

ORDINANCE NO. 051, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE SALE OF REAL PROPERTY LOCATED ADJACENT
TO THE UTILITIES SERVICE CENTER AT 700 WOOD STREET

WHEREAS, in November 1998, the City purchased 1.7 acres of real property from the Burlington Northern & Santa Fe Railway Company, which land is adjacent to the City's Utilities Service Center located at 700 Wood Street; and

WHEREAS, the 1.7 acres was purchased to facilitate the Utilities Service Center Master Development Plan; and

WHEREAS, the 1.7 acres is also adjacent to real property located at 525 North Whitcomb Street; and

WHEREAS, at some point after 2009, the current owners of 525 North Whitcomb Street, Colleen and Peter Scholz, constructed an outbuilding on 1,680 square feet of the City-owned property (the "Property"); and

WHEREAS, the City has no current or future identified use for the Property; and

WHEREAS, because there is no foreseeable City use of the Property, staff is recommending the Property be sold to the Scholzes and the proceeds be placed in the Light and Power Fund; and

WHEREAS, staff has identified the fair market value of the Property to be \$6,270; and

WHEREAS, Section 23-111 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 the City Council first finds, by ordinance, that such sale or other disposition is in the best interests of the City and, for real property that is part of the City's utility systems, that the disposition will not materially impair the viability of that utility system as a whole and 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 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 Property to Colleen and Peter Scholz as provided herein is in the best interests of the City, will not impair the viability of the City's utility systems, and will be for the benefit of the citizens of the City.

Section 3. That the Mayor is hereby authorized to execute a deed and such other documents as are necessary to convey the Property to the Scholzes on terms and conditions consistent with this Ordinance, together with such other additional terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary and appropriate to protect the interests of the City or effectuate the purposes of this Ordinance, including but not limited to any necessary changes to the legal description of the Property, as long as such changes do not materially increase the size of the parcel to be conveyed.

Introduced, considered favorably on first reading, and ordered published this 7th day of April, A.D. 2020, and to be presented for final passage on the 21st day of April, A.D. 2020.

DocuSigned by:
Wade Trossell
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Mayor

ATTEST:

DocuSigned by:
Silvan Calderon
DA94896740DA4BA...

City Clerk

Passed and adopted on final reading on the 21st day of April, A.D. 2020.

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Wade Trossell
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