

ORDINANCE NO. 039, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE SALE OF SEVEN WATER TAPS AND ONE
SEWER TAP OWNED BY THE CITY'S NATURAL AREAS DEPARTMENT

WHEREAS, the City is the owner of seven parcels of property as more particularly identified on Exhibit "A", attached and incorporated herein by reference (the "Properties"); and

WHEREAS, the Properties were acquired over approximately the last ten years by the City's Natural Areas Department ("NAD"); and

WHEREAS, each of the Properties has a Fort Collins/Loveland Water District water tap associated with it, and one of the Properties also has a South Fort Collins Sanitation District sewer tap (the "Taps"), as shown on Exhibit A; and

WHEREAS, the Taps can be sold or transferred to other land owners under certain conditions, and NAD would like to sell the Taps because it does not need them for the Properties, and it is having to pay monthly fees for the Taps totaling approximately \$1,425 per year; and

WHEREAS, NAD has confirmed that no other City departments have a use for the Taps, so it would like to sell the Taps on the open market to the highest bidder or bidders; and

WHEREAS, Section 23-111(a) of the City Code authorizes the City Council to sell or otherwise dispose of any and all interests in real property owned in the name of 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; and

WHEREAS, Section 23-110 of the City Code defines "real property" to include not just land but also buildings, permanent structures and any and all easements, incorporeal hereditaments and every estate and right therein; and

WHEREAS, City staff is recommending the Taps be sold and is requesting Council authorization to do so because the Taps are intangible rights currently annexed to particular real properties; and

WHEREAS, at its regular meeting on February 13, 2019, the Land Conservation and Stewardship Board voted to recommend the City Council authorize the sale of the Taps.

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 sale of the Taps as provided herein is in the best interests of the City.

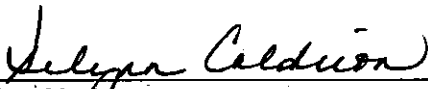
Section 3. That the City Manager is hereby authorized to sign such documents as are necessary to convey the Taps on terms and conditions consistent with this Ordinance, together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary or appropriate to protect the interests of the City.

Introduced, considered favorably on first reading, and ordered published this 5th day of March, A.D. 2019, and to be presented for final passage on the 19th day of March, A.D. 2019.



Mayor

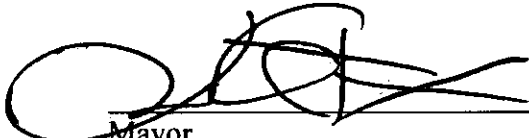
ATTEST:



City Clerk



Passed and adopted on final reading on the 19th day of March, A.D. 2019.

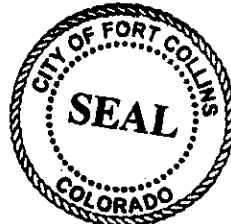


Mayor

ATTEST:



City Clerk



NATURAL AREA:	PROPERTY LOCATION:	DISTRICT ACCOUNT NUMBER:
1. Coyote Ridge	8161 CRD 19	#3129200-01
2. Fossil Creek	2500 E. CRD 30	#25131480-02
3. Hazaleus	6132 S. Shields	#3182002-01
4. Eagle View	4112 E. CRD 34 E.	#1213051-01
5. Red Fox Meadows	Prospect and Taft Hill	#1128031-01
6. Red Fox Meadows	Prospect and Taft Hill	#1128041-01
7. Prairie Dog Meadows	6317 Kyle Avenue	#04332900-02 (water and sewer taps)