

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 23

DATE: February 7, 2006

STAFF: Lindsay Kuntz
Matt Baker

SUBJECT

First Reading of Ordinance No. 024, 2006, Authorizing the Conveyance of a Portion of the Timberline Substation Site Property to the Public Service Company.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

FINANCIAL IMPACT

This transaction is an even exchange of properties between the City of Fort Collins and Public Service Company. However, since the property being exchanged is part of the City utility system, the Timberline Project will compensate the Utilities Department \$25,500. This compensation is based on the appraised value.

EXECUTIVE SUMMARY

The Timberline Road Street Oversizing Project requires the acquisition of 6,237 square feet of the Public Service Company ("Public Service") meter site located on Timberline Road which is surrounded by the substation site parcel that is part of the City utility system. This conveyance grants the City the necessary property interests for the ultimate design of Timberline Road. Instead of purchasing the needed property along with the improvements on site, Matt Baker, the project manager, has proposed a reconfiguration of the land owned by Public Service. The improvements will be able to stay where currently located and some fixtures will be relocated to the north of the building.

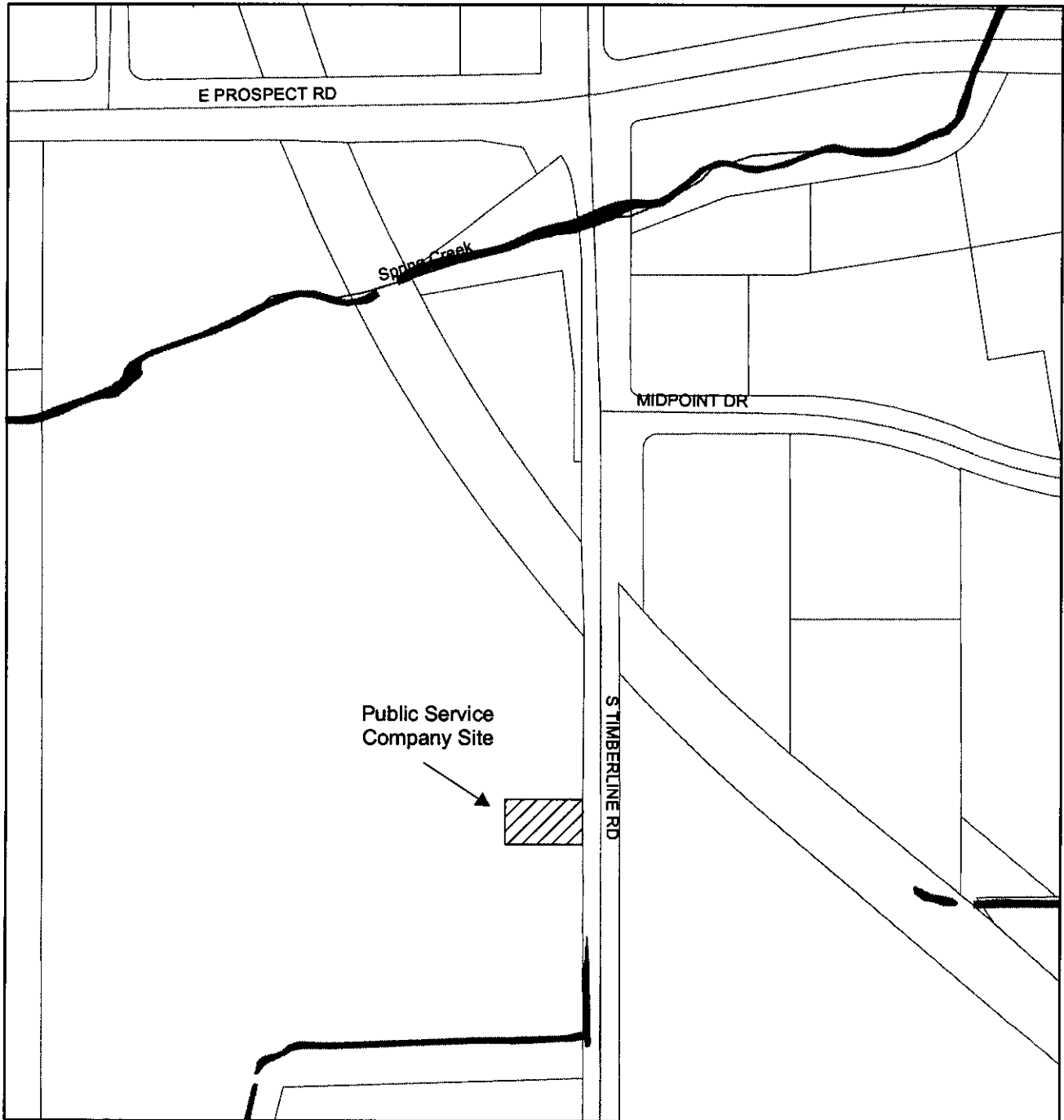
Staff is proposing a land exchange between the Utilities Department and Public Service, with each conveying the other 6,237 square feet of land. Conveying this land to Public Service will provide them the land necessary to continue the operation of the site without relocating. If Public Service had relocated, the City would need to purchase its building and improvements. The exchange is a more cost effective approach because Street Oversizing will compensate Utilities for the value of vacant land only. The compensation, as set by the appraiser for this project, is \$25,500, or \$4 per square foot.

Staff from Real Estate Services and Street Oversizing has met with all affected parties. The Utilities Department and Public Service have agreed to this exchange.

ATTACHMENTS

1. Attachment 1 - Draft survey of the planned exchange.
2. Location Map of the Public Service Company Land Exchange Timberline Road Street Oversizing Project.

Public Service Company Land Exchange Timberline Road Street Oversizing Project Location Map



 Property Location



ORDINANCE NO. 024, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CONVEYANCE OF A PORTION OF THE TIMBERLINE
SUBSTATION SITE PROPERTY TO THE PUBLIC SERVICE COMPANY

WHEREAS, the City of Fort Collins, Colorado (the "City") is the owner of the property known as the Timberline Substation Site located on Timberline Road in Fort Collins, Colorado (the "City Property"); and

WHEREAS, the City is constructing the Timberline Oversizing Project (the "Project") to widen Timberline Road and improve the intersection of Timberline and Prospect Roads; and

WHEREAS, in order to construct the Project, the City needs to acquire a portion of the meter station site owned by Public Service Company (the "Meter Station"), as described in Exhibit "A", attached hereto; and

WHEREAS, the City wishes to convey a portion of the City Property adjacent to the Meter Station, as described in Exhibit "B", attached hereto, in exchange for the land being acquired for the Project; and

WHEREAS, the estimated fair market value of the City Property is \$25,500, based on an appraisal acquired by the City for the Project; and

WHEREAS, based on staff's review, it has been determined that the conveyance of the City Property will not have any adverse effects on the Timberline Substation Site; 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 that real property owned by the City will not materially impair the viability of any City utility system as a whole of which the property is a part, will be for the benefit of the City's citizens, and will be 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 Council hereby finds that the conveyance of the City Property, consistent with the terms of this Ordinance, will not materially impair the viability of the City's utility as a whole, will be for the benefit of the City's citizens and further finds that it will be in the best interests 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 Property to the Public Service Company, consistent with the terms of this Ordinance, together with such other terms and conditions as the Mayor, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City.

Introduced and considered favorably on first reading and ordered published this 7th day of February, A.D. 2006, and to be presented for final passage on the 21st day of February, A.D. 2006.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 21st day of February, A.D. 2006

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

A tract of land situate in the NE 1/4 of Section 19, Township 7 North, Range 68 West of the 6th P.M., more particularly described as follows:

BEGINNING at the NE corner of Section 19,
thence S 00°00'00" W 1238.43 feet,
thence N 90°00'00" W 30.00 feet to the TRUE POINT OF BEGINNING;
thence N 90°00'00" W 130.00 feet;
thence N 00°00'00" E 75.00 feet;
thence S 90°00'00" E 130.00 feet;
thence S 00°00'00" W 75.00 feet to the TRUE POINT OF BEGINNING.

EXHIBIT B

DESCRIPTION OF A TRACT OF LAND OWNED BY THE CITY OF FORT COLLINS TO BE DEEDED TO PUBLIC SERVICE COMPANY

A Tract of land, located in the Northeast quarter of Section 19, Township 7 North, Range 68 West of the Sixth Principal Meridian, City of Fort Collins, Larimer County, Colorado, the said tract is also located in that certain tract of land described in a Rule and Order recorded May 3, 1973 in Book 1552 at Page 62 records of the Clerk and Recorder of Larimer County being more particularly described as follows;

Considering the east line of the said northeast quarter of Section 19 as bearing South 00 degrees 27 minutes 28 seconds West between a 3 1/4" aluminum cap monument, LS 34995 at the northeast corner of the said Section 19 and a 3 1/4" aluminum cap monument, LS 34995 at the west quarter corner of the said Section 19 and with all bearings contained here relative thereto;

Commencing at the said northeast corner of Section 19;

THENCE along the east line of the said northeast quarter, South 00 degrees 27 minutes 28 seconds West for a distance of 1163.43 feet to the easterly extension of the north line of that certain tract of land described in a Deed recorded August 19, 1980 in Book 2069 at Page 866 records of the said Clerk and Recorder;

THENCE along the said extended north line, North 89 degrees 32 minutes 32 seconds West for a distance of 30.00 feet to the northeast corner of the said tract described in Book 2069 at Page 866;

THENCE along the said north line of the said tract, North 89 degrees 32 minutes 32 seconds West for a distance of 83.99 feet to the west line of the proposed tract of land to be deeded to the said City of Fort Collins and to the TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE continuing along the said north line, North 89 degrees 32 minutes 32 seconds West for a distance of 46.01 feet to the northwest corner of the said tract described in Book 2069 at Page 866;

THENCE along the west line of the said tract, South 00 degrees 27 minutes 28 seconds West for a distance of 75.00 feet to the southwest corner of the said tract;

THENCE leaving the said west line and along a line being the westerly extension of the south line of the said tract, North 89 degrees 32 minutes 32 seconds West for a distance of 20.00 feet;

THENCE leaving the said extended line, North 00 degrees 27 minutes 28 seconds East for a distance of 146.76 feet;

THENCE South 89 degrees 32 minutes 32 seconds East for a distance of 66.01 feet;

THENCE South 00 degrees 27 minutes 28 seconds West for a distance of 71.77 feet to the point of beginning. Containing 6237 square feet 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.

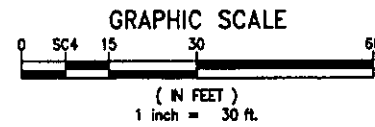
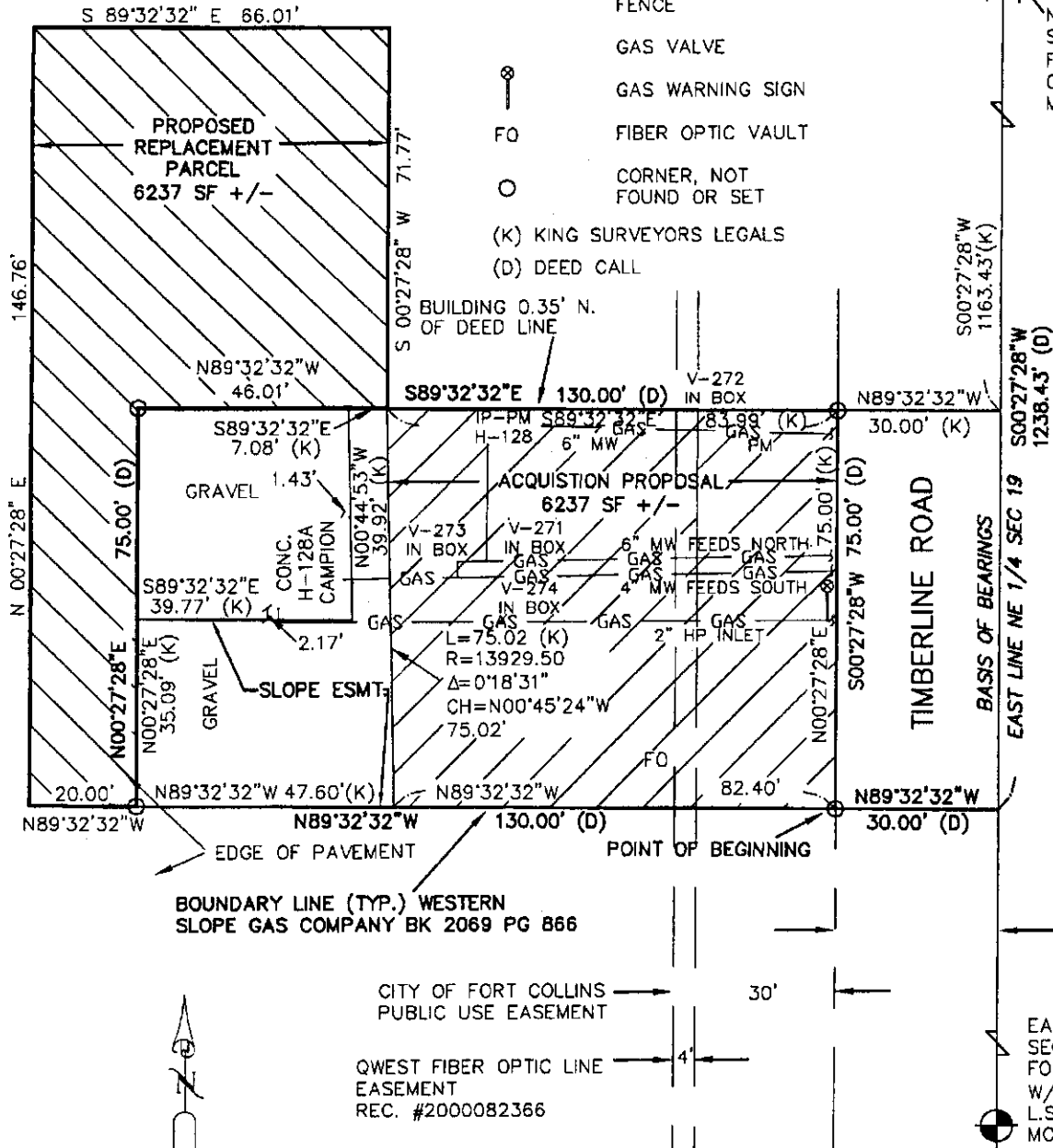
WALLACE C. MUSCOTT COLORADO P.L.S. 17497
P.O. BOX 580 FORT COLLINS, CO 80522

BEARINGS SHOWN HEREON ARE BASED ON A GPS NETWORK GRID SET UP BY NOLTE IN FORT COLLINS. DEED BEARINGS ARE ROTATED TO IT.

LEGEND

- FENCE
- GAS VALVE
- GAS WARNING SIGN
- FIBER OPTIC VAULT
- CORNER, NOT FOUND OR SET
- (K) KING SURVEYORS LEGALS
- (D) DEED CALL

POINT OF COMMENCEMENT
NORTHEAST COR.
SEC. 19, T7N, R68W
FOUND 3" ALUMINUM
CAP, L.S. 20123 IN
MONUMENT BOX



AREA SUMMARY:

- ACQUISITION PROPOSAL: 6237 SF
- PROPOSED REPLACEMENT EASEMENT: 6237 SF
- EXISTING EASEMENT TO REMAIN: 3513 SF

NOLTE #: DVB0015600 13

LICENSEE: PUBLIC SERVICE COMPANY AS-BUILT TIMBERLINE METER STATION		INVESTIGATION NO.:	
NE 1/4 of SECTION 19 TOWNSHIP: 7 NORTH RANGE: 68 WEST		SCALE: 1"=30'	
6TH PRINCIPAL MERIDIAN	LARIMER COUNTY, COLORADO	DRAWN BY: LAL	LINE:
PLAT NO.:	DOCUMENT NO.:	AGENT: MORGANFIELD	DATE: 01/25/06