

ORDINANCE NO. 2, 1995
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVE THE LEASE OF REAL PROPERTY FOR FARMING PURPOSES
TO GREG WALKER

WHEREAS, in 1990, the City of Fort Collins ("the City") purchased a 160-acre parcel of land located approximately two miles east of I-25 along the Poudre River to be used as a possible future site for a regional wastewater treatment plant ("the Property"); and

WHEREAS, in late October, 1993, the City advertised a request for proposal to lease the Property for farming purposes; and

WHEREAS, two proposals were received and a selection committee awarded the lease to Greg Walker ("Walker"); and

WHEREAS, when the City purchased the Property it granted to Craig Harrison ("Harrison") a right of first refusal pertaining to any offer to lease the Property which the City receives prior to June 1, 1997; and

WHEREAS, the City and Walker have entered into a Lease Agreement dated December 1, 1994 ("the Lease Agreement"), to lease the Property to Walker for farming purposes for a 3-year term beginning February 1, 1995, and ending January 31, 1998; and

WHEREAS, the Lease Agreement is contingent upon Council approving the Lease Agreement by adoption of an ordinance on second reading on or before January 17, 1995, and also contingent upon Harrison not exercising his right of first refusal; and

WHEREAS, Harrison has elected not to exercise his right of first refusal; and

WHEREAS, Section 23-114 of the Code of the City of Fort Collins authorizes City Council to lease the Property to Walker for a three-year term, provided the City first finds, by ordinance, that: (1) it is in the best interest of the City; (2) it will not materially impair the viability of the City's wastewater utility system as a whole; and (3) it will be for the benefit of the citizens of the City.

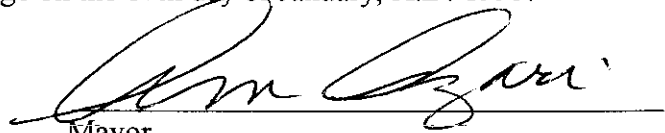
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS AS FOLLOWS:

Section 1. That the Council hereby finds that the City's lease of the Property on the terms and conditions described in the Lease Agreement are in the best interest of the City, will not materially impair the viability of the City's wastewater utility system as a whole, and will be for the benefit of the citizens of the City.

Section 2. That the Council hereby approves the Lease Agreement.


Section 3. That the Council hereby authorizes the lease of the Property to Walker on the terms and conditions set forth in the Lease Agreement.

Introduced, considered favorably on first reading, and ordered published this 3rd day of January, A.D. 1995, and to be presented for final passage on the 17th day of January, A.D. 1995.



Mayor

ATTEST:



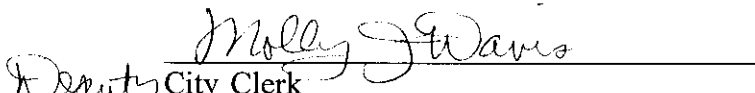
Deputy City Clerk

Passed and adopted on final reading this 17th day of January, A.D. 1995.



Mayor

ATTEST:



Deputy City Clerk