

ORDINANCE NO. 099, 2020  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE CONVEYANCE OF AN EMERGENCY ACCESS  
EASEMENT ON 2554 MIDPOINT DRIVE TO 2536 MIDPOINT DRIVE, LLC

WHEREAS, the City is the owner of a parcel of land located at 2554 Midpoint Drive, Fort Collins, Colorado (the "City Property"); and

WHEREAS, 2536 Midpoint Drive, LLC (the "LLC") owns a parcel of land adjacent to the City Property and located at 2536 Midpoint Drive, Fort Collins, Colorado (the "LLC Property"); and

WHEREAS, the LLC has submitted construction plans to the City for improvements on the LLC Property and, as part of the development approval process, the LLC must include a fire lane for emergency access; and

WHEREAS, because the length of this fire lane exceeds 150 feet, Poudre Fire Authority requires that a turnaround be constructed at the end of the fire lane or that an easement be established to allow the use of the existing drive aisle on the adjacent City Property; and

WHEREAS, the LLC has requested an easement on the City Property to allow for such use, in the location shown and described on Exhibit "A", attached and incorporated by this reference (the "City Easement"); and

WHEREAS, in exchange for the City's granting of the City Easement; the LLC will grant to the City a nearly identical easement on the LLC Property for emergency access, the location of which is also shown on Exhibit "A" (the "LLC Easement"); and

WHEREAS, the LLC Easement will benefit the City by allowing improved access for fire trucks and other emergency vehicles onto the City Property; and

WHEREAS, because the City Easement and the LLC Easement are nearly identical, the mutual conveyance of the easements is an equal value exchange requiring no monetary consideration; and

WHEREAS, Section 23-111(a) of the City Code authorizes the City Council to sell, convey, or otherwise dispose of any interests 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.

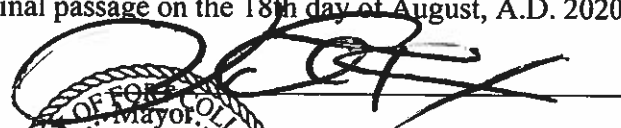
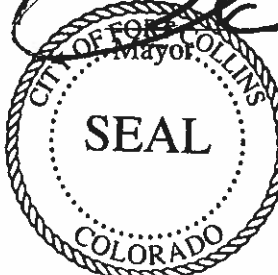
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

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 conveyance of the City Easement to the LLC as provided herein is in the best interests of the City.

Section 3. That the Mayor is hereby authorized to execute such documents as are necessary to convey the City Easement to the LLC 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 or effectuate the purposes of this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 4th day of August, A.D. 2020 and to be presented for final passage on the 18th day of August, A.D. 2020.

  
The seal is circular with a rope-like border. The text "CITY OF FORT COLLINS" is written along the top inner edge, "SEAL" is in the center, and "COLORADO" is along the bottom inner edge.

ATTEST:

  
City Clerk

Passed and adopted on final reading on this 18th day of August, A.D. 2020.

  
Mayor

ATTEST:

  
City Clerk

The seal is circular with a rope-like border. The text "CITY OF FORT COLLINS" is written along the top inner edge, "SEAL" is in the center, and "COLORADO" is along the bottom inner edge.

# PLS Corporation

Surveying • Mapping

532 W. 66<sup>th</sup> Street • Loveland, Colorado 80538

970.669.2100 office • 970.669.3652 fax

## EASEMENT DESCRIPTION:

An Emergency Access Easement being 24.0 feet in width (being 12.0 feet either side of the below described centerline), over and across Lots 20 & 21 of Prospect Industrial Park, according to the plat thereof recorded April 25, 1979 under Instrument No. 303647 in the records of the Clerk and Recorder of Larimer County, Colorado; the same being situate in the Northwest Quarter of Section 20, Township 7 North, Range 68 West, of the 6<sup>th</sup> P.M., County of Larimer, State of Colorado, and being more particularly described as follows:

Considering the common line between Lots 20 & 21 of said Prospect Industrial Park as bearing South 49°46' West, per aforementioned plat, and with all bearings contained herein lying relative thereto:

COMMENCING from the Westerly corner common to said Lots 20 & 21, said point also lying along the Easterly right-of-way of Midpoint Drive; thence Northwesterly 30.00 feet along said right-of-way and the arc of a curve, concave Easterly, having radius of 757.27 feet, the long chord of which bears North 39°04'56" West 30.00 feet, said point being the POINT OF BEGINNING; THENCE departing said right-of-way and running parallel to the line common to said Lots 20 & 21, North 49°46' East 194.76 feet to the beginning of a curve, concave Southwesterly, having radius 30.00 feet, the long chord of which bears South 40°14' East 60.00 feet; THENCE along the arc of said curve, 94.24 feet to the terminus of said curve; THENCE running parallel to the line common to said Lots 20 & 21, South 49°46' West 194.78 feet, more or less, to a point on said Easterly right-of-way of Midpoint Drive and the POINT OF TERMINUS;

The sidelines of said easement are to be lengthened and/or shortened to terminate at said Easterly right-of-way line of Midpoint Drive.

Prepared by:  
Chase J. Corbridge  
Colorado PLS 38405

For and on behalf of:  
PLS Corporation



# PLS Corporation

Surveying • Mapping  
532 W. 66<sup>th</sup> Street • Loveland, Colorado 80538  
970.669.2100 office • 970.669.3652 fax

EASEMENT EXHIBIT:

