

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 18

DATE: January 19, 1999

STAFF: Tom Shoemaker/
Ron Mills

SUBJECT:

First Reading of Ordinance No. 13, 1999, Authorizing the Grant of a Non-Exclusive Utility Easement on the Ute-Snowy Ridge Property to the South Fort Collins Sanitation District.

RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading.

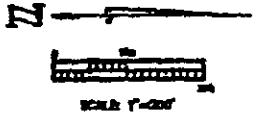
FINANCIAL IMPACT:

The negotiated fee for conveying the non-exclusive permanent utility easement is \$600, which reflects the minimal fair market value of the easements, plus administrative costs of processing the easement. The City's share of this amount will be \$200 and will be paid to the Natural Areas Fund. All costs associated with the construction of the sewer line, and restoration of the Property will be paid for by the developer of the Shenandoah P.U.D.

EXECUTIVE SUMMARY:

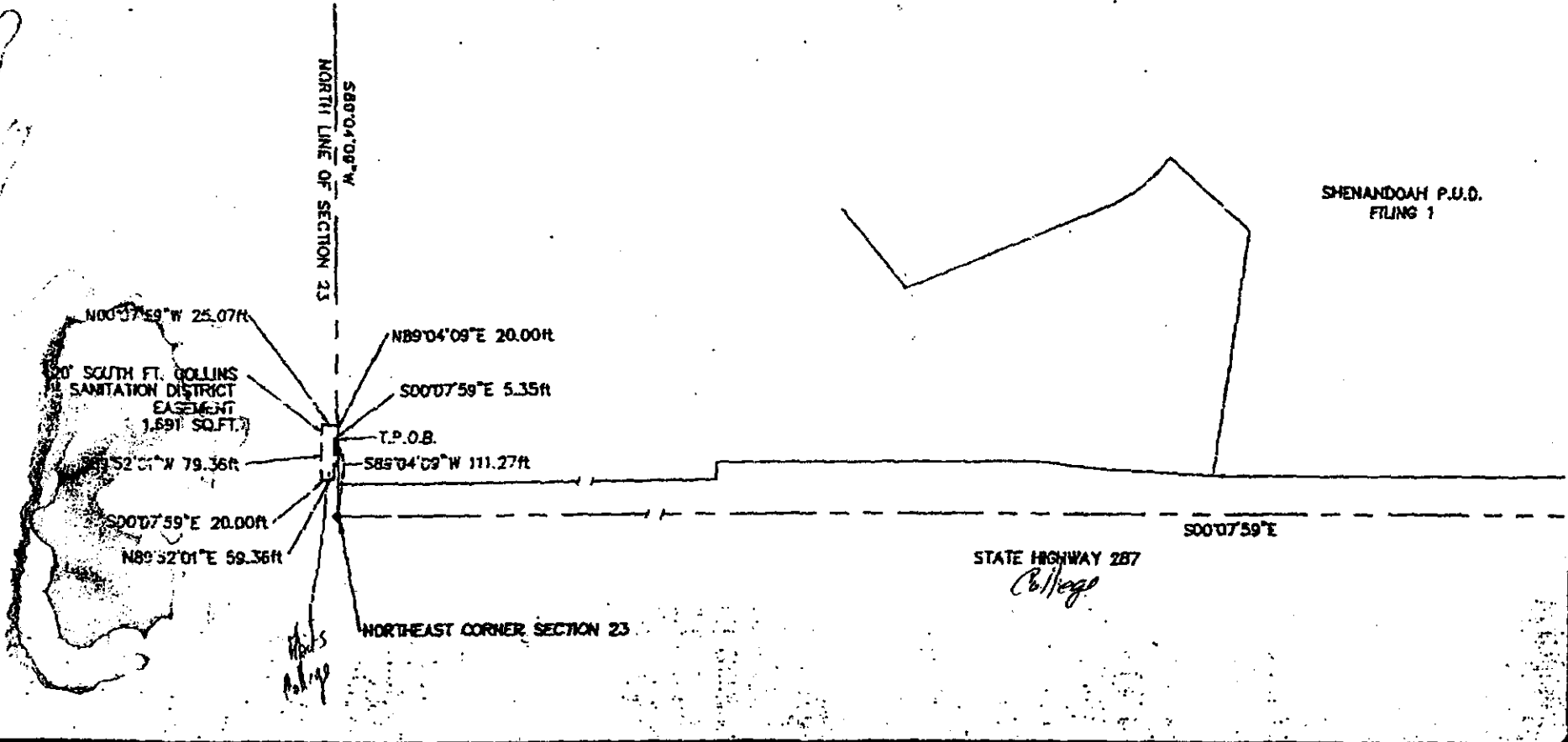
The land affected by this street widening is owned by Larimer County, the City of Loveland and the City of Fort Collins. The City of Fort Collins' share is 33.34%. In connection with the construction of the Shenandoah P.U.D., the developer has determined that a non-exclusive utility easement approximately 1700 square feet in area will be required in order to permit the South Fort Collins Sanitation District sewer line necessary for the development to pass through the Ute-Snowy Ridge Property at its far northeast corner.

Staff has reviewed this request and has no objection to the conveyance of this easement.



**'EXHIBIT FOR
SOUTH FT. COLLINS SANITATION DISTRICT
SHENANDOAH P.U.D.**

A PORTION OF SECTION 23 TOWNSHIP 6 NORTH, RANGE 69 WEST
OF THE 6th P.M., LARIMER COUNTY COLORADO.



Landstar Surveying, Inc.

1327 North Lincoln Avenue, Loveland, CO 80537
Ph(970)687-3294 Fax(970)687-7151

FILENAME: 9290E07
DATE: 6/10/97

DRAWN: MVS
CHECKED: DP

ORDINANCE NO. 13, 1999
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE GRANT OF A NON-EXCLUSIVE
UTILITY EASEMENT ON THE UTE-SNOWY RIDGE PROPERTY
TO THE SOUTH FORT COLLINS SANITATION DISTRICT

WHEREAS, the City of Fort Collins is the owner of a 33.34% interest in the land known as the Ute-Snowy Ridge Property, located in Larimer County, Colorado; and

WHEREAS, in connection with the construction of the Shenandoah P.U.D., the developer has determined that a non-exclusive utility easement approximately 1700 square feet in area will be required in order to permit the South Fort Collins Sanitation District sewer line necessary for the development to pass through the Ute-Snowy Ridge Property at its far northeast corner, the exact location of which is more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference (the "Easement"); and

WHEREAS, the fair market value of the Easement, plus administrative costs for processing the easement total approximately \$600, and the City is entitled to one-third of this amount as the owner of a one-third undivided interest in the Property; and

WHEREAS, City staff has determined that the conveyance of the Easement would not have a detrimental impact on the Ute-Snowy Ridge Property, and recommends the approval of said conveyance; and

WHEREAS, the developer has agreed that, in exchange for the Easement, \$200, the City's one-third share of the fair market value of the interest conveyed, will be paid to the City's Natural Areas Fund; 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 disposition of real property owned by the City is in the best interests 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 above-described sale and conveyance of the Easement is in the best interests of the City of Fort Collins.

Section 2. That the City Manager is authored to execute such documents as may be necessary and appropriate to convey the Easement to the South Fort Collins Sanitation District.

Introduced, considered favorably on first reading, and ordered published this 19th day of January, A.D. 1999, and to be presented for final passage on the 2nd day of February, A.D. 1999.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 2nd day of February, A.D. 1999.

Mayor

ATTEST:

City Clerk

SOUTH FORT COLLINS SANITATION DISTRICT EASEMENT

That portion of the East Half of Section 23, Township 6 North, Range 69 West of the 6th P.M., Larimer County, Colorado, described as follows:

Considering the North line of the Northeast Quarter of said Section 23 as bearing South $89^{\circ}04'09''$ West and with all bearing contained herein relative thereto.

Commencing at the Northeast corner of Section 23; thence along the North line of Section 23 South $89^{\circ}04'09''$ West 111.27 feet to the True Point of Beginning; thence South $00^{\circ}07'59''$ East 5.35 feet; thence North $89^{\circ}52'01''$ East 59.36 feet; thence South $00^{\circ}07'59''$ East 20.00 feet; thence South $89^{\circ}52'01''$ East 79.36 feet; thence North $00^{\circ}07'59''$ East 25.07 feet; thence North $89^{\circ}04'09''$ East 20.00 feet to the True Point of Beginning. Containing 1,691.00 square feet more or less.