

**AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL**

ITEM NUMBER: 10

DATE: November 4, 2003

STAFF: Craig L. Foreman

SUBJECT

Second Reading of Ordinance No. 143, 2003, Authorizing the Conveyance of Approximately 4,561 Square Feet of City Land to the Hetzel Family in Exchange for Certain Easements for the LaPorte Trail Connection and Additional Compensation.

RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

EXECUTIVE SUMMARY

Through negotiations with the Hetzel family, the City will acquire needed easements for the La Porte Trail project in exchange for monetary considerations and land not needed for the trail. The Hetzel driveway is located on a portion of the land the City will be deeding to the Hetzels. This Ordinance was unanimously adopted on First Reading on October 21, 2003.

ORDINANCE NO. 143, 2003
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CONVEYANCE OF
APPROXIMATELY 4,561 SQUARE FEET OF
CITY LAND TO THE HETZEL FAMILY IN EXCHANGE FOR
CERTAIN EASEMENTS FOR THE LA PORTE TRAIL CONNECTION
AND ADDITIONAL COMPENSATION

WHEREAS, the City is the owner of that certain parcel of real property 4,561 square feet in size and located in Larimer County, Colorado, as more specifically described on Exhibit "A", attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the City has no use or need for the Property, but because of its location, the Property is desired and will be of value to the Hetzel family, owners of the adjacent property (the "Hetzels"); and

WHEREAS, in connection with the extension of the Poudre River Trail from Taft Hill Road to Lions Park in La Porte, the City will require a number of easements, including a temporary construction easement on the property described on Exhibit "B", attached hereto and incorporated herein by this reference, a permanent access easement on the property described on Exhibit "C", attached hereto and incorporated herein by this reference, and a permanent floodplain easement on the property described in Exhibit "D", attached hereto and incorporated herein by this reference (collectively referred to herein as the "Easements"); and

WHEREAS, City staff has determined the value of the Easements to be a total of \$13,805.12; and

WHEREAS, City staff has further determined that the combined value of the Property to be conveyed to the Hetzels and the floodplain benefits to be enjoyed by the Hetzels on their adjacent property to be \$8,232.96; and

WHEREAS, based on these values, together with an agreed upon cash payment in the amount of \$2,000, the net amount due to the Hetzels in connection with the proposed exchange is \$7,572.16, which amount is appropriated and available in the Building Community Choices Regional Trail project account; 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 will be for the benefit of the City's citizens, and will be in the best interests of the City.

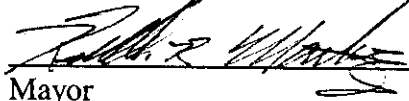
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the above described conveyance of the Property will be for the benefit of the City's citizens, and in the best interests of the City.

Section 2. That the Mayor is hereby authorized to execute such documents of conveyance or commitment as are necessary to convey the Property to the Hetzels, consistent with the terms and conditions described above.

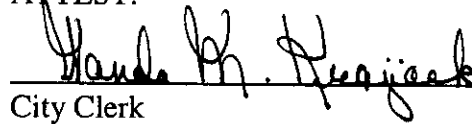
Section 3. That the City Council hereby authorizes the acceptance of the Easements, as described herein.

Introduced, considered favorably on first reading, and ordered published this 21st day of October, A.D. 2003, and to be presented for final passage on the 4th day of November, A.D. 2003.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading this 4th day of November, A.D. 2003.

Mayor

ATTEST:

City Clerk

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 18

DATE: October 21, 2003

STAFF: Craig L. Foreman

SUBJECT

First Reading of Ordinance No. 143, 2003, Authorizing the Conveyance of Approximately 4,561 Square Feet of City Land to the Hetzel Family in Exchange for Certain Easements for the LaPorte Trail Connection and Additional Compensation.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

FINANCIAL IMPACT

The total value of the temporary construction easement and permanent access and floodplain easements is \$13,805.12. Offsetting from this total the value of the land and other benefits to be conveyed to the Hetzel family, in the amount of \$8,232.96, and adding an agreed upon cash payment in the amount of \$2,000, the amount owed to the Hetzels by the City is \$7,572.16. This amount is appropriated and available in the Building Community Choices Regional Trail Account.

Deeding to the Hetzel Family land not needed for the La Porte Trail Connection will save the City future maintenance responsibilities and costs.

EXECUTIVE SUMMARY

The La Porte Trail Connection will provide a safe off-street pedestrian/bicycle connection for Fort Collins and La Porte. The nearly 1 3/4 mile long trail will extend the Poudre River Trail from Taft Hill Road to Lions Park in La Porte. A portion of the trail just east of Overland Trail Road is located on land adjacent to the Hetzel family property. See Attachment A.

Through negotiations with the Hetzel family, the City will acquire needed easements for the trail project in exchange for monetary considerations and land not needed for the trail. The Hetzel driveway is located on a portion of the land the City will be deeding to the Hetzels.

The temporary construction access easement is 7,859 square feet in size. The permanent access easement is 11,234 square feet in size. The permanent floodplain easement is 2,418 square feet in size. The land the City will deed to the Hetzels is 4,561 square feet in size.