

ORDINANCE NO. 123, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CONVEYANCE OF A PERMANENT WATERLINE EASEMENT
AND A TEMPORARY CONSTRUCTION EASEMENT ON MEADOW SPRINGS RANCH
TO THE NORTHERN COLORADO WATER ASSOCIATION

WHEREAS, the City is the owner of real property located north of Fort Collins in Larimer County and Weld County known as Meadow Springs Ranch (the "City Property"); and

WHEREAS, the Property is managed by the City's Wastewater Utility as a site for land application of biosolids, and is also a working cattle ranch; and

WHEREAS, the Northern Colorado Water Association ("NCWA") owns three water storage tanks located in an easement on the Larimer County portion of the City Property in Section 23, Township 11N, Range 68W of the 6th P.M. west of Carr, Colorado that connect to its existing distribution system through water transmission mains constructed in the early 1960s; and

WHEREAS, NCWA first contacted the City in 2009 about obtaining an easement to install a redundant transmission main, a portion of which would cross the City Property, to improve reliability to NCWA's members, as its existing transmission mains cross several floodplains and are vulnerable to damage; and

WHEREAS, because NCWA's infrastructure is surrounded by the City Property, NCWA cannot build a new, safer waterline without crossing the City Property in some location; and

WHEREAS, the location of the proposed waterline easement is shown and described on Exhibit "A", attached and incorporated herein by reference (the "Easement"); and

WHEREAS, NCWA is also requesting a temporary construction easement through December, 2021, to allow construction of the new waterline, as shown and described on Exhibit "B", attached and incorporated herein by reference (the "TCE"); and

WHEREAS, NCWA would pay the City fair market value of \$656.28 for the TCE and \$3285 for the Easement, plus a \$6,600 vegetation management fee for the cost of reseeding and revegetating the easement areas following construction of the waterline; and

WHEREAS, Section 23-111 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 and, for real property that is part of a City utility system, 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; and

WHEREAS, at its regular meeting on September 20, 2020, the Water Board voted to recommend City Council approve the conveyance of the Easement.

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 Easement and TCE to NCWA as provided herein is in the best interests of the City, will not materially impair the viability of the City's Wastewater Utility as a whole, and will be for the benefit of the citizens of the City.

Section 3. That the Mayor is hereby authorized to execute such documents as are necessary to convey the Easement and TCE to NCWA 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, including any necessary corrections to the legal descriptions of the Easement or TCE, as long as such changes do not materially increase the size or change the purpose of the interests to be conveyed.

Introduced, considered favorably on first reading, and ordered published this 6th day of October, A.D. 2020 and to be presented for final passage on the 20th day of October, A.D. 2020.


Mayor

ATTEST:


City Clerk



Passed and adopted on final reading on this 20th day of October, A.D. 2020.


Mayor

ATTEST:


City Clerk / Chief Deputy



DESCRIPTION

EXHIBIT A

DESCRIPTION

A PORTION OF THE LAND DESCRIBED AT RECEPTION NO. 93091867 AND 91006161, ON FILE AT THE LARIMER COUNTY CLERK AND RECORDER, LOCATED IN SECTION 22, 23 AND 27, TOWNSHIP 11 NORTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, BEING A STRIP OF LAND 30 FEET WIDE LYING 15 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE:

CONSIDERING THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 11 NORTH, RANGE 68 WEST OF THE 6TH P.M. AS BEARING NORTH 89°18'04" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22, THENCE ALONG THE WEST LINE OF SAID SECTION 23 NORTH 00°00'00" WEST, 15.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°18'04" EAST, 150 FEET; THENCE SOUTH 82°32'29" EAST, 2351.49 FEET; THENCE NORTH 41°11'12" EAST, 405.60 FEET; THENCE NORTH 51°19'58" EAST, 195.84 FEET; THENCE NORTH 46°24'10" EAST, 221.55 FEET; THENCE NORTH 48°22'01" EAST, 184.05 FEET; THENCE NORTH 44°59'56" EAST, 216.00 FEET; THENCE NORTH 46°58'43" EAST, 209.02 FEET; THENCE NORTH 50°49'11" EAST, 177.53 FEET; THENCE NORTH 48°21'46" EAST, 214.72 FEET; THENCE NORTH 41°10'54" EAST, 243.35 FEET; THENCE NORTH 43°31'53" EAST, 210.62 FEET; THENCE NORTH 49°05'00" EAST, 202.29 FEET; THENCE NORTH 46°43'56" EAST, 178.34 FEET; THENCE NORTH 82°25'35" EAST, 642.65 FEET; THENCE SOUTH 87°40'39" EAST, 218.81 FEET; THENCE NORTH 89°39'17" EAST, 119.37 FEET; THENCE SOUTH 80°58'49" EAST, 249.10 FEET; THENCE NORTH 89°39'50" EAST, 215.04 FEET; THENCE NORTH 89°39'48" EAST, 192.04 FEET; THENCE NORTH 86°58'04" EAST, 215.31 FEET; THENCE NORTH 76°45'09" EAST, 181.24 FEET; THENCE NORTH 71°25'24" EAST, 129.38 FEET; THENCE NORTH 89°39'42" EAST, 238.10 FEET; THENCE NORTH 89°39'40" EAST, 215.07 FEET; THENCE NORTH 76°11'04" EAST, 173.76 FEET TO THE TERMINUS OF SAID LINE, SAID TERMINUS POINT BEARS SOUTH 48°45'57" WEST, 2574.39 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 22.

THE SIDELINES OF THE STRIP ARE LENGTHENED OR FORESHORTENED TO MEET THE WEST LINE OF SAID SECTION 22.

THE ABOVE DESCRIBED STRIP OF LAND CONTAINS 238,511 S.F. (5.476 AC.) MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY NOW ON RECORD OR EXISTING.



Michael David Lang
MICHAEL DAVID LANG, PLS
COLORADO REGISTRATION NO. 37053
RIDGETOP ENGINEERING AND SURVEYING



LEGAL DESCRIPTION
SEC. 22 & 23, T11N, R68W, 6TH P.M.
COUNTY OF LARIMER STATE OF
COLORADO

Project: 19-095-002
Drawing: PESMT1-2
Field Date:
Crew:
Drafted By: MM
Date: 08/12/20
Revised:

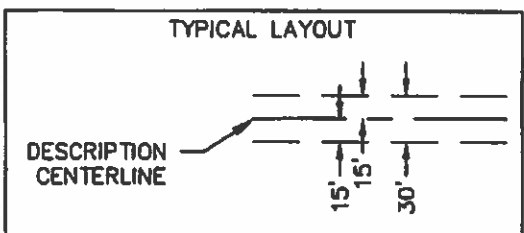
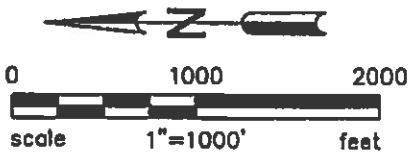
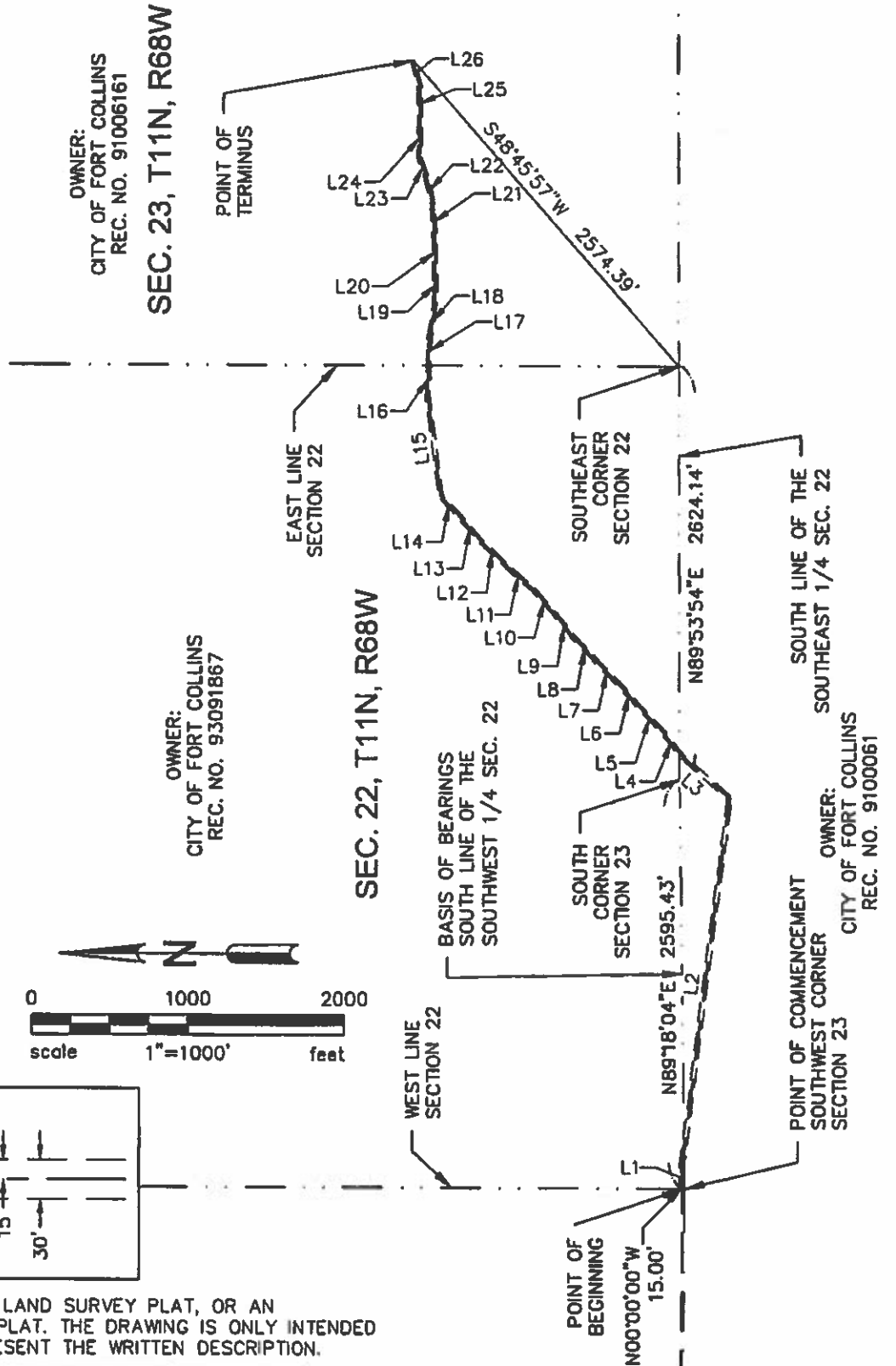
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DESCRIPTION EXHIBIT

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°18'04"E	150.00'
L2	S82°32'29"E	2351.49'
L3	N41°11'12"E	405.60'
L4	N51°19'58"E	195.84'
L5	N46°24'10"E	221.55'
L6	N48°22'01"E	184.05'
L7	N44°59'56"E	216.00'
L8	N46°58'43"E	209.02'
L9	N50°49'11"E	177.53'
L10	N48°21'46"E	214.72'
L11	N41°10'54"E	243.35'
L12	N43°31'53"E	210.62'
L13	N49°05'00"E	202.29'
L14	N46°43'56"E	178.34'
L15	N82°25'35"E	642.65'
L16	S87°40'39"E	218.81'
L17	N89°39'17"E	119.37'
L18	S80°58'49"E	249.10'
L19	N89°39'50"E	215.04'
L20	N89°39'48"E	192.04'
L21	N86°58'04"E	215.31'
L22	N76°45'09"E	181.24'
L23	N71°25'24"E	129.38'
L24	N89°39'42"E	238.10'
L25	N89°39'40"E	215.07'
L26	N76°11'04"E	173.76'



NOTE: THIS EXHIBIT IS NOT A LAND SURVEY PLAT, OR AN IMPROVEMENT SURVEY PLAT. THE DRAWING IS ONLY INTENDED TO GRAPHICALLY REPRESENT THE WRITTEN DESCRIPTION.



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 SEC. 22 & 23, T11N, R68W, 6TH P.M.
 COUNTY OF LARIMER STATE OF COLORADO

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 Field Date:
 Crew:
 Drafted By: MM
 Date: 08/12/20
 Revised:

Sheet:
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DESCRIPTION

EXHIBIT B

DESCRIPTION

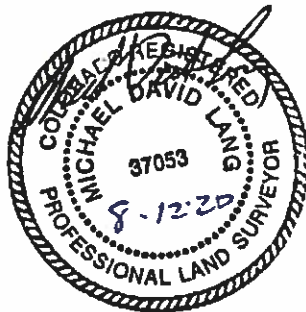
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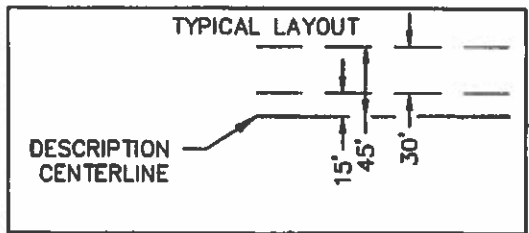
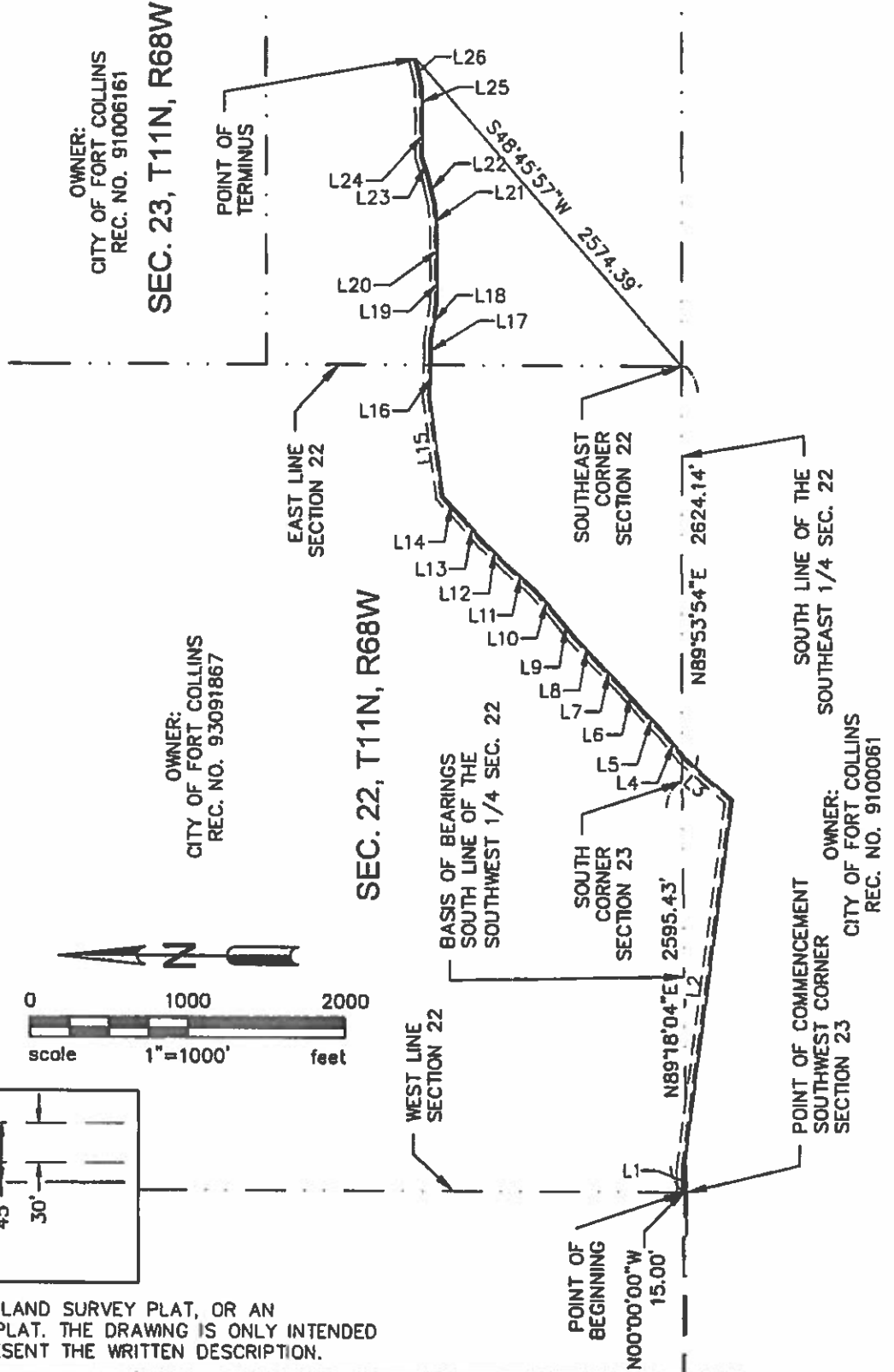
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Drawing: TESMT1-2
Field Date:
Crew:
Drafted By: MM
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Revised:

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