

RESOLUTION 89- 173
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE MAYOR TO EXECUTE AN
AGREEMENT GRANTING NON-EXCLUSIVE EASEMENTS TO
BRUCE H. DAVIDSON AND KIMBERLY VANDERPOOL-DAVIDSON

WHEREAS, the City is the owner of a small tract of land located in the Northwest Quarter of Section 5, Township 7 North, Range 69 West of the 6th P.M., Larimer County, Colorado, a portion of which constitutes part of Michaud Lane and a portion of which lies south of and adjacent to Michaud Lane; and

WHEREAS, Bruce H. Davidson and Kimberly Vanderpool-Davidson are the owners of vacant land which lies south of and adjacent to the City's property; and

WHEREAS, it is reasonably necessary that the City be allowed to grant and convey to the Davidsons certain non-exclusive easements across the City's property, as shown on Exhibit A attached hereto and incorporated herein by this reference, in order to provide the Davidsons with access to their property from Michaud Lane and the ability to install underground utilities from Michaud Lane onto their property; and

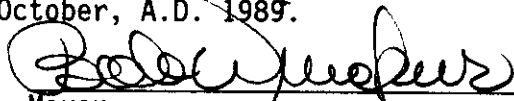
WHEREAS, the reasonable value of such non-exclusive easements is \$10.00; and

WHEREAS, the Davidsons' use of the non-exclusive easements will not interfere with the City's continued use of its property; and

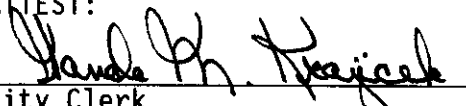
WHEREAS, the City Council finds that such non-exclusive easements are not used, intended or needed for municipal purposes nor secured for the purpose of being used for municipal purposes and that it is in the best interest of the City that the non-exclusive easements be granted to the Davidsons.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Mayor be, and he hereby is, authorized to execute an Agreement conveying the non-exclusive easements shown on Exhibit A to Bruce H. Davidson and Kimberly Vanderpool-Davidson.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 3rd day of October, A.D. 1989.



Mayor

ATTEST:


City Clerk

UTILITY EASEMENT LOCATION:

A tract of land located in the Northwest quarter of Section 5, Township 7 North, Range 69 West, of the 6th P.M. of Larimer County, Colorado, being more particularly described as follows:

Considering the North line of the said Northwest quarter of Section 5 as bearing South 89°29'05" East and with all bearings contained herein relative thereto:

Commencing at the Northwest corner of said Section 5, the TRUE POINT OF BEGINNING of this description; thence along the said North line, South 89°29'05" East 491.91 feet to the East boundary of that certain tract of land as described in Book 1825 Page 0731 records of the Clerk and Recorder of said Larimer County; thence along the said East boundary, South 00°30'55" West 23.50 feet to the approximate location of the existing fence; thence more or less along the said existing fence, North 89°29'05" West 375.82 feet; thence continuing more or less along the said fence, South 70°45'13" West 19.22 feet to a line which is 30.00 feet (measured at right angles) South of and parallel with the said North line of the Northwest quarter; thence along said parallel line, North 89°29'05" West 97.72 feet to the West line, North 00°00'47" West 30.00 feet to the point of beginning.

The above described tract contains 0.2813 acres and is subject to all easements and rights-of-way now existing or of record.