

RESOLUTION 94-211  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE PURCHASE OF LAND LOCATED  
AT 136 WEST LAPORTE AVENUE FOR STORMWATER UTILITY  
DEPARTMENT OFFICE SPACE AND FUTURE CITY FACILITIES

WHEREAS, the City's adopted General Government Services Strategic Facility Plan (Facility Plan) has made recommendations on future space needs for City Offices; and

WHEREAS, the future expansion of City office space should be located in the downtown area and adjacent to current City office space; and

WHEREAS, the current office space for the Stormwater Department is inadequate; and

WHEREAS, the "Old Depot Site" as more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference, would meet the Stormwater Department's current and future needs; and

WHEREAS, the existing building on the Old Depot Site has been identified by the City as an historic structure and ownership by the City would preserve its existence; and

WHEREAS, the Stormwater Department would utilize only a portion of the contained area within the Old Depot Site and the remaining portion of the same would be available for other City facilities; and

WHEREAS, the acquisition of the Old Depot Site is consistent with the City's Facility Plan; and

WHEREAS, the owner of the Old Depot Site (Trillium Corporation) has agreed to sell the Site to the City for the sum of six hundred ninety thousand dollars (\$690,000); and

WHEREAS, City staff has determined that this purchase price represents the fair market value of the property; and

WHEREAS, under Section 26-513 of the City Code, the proceeds of the City's Stormwater Utility Fee may be used to defray the costs of operating and administering the City's stormwater facilities system; and

WHEREAS, the City's Storm Drainage Board has reviewed the proposed acquisition of the Old Depot Site and has recommended that the Storm Drainage Fund contribute the amount of \$345,000 toward the purchase of said property and that another City funding source be identified for the remaining \$345,000 of the proposed purchase price of the Site; and

WHEREAS, sufficient funds have been appropriated in the Storm Drainage fund to purchase the entire Old Depot Site, with the understanding that the Storm Drainage fund will be reimbursed, with interest, for that portion of the acquisition costs which proves not to be necessary for office space for the Stormwater Department.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS, COLORADO, THAT:

Section 1. The City Manager is hereby authorized to execute an agreement with Trillium Corporation to purchase the property described on Exhibit "A", for a price not to exceed six hundred ninety thousand dollars (\$690,000); provided, however, that the City Manager first determines that said agreement provides for the equitable division of costs between the City and Trillium Corporation for meeting all environmental responsibilities associated with the property.

Section 2. That no later than January 31, 1997, the Storm Drainage Fund shall be reimbursed from other appropriate City funds for the cost of acquiring any portion of the above-described property, which, according to the then current plans for the property, will not be used for Storm Drainage purposes. The amount of said reimbursement shall include the amount of interest that would have been earned on the reimbursed principal amount had said principal amount remained in the Storm Drainage Fund. If no other appropriate City funds are available for such reimbursement on or before said date, the portion of the property which is not needed for Storm Drainage purposes shall forthwith be offered for sale by the City, and the proceeds of said sale shall be deposited into the Storm Drainage Fund.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins the 20th day of December, A.D. 1994.

  
Mayor

ATTEST:


  
Deputy City Clerk

EXHIBIT "A"

Lots 22 through 42 and the W 1/2 of Lot 43,  
Block 22,

CITY OF FORT COLLINS,

EXCEPT a strip of land .1 foot in width described as follows:

COMMENCING at a point which is 12.5 feet West of the Southeast  
corner of Lot 43, in Block 22, in the CITY OF FORT COLLINS;

thence North parallel to the East line of said Lot 43, 150 feet  
to the North line of said lot;

thence West .1 foot;

thence South parallel to the East line of said Lot 43, 150 feet  
to the South line of said lot;

thence East .1 foot to the POINT OF BEGINNING, as conveyed by  
deed recorded November 5, 1975 in Book 1671 at Page 405 and being

TOGETHER WITH the vacated alley as vacated by Ordinance No. 6

recorded October 9, 1952 in Book 939 at Page 24, and being

TOGETHER WITH the right to occupy, possess and use for railroad  
purposes that part of Laporte Ave. described as follows:

BEGINNING at the Southwest corner of Block 22, in the Town of  
Fort Collins;

thence running South along the West line of said Block 22 produced,  
50 feet;

thence East parallel with the South line of said Block 22, 70 feet;

thence Northeasterly to a point in the South line of said Block 22,  
150 feet East from the Southwest corner of said Block;

thence West along said South line of Block 22, 150 feet to the  
POINT OF BEGINNING, as provided for in said Ordinance No. 6

recorded October 9, 1952 in Book 939 at Page 24.