

ORDINANCE NO. 041, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CONVEYANCE OF AN ELECTRIC LINE EASEMENT ON CITY
PROPERTY AT SOARING VISTA NATURAL AREA TO THE CITY OF LOVELAND

WHEREAS, the City of Fort Collins owns property located in southeast Fort Collins known as Soaring Vista Natural Area (the "Property"); and

WHEREAS, the City of Loveland ("Loveland") wishes to construct a duct bank for an electric transmission line connecting the Boyd Lake substation to a switch just west of Fairgrounds Avenue (the "Project") by boring under the Property for approximately 668 feet, and is requesting an easement from the City to complete this work; and

WHEREAS, the location of the proposed electric line easement, totaling .4 acres, is more particularly described in Exhibit "A", attached and incorporated herein by reference (the "Easement"); and

WHEREAS, the Easement would be 25 feet in width and run along the south edge of the Property directly adjacent to the right-of-way for County Road 30; and

WHEREAS, Loveland would pay the Natural Areas Department \$2,752.64 for the value of the easement and reimburse the Department for staff time involved in processing this request; and

WHEREAS, the Project should have minimal to no impact on the surface of the Property, and Loveland would restore any disturbed areas in compliance with the Natural Areas Department's Resource Protection Standards; and

WHEREAS, the Land Conservation and Stewardship Board, at its regular meeting on February 14, 2018, voted to recommend the City Council approve conveying the Easement to Loveland; and

WHEREAS, Section 23-111(a) of the City Code authorizes the City Council to sell, convey or otherwise dispose of any interest in real property owned by the City, provided that the City Council first finds, by ordinance, that such sale or other disposition is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby finds that the City's conveyance of the Easement to Loveland as provided herein is in the best interests of the City.

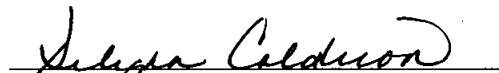
Section 3. That the Mayor is hereby authorized to execute such documents as are necessary to convey the Easement to Loveland on terms and conditions consistent with this Ordinance, together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary or appropriate to protect the interests of the City, including, but not limited to, any necessary changes to the legal descriptions of the Easement, as long as such changes do not materially increase the size or change the character of the interest to be conveyed.

Introduced, considered favorably on first reading, and ordered published this 6th day of March, A.D. 2018, and to be presented for final passage on the 20th day of March, A.D. 2018.



Mayor


ATTEST:



City Clerk




Passed and adopted on final reading on the 20th day of March, A.D. 2018.



Mayor Pro Tem

ATTEST:



City Clerk



EXHIBIT "A"

PROPERTY DESCRIPTION

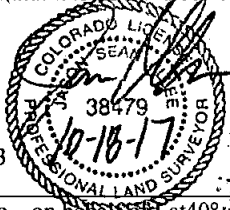
A strip of land for easement purposes, being a portion of that parcel of land as described in Special Warranty Deed recorded on October 2, 2015 at Reception No. 20150065994 within the records of Larimer County, situate in the West Half (W1/2) of Section Twenty-two (22), Township Six North (T.6N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado, being more particularly described as follows:

The South Twenty-five (25) feet of that parcel of land as described in said Special Warranty Deed.

Said strip of land contains 17,204 Sq. Ft. (0.40 Acres), more or less (+/-), and is subject to any rights-of-way or other easements of record as now existing on said described strip of land.

SURVEYORS CERTIFICATE

I, Jason S. Allee, a Colorado Licensed Professional Land Surveyor do hereby state that this Property Description was prepared by me or under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



SHEET 1 of 3

Jason S. Allee – on behalf of Lat40°, Inc.
Colorado Licensed Professional
Land Surveyor #38479

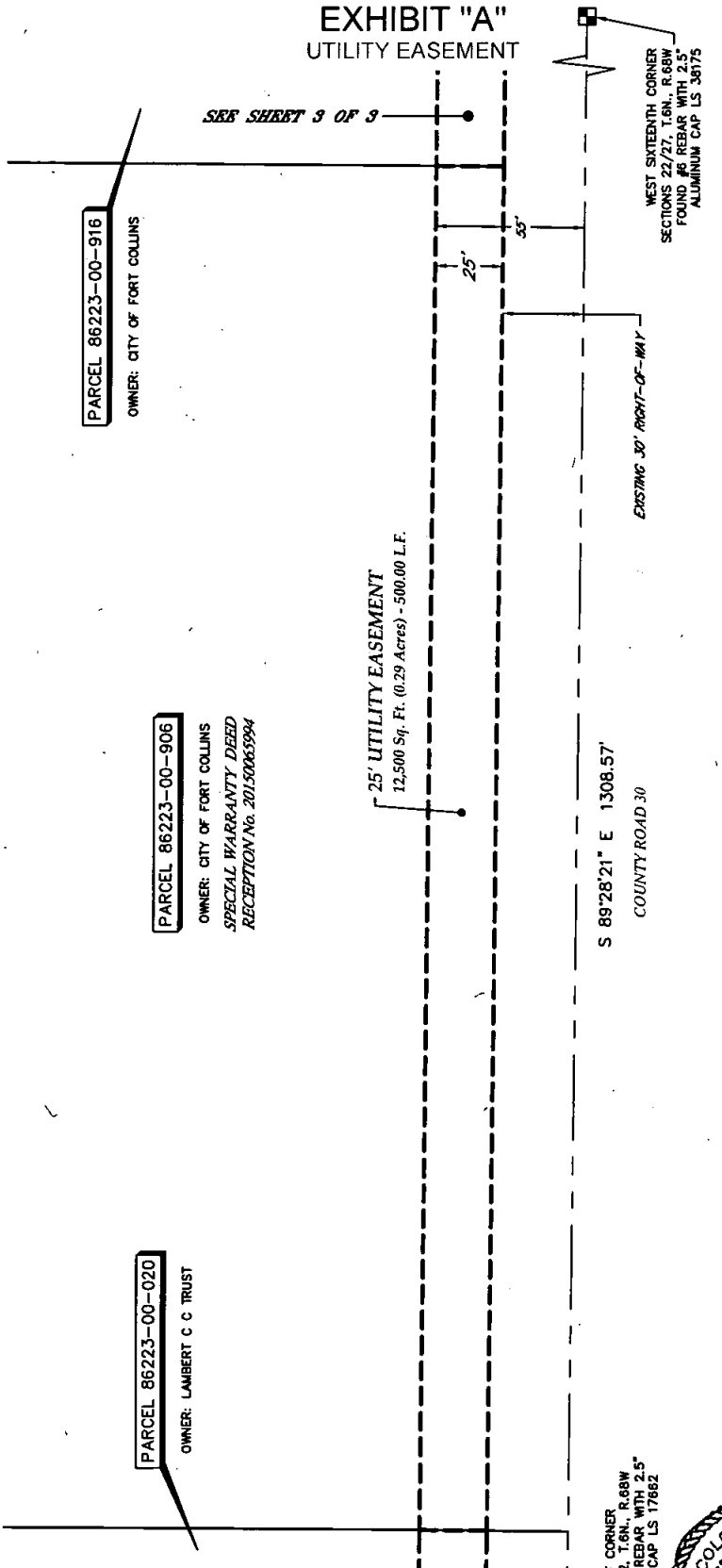
Lat40°, Inc.
Professional Land Surveyors
6250 W. 10th Street, Unit #2
Greeley, CO 80634
(970) 515-5294



Lat40°, Inc. 6250 W. 10th Street, Unit 2, Greeley, CO 970-515-5294

EXHIBIT "A" UTILITY EASEMENT

SECTION: 22
TOWNSHIP: 6N
RANGE: 68W
6TH P.M.
LARIMER COUNTY



SEE SHEET 3 OF 3

PARCEL 86223-00-916
OWNER: CITY OF FORT COLLINS

PARCEL 86223-00-906
OWNER: CITY OF FORT COLLINS
SPECIAL WARRANTY DEED
RECEPTION No. 20150063994

PARCEL 86223-00-020
OWNER: LAMBERT C C TRUST

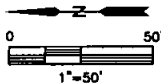
WEST SIXTEENTH CORNER
SECTIONS 22/27, T.6N., R.68W
FOUND #6 REBAR WITH 2.5"
ALUMINUM CAP LS 38175

EXISTING 30' RIGHT-OF-WAY

25' UTILITY EASEMENT
12,500 Sq. Ft. (0.29 Acres) - 500.00 L.F.

S 89°28'21" E 1308.57'
COUNTY ROAD 30

SOUTHWEST CORNER
SECTION 22, T.6N., R.68W
FOUND #6 REBAR WITH 2.5"
ALUMINUM CAP LS 17862



SHEET 2 of 3

Jason S. Allee—On behalf of Lat40°, Inc.
Colorado Licensed Professional
Land Surveyor No. 38479 DATE: 10/18/2017
PROJECT#: 2017029

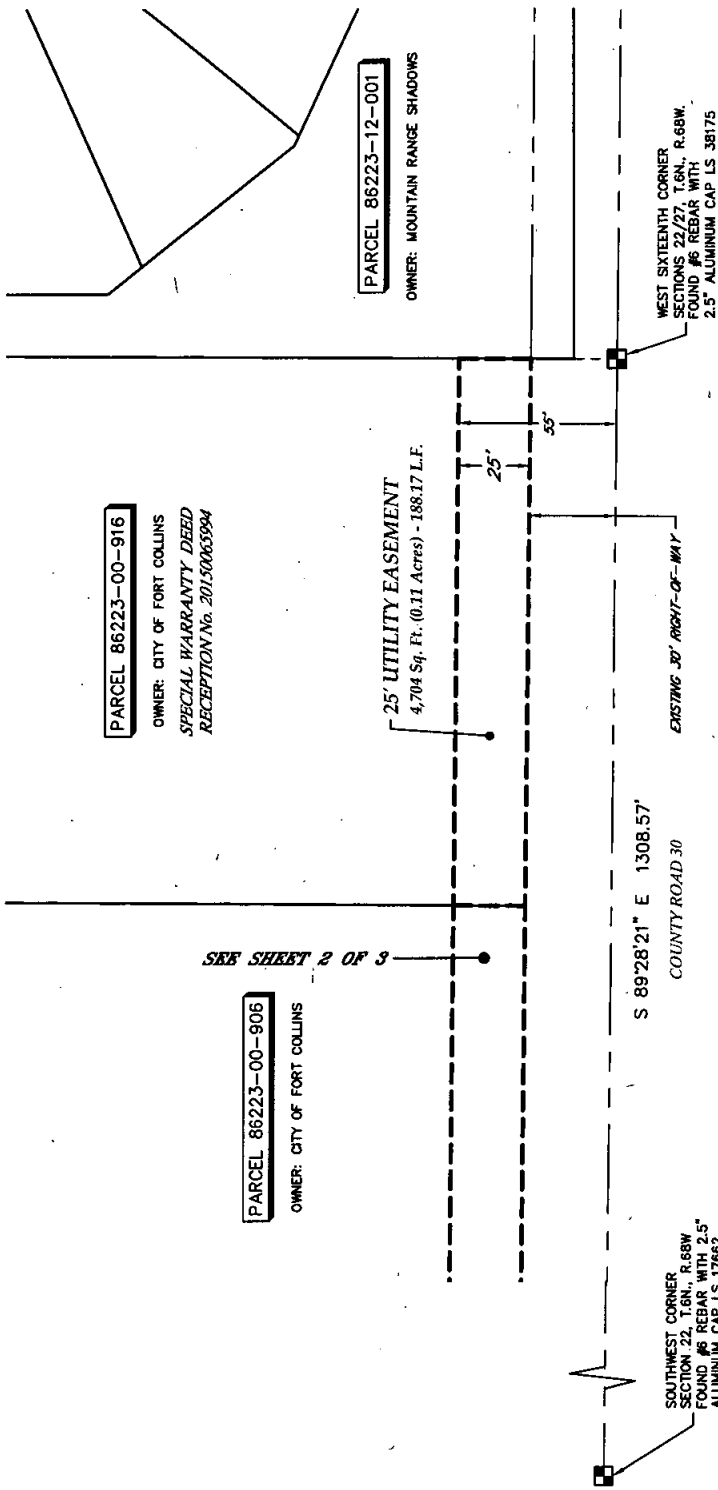
NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.



Lat40°, Inc. 6250 W. 10th Street, Unit 2, Greeley, CO 970-515-5294

EXHIBIT "A" UTILITY EASEMENT

SECTION: 22
TOWNSHIP: 6N
RANGE: 68W
6TH P.M.
LARIMER COUNTY



PARCEL 86223-00-916
OWNER: CITY OF FORT COLLINS
SPECIAL WARRANTY DEED
RECEPTION No. 20150063994

PARCEL 86223-12-001
OWNER: MOUNTAIN RANGE SHADOWS

25' UTILITY EASEMENT
4,704 Sq. Ft. (0.11 Acres) - 188.17 L.F.

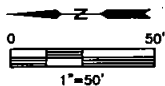
WEST SIXTEENTH CORNER
SECTIONS 22/27 T.6N. R.68W.
FOUND #6 REBAR WITH
2.5" ALUMINUM CAP LS 38175

SEE SHEET 2 OF 3

PARCEL 86223-00-906
OWNER: CITY OF FORT COLLINS

S 89°28'21" E 1308.57'
COUNTY ROAD 30

SOUTHWEST CORNER
SECTION 22, T.6N., R.68W
FOUND #6 REBAR WITH 2.5"
ALUMINUM CAP LS 17662



NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.



SHEET 3 of 3
Jason S. Allee—On behalf of Lat40°, Inc.
Colorado Licensed Professional
Land Surveyor No. 38479
DATE: 10/18/2017
PROJECT#: 2017029