

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 16

DATE: March 21, 2006

STAFF: Ron Kechter  
Helen Matson

### SUBJECT

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First Reading of Ordinance No. 051, 2006, Authorizing the Dedication of Certain Street Rights-of-Way and the Disposition of Certain Interests in Real Property in Connection with the Fort Collins Police Services Facility Site and the Spring Creek Farms North Plat.

### RECOMMENDATION

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Staff recommends adoption of the Ordinance on First Reading.

### FINANCIAL IMPACT

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The street rights-of-way and public utility easements are required for the City's benefit as part of the City's planning process. Since the easements are not being granted to a specific individual utility, no compensation is required.

### EXECUTIVE SUMMARY

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This Ordinance dedicates certain street rights-of-way in connection with the Fort Collins Police Services Facility site. These streets surround the Police Services Facility site and are Charles Brockman Drive, Joseph Allen Drive, Nancy Gray Avenue, and Timberline Road. It also conveys two utility easements included within the boundary of the Police Services Facility site.

### BACKGROUND

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On July 20, 2004, the City of Fort Collins purchased 10.8 acres of land for the Fort Collins Police Services Facility on Timberline Road. The City's property is shown as Lot 1 on the Plat of Spring Creek Farms North ("Plat"). Part of the City's agreement with the Seller was that a specified area of the 10.8 acres purchased would be dedicated as street right-of-way. Dedicating these streets by ordinance creates a public record that clearly delineates the street right-of-way from the remainder of the City-owned property. In the past, staff has found that when right-of-way was not dedicated as street right-of-way, title issue problems were encountered where title companies raised access issues on adjacent properties, which made the adjacent properties less marketable. The street right-of-way being dedicated by this Ordinance is shown on Attachment 1.

There are two utility easements shown on the plat that are included within the boundary of Lot 1; a 15 foot utility easement along Timberline Road and a nine- foot utility easement that runs along the inner perimeter of Lot 1 adjacent to all the streets. These easements are public utility easements that are available for use, consistent with City policies and practices, by City utilities and non-City utilities. Once Council authorizes the conveyance of these public utility easements, the Plat can be signed. The City's construction project for its Fort Collins Police Services Facility is scheduled to begin this spring.

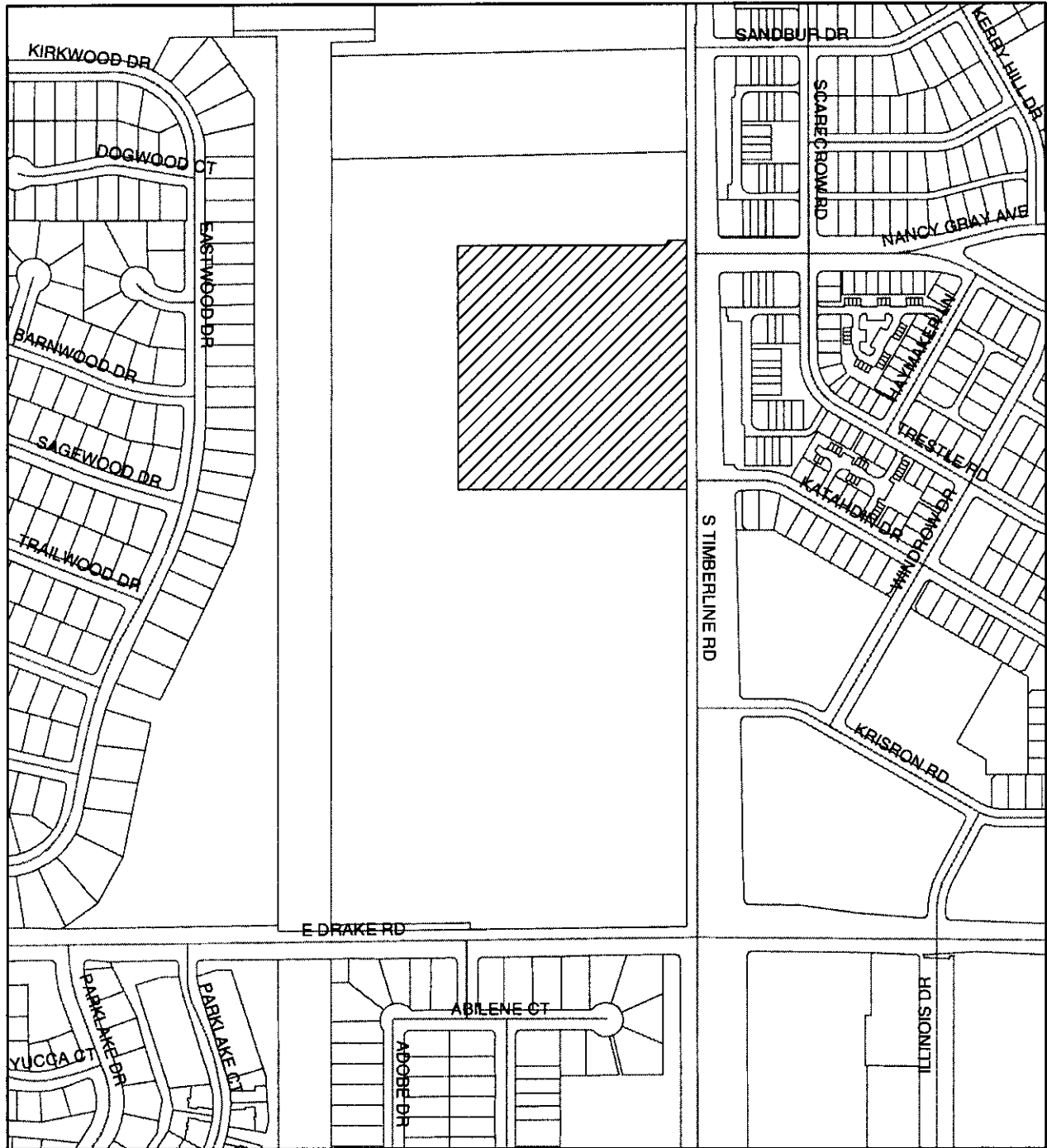
## **ATTACHMENTS**

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1. Drawing showing dedicated street rights-of-way
2. Location Map

**Attachment #1 will be provided under separate cover on  
March 21, 2006**

# Plat of Spring Creek Farms North/ New Police Facility Location Map



 Location Site



ORDINANCE NO. 051, 2006  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE DEDICATION OF CERTAIN STREET RIGHTS-OF-WAY  
AND THE DISPOSITION OF CERTAIN INTERESTS IN REAL PROPERTY  
IN CONNECTION WITH THE FORT COLLINS POLICE SERVICES FACILITY  
AND THE SPRING CREEK FARMS NORTH PLAT

WHEREAS, the City of Fort Collins is the owner of that certain parcel of real property located on Timberline Road in Fort Collins (the "City Property"), which is the site of the proposed new Fort Collins Police Services Facility (the "Facility"); and

WHEREAS, when the City Property was acquired for the Facility, street rights-of-way and related easements were not dedicated at the time of conveyance; and

WHEREAS, the lack of such indication in the public real property records can raise title insurance issues for adjacent property owners; and

WHEREAS, in order to establish a public record that the real property identified on the Plat of Spring Creek Farms North (the "Plat") as Charles Brockman Drive, Joseph Allen Drive, Nancy Gray Avenue and Timberline Road adjacent to Lot 1 is intended for use by the City as right-of-way for the above-named streets and related improvements, including without limitation public utilities, pedestrian, transit and bicycle access and improvements, landscaping, and such other related purposes as may now or in the future be determined appropriate ("Street Rights-of-Way"), staff has recommended that the Council authorize the declaration of the same on the Plat by adoption of this Ordinance; and

WHEREAS, in order to finalize the Plat, staff has determined that certain public utility easements will be required to provide for location of public utilities adjacent to the rights-of-way described above (the "Utility Easements") as highlighted and shown on the Plat; and

WHEREAS, because the Street Rights-of-Way and the Utility Easements authorized herein are for the benefit of the City in connection with the Facility, staff recommends approval of the same as described in this Ordinance; 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 in the best interest of the City of Fort Collins.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Council hereby authorizes the City Manager to execute and record the Plat of Spring Creek Farms North, including any necessary corrections to the legal description shown thereon that may be recommended by the City Attorney and that do not result in a material increase or change in character of the intended right-of-way or easement areas, so as to declare as public rights-of-way the Street Rights-of-Way and to declare and dedicate the Utility Easements for use as appropriate by public utilities consistent with general City policies and practices shown on the Plan.

Introduced, considered favorably on first reading, and ordered published this 21st day of March, A.D. 2006, and to be presented for final passage on the 4th day of April, A.D. 2006.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 4th day of April, A.D. 2006.

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Mayor

ATTEST:

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City Clerk