

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 28

DATE: July 1, 2008

STAFF: Patrick Rowe

SUBJECT

First Reading of Ordinance No. 082, 2008, Vacating a Street Right-of-Way on Block 142 Established as Part of the 1873 Map of the Town of Fort Collins.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY

This Ordinance vacates Lincoln Place right-of-way, located within Library Park, in preparation for the City's conveyance of a portion of the block to the Fort Collins Regional Library District.

BACKGROUND

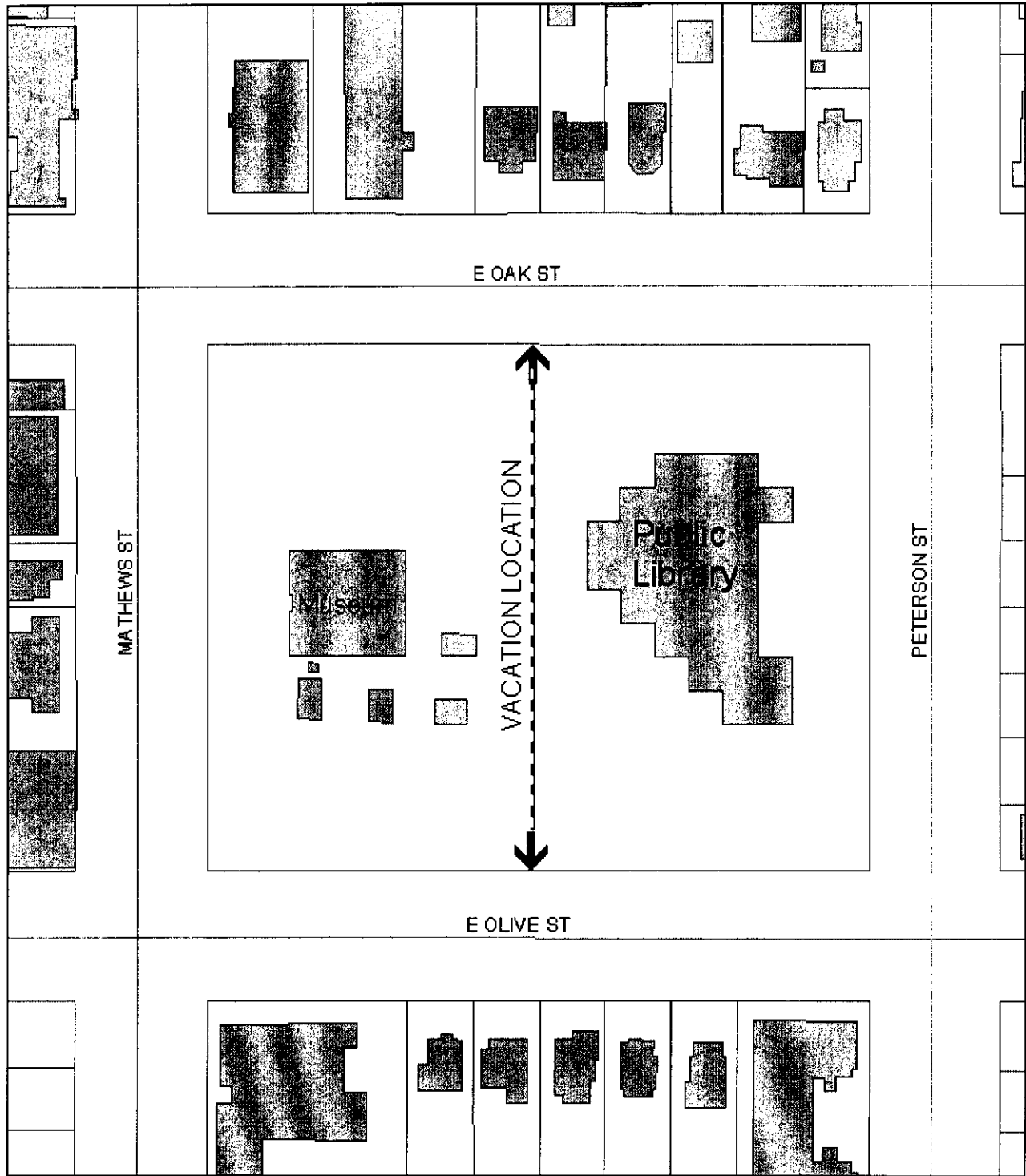
Lincoln Place right-of-way was never constructed but exists on the original town map of Fort Collins. It is 66 feet wide, runs north and south, and approximately splits the block in half.

All pertinent public and private utilities have been contacted. The only reported issue is a Fort Collins sanitary sewer line which traverses the platted right-of-way. This issue will be resolved by reserving an easement for the line from the property conveyance to the Library District.

ATTACHMENTS

1. Location map.

Library Park Right-of-Way Vacation Location Map



ORDINANCE NO. 082, 2008
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING A STREET RIGHT-OF-WAY ON BLOCK 142 ESTABLISHED
AS PART OF THE 1873 MAP OF THE TOWN OF FORT COLLINS

WHEREAS, in 1873, by an order of the Board of County Commissioners of Larimer County, the Town of Fort Collins was incorporated; and

WHEREAS, in its order the Board of County Commissioners also established the Town Map, which created a 66-foot wide road right-of-way for a street called Lincoln Place running north-south through Block 142, now commonly known as "Library Park"; and

WHEREAS, the location of the Lincoln Place right-of-way is shown on Exhibit A, attached and incorporated herein by reference; and

WHEREAS, pursuant to the 2007 IGA between the City and the Fort Collins Regional Library District ("District"), the City is preparing to convey portions of Library Park to the District; and

WHEREAS, Lincoln Place was never developed and opened as a street, and it is not necessary or desirable to retain it for street purposes; and

WHEREAS, pertinent City agencies and private utility companies have been contacted and have reported no objection to the proposed vacation, provided that a utility easement is reserved to the City; and

WHEREAS, upon vacation, in accordance with Colorado law, the vacated property would revert to fee ownership by the abutting property owners, which in this case is the City; and

WHEREAS, the City will reserve any necessary easements, which may include a utility easement and an access and parking easement, from the subsequent conveyance of Library Park to the District; and

WHEREAS, the rights of the residents of the City of Fort Collins will not be prejudiced or injured by the vacation of said right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the right-of-way for Lincoln Place, shown as lying within Block 142 on the original 1873 map of the Town of Fort Collins is hereby vacated, abated and abolished.

Introduced, considered favorably on first reading, and ordered published this 1st day of July, A.D. 2008, and to be presented for final passage on the 15th day of July, A.D. 2008.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of July, A.D. 2008.

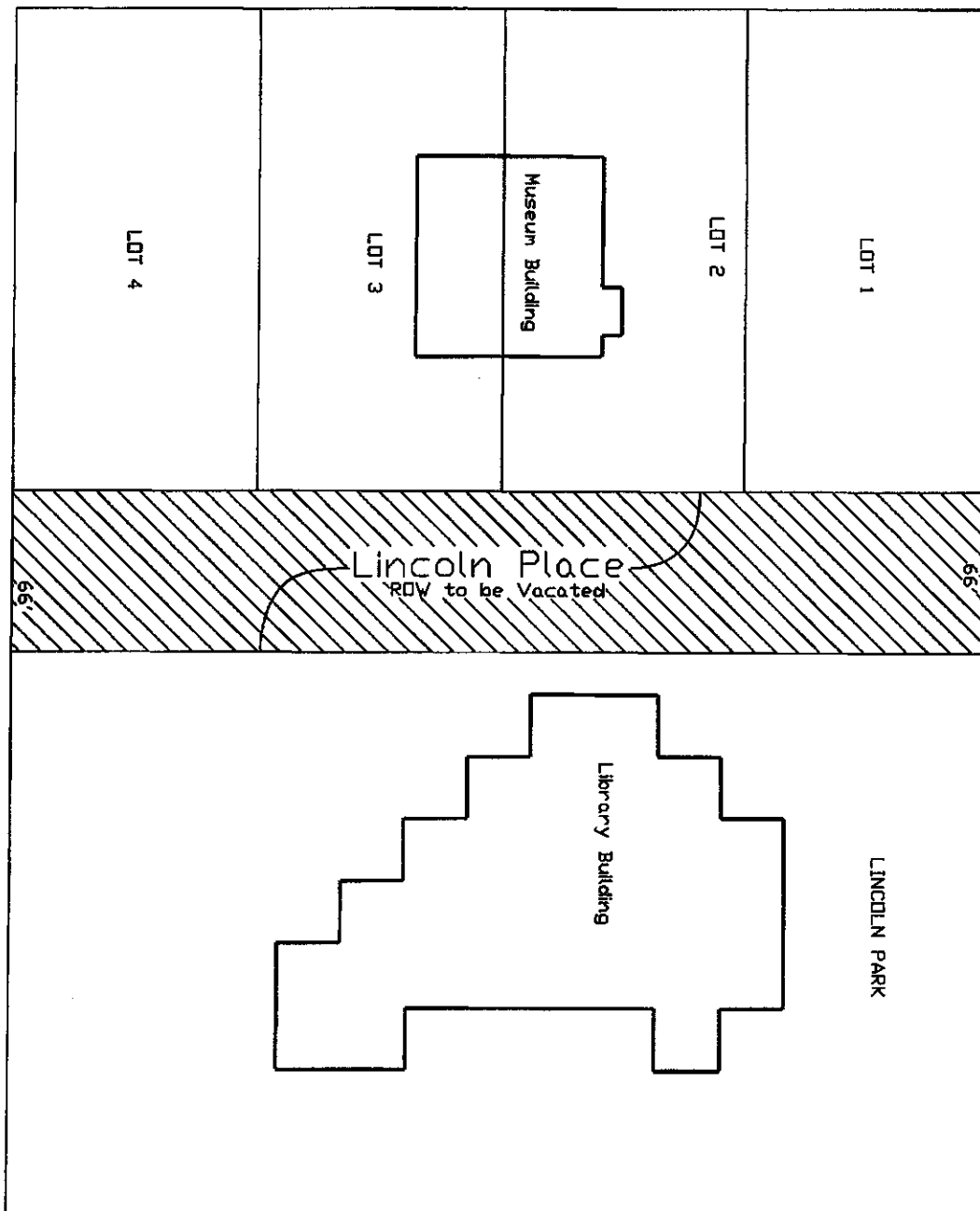
Mayor

ATTEST:

City Clerk



Mathews Street



Block 142
City of Fort Collins

Olive Street

Oak Street

Peterson Street