

# AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 23

DATE: May 18, 1999

STAFF: Mills/  
Shoemaker

## SUBJECT:

First Reading of Ordinance No. 86, 1999, Authorizing the Conveyance of a Non-Exclusive Easement for a Sanitary Sewerline on Riverbend Ponds Natural Area to the Boxelder Sanitation District.

## RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading.

## FINANCIAL IMPACT:

The District will bear all costs associated with the construction and restoration of the sewerline improvements and will also compensate the City \$500, which reflects the minimal fair market value of the easement plus administrative costs of processing the easement.

## EXECUTIVE SUMMARY:

Countryside Park Subdivision, which is located north of the Riverbend Ponds Natural Area, was originally designed as a mobile home park and is one of the oldest areas served by the Boxelder Sanitation District. Consequently, the existing sewer lines were engineered with some 45° angles that have the potential to cause service disruption to Countryside Park and Mulberry Commercial Park users. The District is requesting a 20' easement (.0061 acres) on Riverbend Ponds Natural Area for a sewerline extension that will tie into an existing 30' sewerline to alleviate the problem. Natural Area staff has approved the project.

ORDINANCE NO. 86, 1999  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE CONVEYANCE OF  
A NON-EXCLUSIVE EASEMENT FOR  
A SANITARY SEWERLINE ON RIVERBEND PONDS  
NATURAL AREA TO THE BOXELDER SANITATION DISTRICT

WHEREAS, the City of Fort Collins is the owner of that certain parcel of real property located in Larimer County, Colorado, known as the Riverbend Ponds Natural Area ("the Property"); and

WHEREAS, the Boxelder Sanitation District wishes to acquire a non-exclusive sewer line easement under and through a portion of the Property as described on Exhibit "A", attached hereto and incorporated herein by this reference ("the Easement"), for a sanitary sewerline extension to improve service to Countryside Park Subdivision and Mulberry Commercial Park users; and

WHEREAS, in exchange for the Easement, Boxelder Sanitation District has agreed to pay to the City the amount of \$500; and

WHEREAS, Section 23-111 of the City Code provides that the City Council is authorized to sell, convey or otherwise dispose of real property owned by the City, provided the Council first finds by ordinance that any sale or other disposition of real property owned by the City is in the best interest of the City of Fort Collins.

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

Section 1. That the conveyance of the Easement is in the best interest of the City of Fort Collins.

Section 2. That the Mayor is authorized to execute such documents of conveyance as are necessary to convey the Easement interest to Boxelder Sanitation District upon the terms and conditions described above.

Introduced, considered favorably on first reading, and ordered published this 18th day of May, A.D. 1999, and to be presented for final passage on the 1st day of June, A.D. 1999.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 1st day of June, A.D. 1999.

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Mayor

ATTEST:

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City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION  
OF  
A PROPOSED SEWER LINE EASEMENT  
SOUTH OF COUNTRYSIDE PARK PHASE TWO

Located in the North half of Section 17, Township 7 North, Range 68 West in Larimer County Colorado. From the P.O.B., the Southwest Corner of Lot #113 from the Plat of Countryside Park Phase Two, Hence S75d57'00"E 17.10 Feet along the South line of Lot #113 to the start of a 20 Foot Easement. Hence S75d57'00"E 8.18 Feet to a point. Hence N12d01'30"W 11.77 Feet to a point. Hence S88d15'00"E 13.79 Feet to a point. Hence S5d06'14"E 18.97 Feet to a point. Hence N77d43'22"W 20.96 Feet to a point. Hence N5d05'14"W 5.28 Feet to the Starting point of the Easement. Hence N75d57'00"W 17.10 Feet to the Southwest Corner of Lot #113, the P.O.B.

# BOXELDER SANITATION DISTRICT SEWER LINE EASEMENT (2709 Cherly)

