overhead electric lines; and

WHEREAS, pursuant to Chapters 5 and 9 of the RES Manual, an independent appraisal was conducted, and the Fair Market Value of the Property was determined to be \$24,500; and

WHEREAS, Chapter 5 of the RES Manual also provides that Council may authorize the disposal of surplus property to "One Logical Purchaser" if the property is (a) not independently developable, and (b)(i) the property could reasonably be owned or maintained by only one adjacent property owner or (ii) the fair market value is less than \$100,000; and

WHEREAS, Klein is the owner of all of the land surrounding the Property and desires to purchase the Property from the City at the Fair Market Value.

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

Section 1. City Council finds the Property to be surplus and not necessary for the efficient operations of the City of Colorado Springs, is not needed by other City departments or enterprises, and the disposal of the Property is in compliance with City Code and the RES Manual.

Section 2. City Council further finds that it is appropriate and hereby authorizes the disposal of the Property to James B. Klein as the One Logical Purchaser.

Section 4. Pursuant to Chapter 2 of the RES Manual the City's Real Estate Services Manager is authorized to execute all documents necessary to complete the disposition of the Property and to obtain the Mayor's signature on the Quitclaim Deed to convey the Property to James B. Klein.

DATED at Colorado Springs, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
Council President

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