

RESOLUTION NO. -24

A RESOLUTION AUTHORIZING THE ACQUISITION OF A PERMANENT EASEMENT OF 23,940 SQUARE FEET AND A TEMPORARY CONSTRUCTION EASEMENT OF 61,969 SQUARE FEET FROM BNSF RAILWAY AND A PERMANENT EASEMENT OF 17,127 SQUARE FEET AND A TEMPORARY CONSTRUCTION EASEMENT OF 44,662 FROM UNION PACIFIC WITH FUNDING FROM THE PIKES PEAK RURAL TRANSPORTATION AUTHORITY FOR THE SOUTH CIRCLE DRIVE BRIDGE PROJECT

WHEREAS, in connection with the South Circle Drive Bridge Project, the City of Colorado Springs Engineering Division of the Public Works Department has identified the need to acquire permanent and temporary construction easements from BNSF Railway (“BNSF”) and Union Pacific (“UPRR”) (collectively the “Railroads”); and

WHEREAS, the acquisition of permanent easements totaling 41,067 square feet and temporary easements totaling 106,631 square feet as depicted in Exhibit A (collectively, the “Easements”) will allow the City to construct a wider bridge at the now-existing South Circle Drive bridge and rail crossing; and

WHEREAS, the Railroads have agreed to convey the Easements to the City; and

WHEREAS, the total purchase price of \$143,687.25 for the UPPR temporary and permanent easements was negotiated based upon UPPR’s valuation of the property; and

WHEREAS, the total purchase price of \$211,537.00 for the BNSF temporary and permanent easements was negotiated based upon BNSF’s valuation of the property and the related administrative fees; and

WHEREAS, the Public Works Department is asking City Council to waive the requirement to obtain appraisals for the Easements pursuant to the City of Colorado Springs Procedural Manual for the Acquisition and Disposition of Real Property Interests, Revised 2021 (“Real Estate Manual”); and

WHEREAS, The Pikes Peak Rural Transportation Authority Board considered and approved the acquisition at its November 8, 2023 meeting.

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

Section 1. Section 1. City Council finds the acquisition of the Easements 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 Easements for the total amount of \$355,224.25 and hereby waives the requirement to obtain an appraisal.

Section 3. The City of Colorado Springs Real Estate Services Manager and the Public Works Director are authorized execute all documents necessary to complete the conveyances.

Section 4. This Resolution is contingent on funding of the acquisition 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 _____, 2024.

Randy Helms, Council President

ATTEST:

Sarah B. Johnson, City Clerk