

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 25

DATE: November 15, 2005

STAFF: Helen Matson
Kayla Ballard

SUBJECT

Resolution 2005-120 Authorizing the Lease of a Residence on City-Owned Property at Reservoir Ridge Natural Area For Up to Two Years.

RECOMMENDATION

Staff recommends adoption of the Resolution.

FINANCIAL IMPACT

The lease will generate \$350 per month. The tenant will pay for all utilities. Maintenance will be handled through the Natural Resources Department and paid in part by a trust set aside by the Udalls solely for the maintenance and repair of the property, as funds in this trust are available. The \$350 per month revenue generated from this lease will also be placed in the trust fund to pay for maintenance and repair of the property.

EXECUTIVE SUMMARY

City Council approved Resolution 2001-095 on July 17, 2001, authorizing the acceptance of a donation from the Estate of Robert H. Udall of 20.133 acres of land as an addition to the Reservoir Ridge Natural Area. The donation reserved a life estate on part or all of the property for Mr. Udall's widow, Mary Michie Udall. Mrs. Udall decided not to remain on the property but requested that the Natural Areas Program permit the caretaker at the time, Tim LaBaw, to remain on the property. Staff has enjoyed and appreciated Mr. LaBaw's residency on the site since Mrs. Udall moved from this area in September 2002. Mr. LaBaw has been acting in many ways as a caretaker for the property. He has consistently been a responsible tenant. He appreciates the intent of the Natural Areas Program to restore the area, decline public access for the time, and eventually develop an educational center on the site. Entering into this lease with Mr. LaBaw will benefit the Natural Area. Mr. LaBaw will be the only tenant on the site and will continue to expel trespassers, keep the gate leading to the Udall Addition closed and generally watch over the property.

Staff has negotiated an agreement for the lease of the residence to Mr. LaBaw for a period of at least one year, beginning November 1, 2005, with the option to renew for up to one additional year on a month-to-month basis.

RESOLUTION 2005-120
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE LEASE OF A RESIDENCE ON CITY-OWNED PROPERTY
AT RESERVOIR RIDGE NATURAL AREA FOR UP TO TWO YEARS

WHEREAS, the City of Fort Collins is the owner of the property known as the Reservoir Ridge Natural Area, located in Larimer County, Colorado (the "Natural Area"); and

WHEREAS, a residence located at the Natural Area, and known as 4300 West County Road 50, is shown as "Residence A" on the plat of the Reservoir Ridge Natural Area, attached hereto as Exhibit "A", and is referred to herein as the "Residence"; and

WHEREAS, at the current time, plans for use of the structures including the Residence are in process, and continued rental of the Residence will generate income to the Natural Areas fund as well as provide an on-site overseer of the Residence pending completion of related plans; and

WHEREAS, staff has negotiated an agreement for the lease of the Residence to the current tenant, Timothy L. LaBaw, for a period of at least one year, beginning November 1, 2005, at a monthly lease rate of \$350, with the option to renew for up to one additional year on a month-to-month basis; and

WHEREAS, under Section 23-114 of the Code of the City of Fort Collins, the Council is authorized to lease any and all interests in real property owned in the name of the City for a definite term of two years or less, provided that Council first finds by resolution that the lease is in the best interests of the City.

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

Section 1. That the Council hereby finds that the lease of the Residence is in the best interests of the City of Fort Collins.

Section 2. That the City Manager is hereby authorized to execute a Lease Agreement for the Residence consistent with this Resolution, together with such other terms and conditions as the City Manager in consultation with the City Attorney determines are necessary to protect the interests of the City.

Passed and adopted at a regular meeting of the City Council held this 15th day of November, A.D. 2005.

Mayor

ATTEST:

City Clerk

DESCRIPTION OF THE UDALL LEASE AREA

A tract of land located in the Southeast Quarter of Section 31 Township 8 North, Range 69 West of the Sixth Principal Meridian, Larimer County, Colorado, the said tract is also a portion of that certain tract of land described in a deed recorded at Reception No. 2002004977 records of the Clerk and Recorder of the said Larimer County, being more particularly described as follows;

Considering the south line of the southeast quarter of the southeast quarter of the said Section 31 as bearing North 89 degrees 40 minutes 52 seconds West between a 2" BLM brass cap witness monument to the southeast corner of the said Section 31 and a 2 ½" aluminum monument at the East 1/16 corner on the south line of the said Section 31, based upon GPS observation, and with all bearings contained here in relative thereto;

Commencing at the said East 1/16 corner on the south line of the said Section 31;

THENCE along the west line of the said tract described at Reception No. 2002004977 the following five (5) courses and distances, (1) North 00 degrees 19 minutes 43 seconds East for a distance of 480.00 feet;

(2) North 89 degrees 40 minutes 17 seconds West for a distance of 375.00 feet;

(3) North 00 degrees 19 minutes 43 seconds East for a distance of 270.00 feet;

(4) South 89 degrees 40 minutes 17 seconds East for a distance of 375.00 feet;

(5) North 00 degrees 19 minutes 43 seconds East for a distance of 567.60 feet to the north line of the said tract described at Reception No. 2002004977;

THENCE along the said north line, South 89 degrees 47 minutes 04 seconds East for a distance of 200.00 feet to the TRUE POINT OF BEGINNING of this description;

THENCE continuing along the said north line, South 89 degrees 47 minutes 04 seconds East for a distance of 142.99 feet;

THENCE leaving the said north line, South 22 degrees 44 minutes 56 seconds West for a distance of 112.41 feet;

THENCE South 34 degrees 08 minutes 56 seconds West for a distance of 67.70 feet;

THENCE North 89 degrees 47 minutes 04 seconds West for a distance of 62.12 feet;

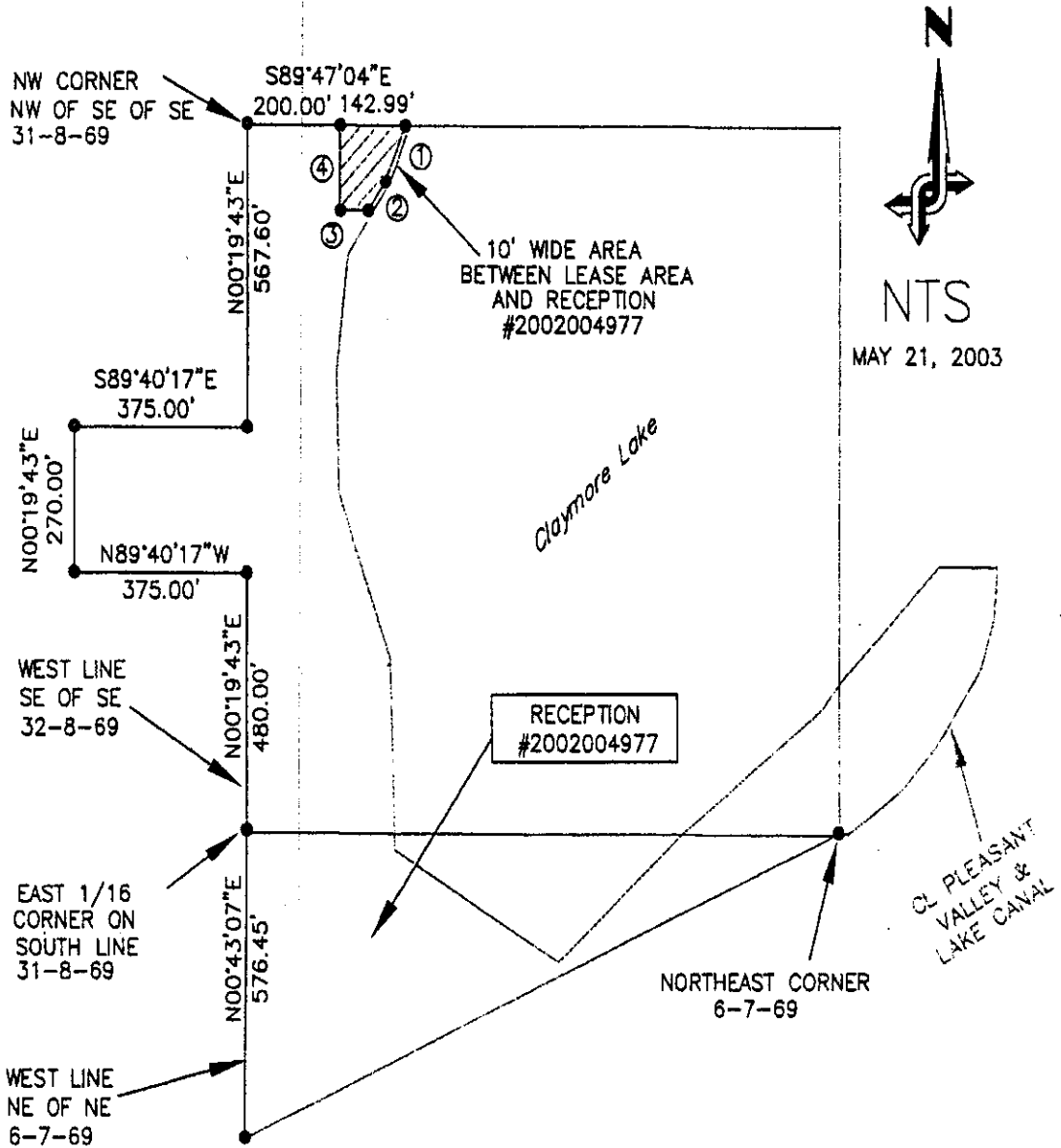
THENCE North 00 degrees 12 minutes 56 seconds East for a distance of 160.00 feet to the to the point of beginning. Containing 17161 square feet (0.394 acres) more less.

The above described tract is subject to all easements and rights of ways now existing or of record.

I hereby state that the above description was prepared by me and is true and correct to the best of my professional knowledge, belief and opinion. The description is based upon previously recorded plats and deeds and not upon a actual field survey.

WALLACE C. MUSCOTT COLORADO P.L.S. 17497
P.O. BOX 580 FORT COLLINS, CO 80522

LOCATION SKETCH UDALL LEASE AREA

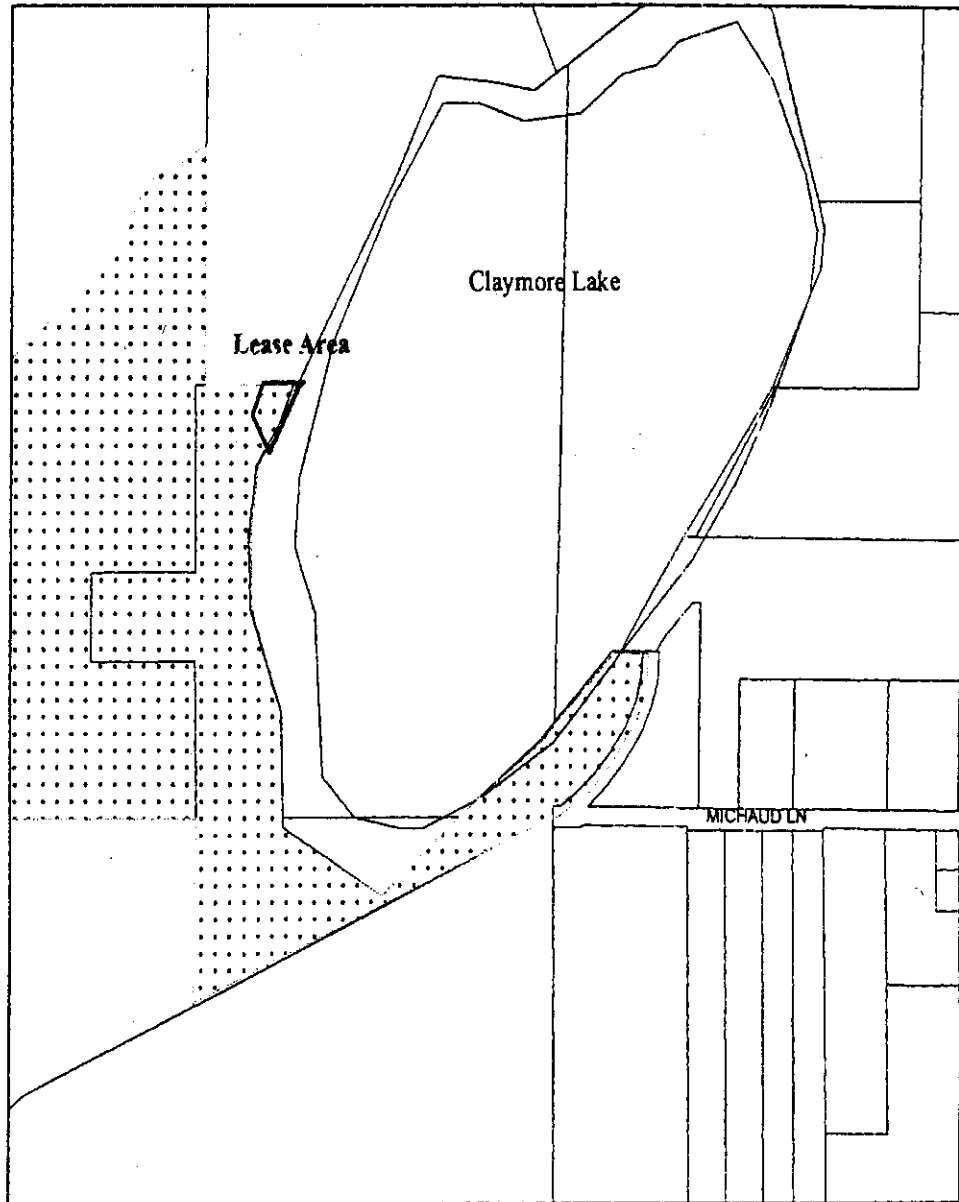




- ① S22°44'56"W -112.41'
- ② S34°08'56"W -67.70'
- ③ N89°47'04"W -62.12'
- ④ N00°12'56"E -160.00'

THIS SKETCH AND THE AREAS SHOWN DEPICT THE ATTACHED PROPERTY DESCRIPTION ONLY, AND DO NOT REPRESENT A MONUMENTED BOUNDARY SURVEY.

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Location Map: Udall House Lease



 Reservoir Ridge Natural Area
 Parcels



0 0.1 0.2 0.4 Miles