

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 11

DATE: April 15, 2003

FROM: Ralph Campano
Dean Klinger

SUBJECT:

Second Reading of Ordinance No. 055, 2003, Authorizing Acquisition by Eminent Domain Proceedings of Certain Lands Necessary for the Construction of Public Improvements in Connection with the North College Improvements Project.

RECOMMENDATION:

Staff recommends adoption of the Ordinance on Second Reading.

EXECUTIVE SUMMARY:

The North College Improvements Project includes the addition of sidewalks, off-street bike lanes, a trail connection, access improvements, center medians, curb and gutter, drainage improvements, signal improvements, lighting improvements and roadway construction on North College Avenue from Jefferson to approximately 300 feet north of Burlington Northern Railroad crossing.

On February 18, 2003, Council unanimously adopted Ordinance No. 027, 2003, authorizing the use of eminent domain to acquire certain lands for the construction of the public improvements. Ordinance No. 055, 2003, which was unanimously adopted on First Reading on April 1, 2003, amends the legal description of specific property interests to be acquired from Earnest T. Garner and Marilyn S. Garner.

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 17

DATE: April 1, 2003

STAFF: Ralph Campano
Dean Klinger

SUBJECT:

First Reading of Ordinance No. 055, 2003, Authorizing Acquisition by Eminent Domain Proceedings of Certain Lands Necessary for the Construction of Public Improvements in Connection with the North College Improvements Project.

RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading.

COPY

FINANCIAL IMPACT:

Property acquisition costs will be covered by available funds.

COPY

EXECUTIVE SUMMARY:

The North College Improvements Project includes the addition of sidewalks, off-street bike lanes, a trail connection, access improvements, center medians, curb and gutter, drainage improvements, signal improvements, lighting improvements and roadway construction on North College Avenue from Jefferson to approximately 300 feet north of Burlington Northern Railroad crossing.

Ordinance No. 027, 2003 authorized the use of eminent domain to acquire certain lands for the construction of the public improvements. This Ordinance amends the legal description of specific property interests to be acquired from Earnest T. Garner and Marilyn S. Garner.

BACKGROUND:

As the final design was completed for this project, the City's surveyors identified a small parcel of land that is necessary for the project and is located on property owned by the Garners. This parcel of land was not described in Ordinance No. 027, 2003. This Ordinance authorizes the acquisition by eminent domain of the Garner property, including the additional parcel of land.

The City continues to negotiate in good faith to reach a mutually acceptable agreement with the Garners for the purchase of the property interests needed for construction of the project.