

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

**ITEM NUMBER: 11**

**DATE: November 15, 2005**

**STAFF: Lindsey Kuntz**

**SUBJECT**

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Second Reading of Ordinance No. 129, 2005, Authorizing the Conveyance of a Sanitary Sewer Easement for a Spring Creek Ranch, LLC Development.

**RECOMMENDATION**

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Staff recommends adoption of the Ordinance on Second Reading.

**EXECUTIVE SUMMARY**

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Spring Creek Ranch LLC, is developing an 11-acre parcel located at 1926 Hull Street into 88 condo units. The proposed easement will connect the project to the existing City sewer line under Spring Creek Trail located to the north of the subject property. The City Parks Department is in agreement to allow the connection under above-said trail. The irregular-shaped easement would contain 120 square feet to install an eight inch sewer line.

Ordinance No. 129, 2005, was unanimously adopted on First Reading on November 2, 2005.

**ORDINANCE NO. 129, 2005  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE CONVEYANCE OF A SANITARY SEWER EASEMENT  
FOR A SPRING CREEK RANCH, LLC DEVELOPMENT**

WHEREAS, the City of Fort Collins, Colorado (the "City") is the owner of a certain parcel of real property located in Fort Collins, Colorado, known as the Spring Creek Trail (the "Property"); and

WHEREAS, Spring Creek Ranch, LLC is developing an eleven acre parcel for a condominium project (the "Project") south of the Property; and

WHEREAS, in order to connect the Property to the City's sewer system, Spring Creek Ranch LLC wishes to acquire a non-exclusive sanitary sewer easement under the Property (the "Easement"), as described in Exhibit "A", attached hereto; and

WHEREAS, Spring Creek Ranch, LLC has agreed to pay the City \$1,000 for compensation and costs associated with the easement; and

WHEREAS, based on review of this request staff, it has been determined that granting the non-exclusive easement will not have any adverse affects to the Property; and

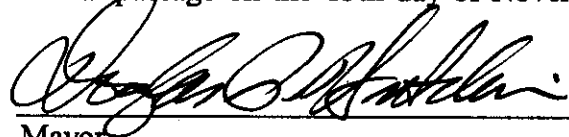
WHEREAS, Section 23-111 of the City Code provides that the City Council is authorized to sell, convey, or otherwise dispose of real property owned by the City, provided the Council first finds by ordinance that any sale or other disposition of real property owned by the City is in the best interest of 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 under the Property, consistent with the terms of this Ordinance, will be for the benefit of the City's citizens and is in the best interest of the City of Fort Collins.

Section 2. That the Mayor is hereby authorized to execute such documents of conveyance as are necessary to convey the Easement to Spring Creek Ranch, LLC upon the terms and conditions described above, and subject to such other terms and conditions as the Mayor, in consultation with the City Attorney, to be necessary and in the best interest of the City.


Introduced and considered favorably on first reading and ordered published this 2nd day of November, A.D. 2005, and to be presented for final passage on the 15th day of November, A.D. 2005.



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Mayor

ATTEST:



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City Clerk / Chief Deputy

Passed and adopted on final reading this 15th day of November, A.D. 2005.

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Mayor

ATTEST:

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City Clerk

## EXHIBIT A

### **LEGAL DESCRIPTION SEWER EASEMENT**

A PARCEL OF LAND LOCATED IN THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 27, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6th PM, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING: THE NORTH LINE OF LOT 2, OF THE SUBDIVISION OF A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION TWENTY SEVEN, TOWNSHIP SEVEN NORTH OF RANGE SIXTY NINE WEST OF THE 6TH P.M, ASSUMED TO BEAR S89°34'34"E.

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 2;  
THENCE N89°34'34"W, ON THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 154.14 FEET, TO THE SOUTHERLY LINE OF THAT PARCEL OF LAND AS DESCRIBED AT RECEPTION NUMBER 2001103552 OF THE LARIMER COUNTY RECORDS;  
THENCE ON SAID SOUTHERLY LINE THE FOLLOWING THREE (5) COURSES:

- 1) THENCE N79°07'17"W, A DISTANCE OF 9.56 FEET;
- 2) THENCE N83°41'42"W, A DISTANCE OF 43.58 FEET;
- 3) THENCE N84°28'02"W, A DISTANCE OF 49.28 FEET TO THE POINT OF BEGINNING;
- 4) THENCE N84°28'02"W, A DISTANCE OF 4.08 FEET;
- 5) THENCE N84°34'21"W, A DISTANCE OF 25.92 FEET;

THENCE N05°28'41"E, A DISTANCE OF 2.82 FEET, TO THE SOUTHERLY LINE OF A SANITARY SEWER EASEMENT AS DESCRIBED IN BOOK 2274 AT PAGE 1044 OF THE LARIMER COUNTY RECORDS;

THENCE S89°07'04"E, ON SAID SOUTHERLY LINE, A DISTANCE OF 30.00 FEET;  
THENCE S04°22'52"W, A DISTANCE OF 5.21 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 120 SQUARE FEET.

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CHAD R. WASHBURN, PROFESSIONAL LAND SURVEYOR  
COLORADO PLS NO. 37963  
FOR AND ON THE BEHALF OF JR ENGINEERING LLC.

*THIS LEGAL DESCRIPTION DOES NOT CONSTITUTE A TITLE SEARCH BY JR ENGINEERING TO DETERMINE OWNERSHIP OF THIS TRACT OR VERIFY EASEMENTS OF RECORD. JR ENGINEERING AND THE SURVEYOR OF RECORD ASSUMES NO RESPONSIBILITY FOR OWNERSHIP RIGHTS OR EXISTING EASEMENT RIGHTS AND RECOMMENDS CONSULTATION WITH AN ATTORNEY.*

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

ITEM NUMBER: 7

DATE: November 2, 2005

STAFF: Lindsey Kuntz

COPY

**SUBJECT**

First Reading of Ordinance No. 129, 2005, Authorizing the Conveyance of a Sanitary Sewer Easement for a Spring Creek Ranch, LLC Development.

**RECOMMENDATION**

Staff recommends adoption of the Ordinance on First Reading.

**FINANCIAL IMPACT**

The total amount of consideration to be paid to the City for this easement is \$1,000. This will include the cost of the easement, processing, and administration fees.

COPY

**EXECUTIVE SUMMARY**

Spring Creek Ranch LLC, is developing an 11-acre parcel located at 1926 Hull Street into 88 condo units. The proposed easement will connect the project to the existing City sewer line under Spring Creek Trail located to the north of the subject property. The City Parks Department is in agreement to allow the connection under above-said trail. The irregular-shaped easement would contain 120 square feet to install an eight inch sewer line.

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