

RESOLUTION 2014-053  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING A LICENSE TO ENTER FOR THE COLORADO DEPARTMENT OF  
TRANSPORTATION TO PERFORM WORK ON CITY PROPERTY

WHEREAS, the City is the owner of a parcel of real property located at 918 East Mulberry Street, more particularly described as the Wastewater Treatment Plant #1 Subdivision and Lot 1, Springer 3rd Subdivision, and known as the Mulberry Water Reclamation Facility (the "City Property"); and

WHEREAS, the Colorado Department of Transportation (CDOT) has planned the SH 14/Mulberry Bridge Replacement Project (the "Project") to replace a bridge and construct road improvements on Mulberry Street adjacent to the City Property; and

WHEREAS, the Project will require relocating and reconstructing the east entrance to the City Property (the "Relocation Work"); and

WHEREAS, the majority of the Relocation Work will be done by City contractors, and CDOT will reimburse the City for such work pursuant to an intergovernmental agreement that is currently being negotiated; and

WHEREAS, CDOT's contractors will be doing portions of the Relocation Work including grading, asphalt paving and utility relocations; and

WHEREAS, CDOT has requested a license to enter from the City to perform its portion of the Relocation Work on the City Property; and

WHEREAS, the license area would be in the location shown on Exhibit A, attached and incorporated herein by this reference; and

WHEREAS, the license to enter would expire in December of 2016; and

WHEREAS, because the Relocation Work is a collaborative effort between the City and CDOT and will benefit the City Property, City staff recommends that CDOT not be charged a fee for the license to enter; and

WHEREAS, Article XI, Section 10 of the City Charter authorizes the City Council to permit the use or occupancy of any street, alley, or public place, provided that such permit shall be revocable by the City Council at its pleasure, whether or not such right to revoke is expressly reserved in such permit.

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

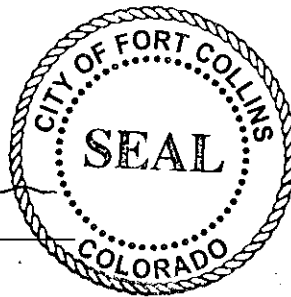
Section 1. That the City Council hereby finds and determines that the granting of a license to enter to CDOT, as described herein, is in the best interests of the City.

Section 2. That the City Manager is hereby authorized to execute such documents as are necessary to grant a license to enter to CDOT on terms and conditions consistent with this Resolution, together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or to effectuate the purposes of this Resolution, including any necessary corrections to the description of the license area that do not result in a material increase or change in character of the license area.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 1st day of July, A.D. 2014.

ATTEST:

Wanda Nelson  
City Clerk



Karen Weithorn  
Mayor

# Exhibit "A" License Area

