

RESOLUTION NO. _____-23

A RESOLUTION AUTHORIZING THE ACQUISITION OF AN 8,243 SQUARE FOOT PARCEL OF LAND FOR RIGHT-OF-WAY AND A 10,349 SQUARE FOOT TEMPORARY EASEMENT FROM VICTORY CHAPEL MINISTRIES, INC., USING PPRTA FUNDS FOR THE ACADEMY BOULEVARD – FOUNTAIN TO JET WING DRIVE PROJECT

WHEREAS, in connection with the Academy Boulevard – Fountain to Jet Wing Drive Project, the City of Colorado Springs Engineering Division of the Public Works Department has identified the need to acquire real property for right-of-way and a temporary easement from Victory Chapel Ministries, Inc. (the “Property Owner”); and

WHEREAS, the acquisition of the right-of-way and easement will allow for the realignment of Boychuk Avenue and to construct a new access to replace the one to be removed; and

WHEREAS, the City has been negotiating with the Property Owner for the acquisition of an 8,243-square foot portion of its property for right-of-way as described on Exhibit A and depicted on Exhibit B, and a 10,349-square foot temporary construction Easement described on Exhibit C and depicted on Exhibit D (the “Property”); and

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

WHEREAS, the purchase price of \$124,700.00 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 September 13, 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 \$124,700.00 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 Real Estate Purchase and Sale 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