

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 11

DATE: September 19, 2006

STAFF: Mark Sears
Wally Cameron

SUBJECT

Second Reading of Ordinance No. 132, 2006, Authorizing Execution of the Amended Plat Related to the Dedications of Public Rights-of-Way in the Amended Hersh Minor Residential Development No. 06-S2555 for the Benefit of the City of Fort Collins and the Natural Areas Program.

RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on September 5, 2006, authorizes the execution of the amended plat related to dedications in the Hersh Amended Residential Development. The County requires that the amended plat dedicate all roads as public rights-of-way.

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 13 A-B

DATE: September 5, 2006

STAFF: Mark Sears
Wally Cameron

SUBJECT

Items Relating to Sale of Hersh Property Natural Areas Lands.

RECOMMENDATION

Staff recommends adoption of Ordinance No. 132, 2006, on First Reading. The passage of this Ordinance will allow the plat to be signed and recorded so that Lots 1-3 may be sold as contemplated by Ordinance No. 125, 2006.

Staff also recommends adoption of Ordinance No. 125, 2006, on Second Reading.

EXECUTIVE SUMMARY

- A. First Reading of Ordinance No. 132, 2006, Authorizing Execution of the Amended Plat Related to the Dedications of Public Rights-of-Way in the Amended Hersh Minor Residential Development No. 06-S2555 for the Benefit of the City of Fort Collins and the Natural Areas Program
- B. Second Reading of Ordinance No. 125, 2006, Authorizing the Sale of Lots 1, 2 and 3 of the Amended Hersh Minor Residential Development for the Benefit of the City of Fort Collins and the Natural Areas Program.

Ordinance No. 132, 2006 authorizes the execution of the amended plat related to dedications in the Hersh Amended Residential Development. The County requires that the amended plat dedicate all roads as public rights-of-way.

Ordinance No. 125, 2006, unanimously adopted on First Reading on August 15, 2006, authorizes the sale of three reconfigured lots and one residence and a portion of the water rights from the 42.685 acre Hersh Property purchased in 2002 by the City for the Natural Areas Program.

BACKGROUND

The City of Fort Collins purchased a 27.465 acre site with an existing residence at 6021 South Shields Street for its Natural Areas Program in August 2002. The residence and other improvements were subsequently demolished. Concurrent with this purchase, the City purchased an adjoining 15.22 acres, configured into two lots, one of 2.31 acres and the other 12.91 acres, which were created through a Larimer County MRD approved by the County Commissioners in June 1999.

The former 12.91 acre parcel (Lot 1 of the Hersh MRD) has an existing residence, with a current address of 1340 Midway Drive. The unimproved Lot 2 of the Hersh MRD contained 2.31 acres. These three residential sites were purchased by the City for the Natural Areas Program, assuming that it would be possible to re-cluster and re-configure the lots for residential purposes. The original purchase was made in order to preserve and increase the acreage (approximately 34.3 acres) of the Cathy Fromme Prairie Natural Area.

The City followed a two-step Larimer County Land Use process to meet this goal. A Minor Land Division and Amended Plat were approved by Larimer County in June of this year whereby the three lots purchased were reconfigured as follows:

Previous Configuration of Hersh Property	Amended Plat of Subject Acreage
1 Residential Lot of 2.31 acres 1 Residential Lot of 12.91 acres (improved) 1 Residential Lot of 27.47 acres	1 Residential Lot of 2.56 acres 1 Residential Lot of 2.67 (improved) 1 Residential Lot of 2.54 acres 1 Non-development Lot of 34.34 acres

As conditions of approval of the Amended Hersh Minor Residential Development, Larimer County requires certain infrastructure improvements, including water line extension from Shields Street to the lots and road improvements within the platted area. All such costs will be borne by the purchaser or purchasers of the lots, and the minimum acceptable selling price of each lot is calculated accordingly. The County will require that the Amended Plat dedicate all roads as public rights-of-way. Ordinance No. 132, 2006 authorizes the City Manager to execute the Amended Plat containing the dedicated public rights-of-way may be recorded.

Conclusion

Staff strongly recommends authorizing both ordinances so that the plat can be recorded to allow the sale of Lots 1, 2, and 3 thereof. Such sale will recapture more than 50% of the original cost of this acquisition while meeting all the conservation purposes and goals of the Natural Areas Program for this purchase.

ATTACHMENTS

1. Hersh Property Area Map
2. Plat of Amended Hersh Minor Residential Development No. 06-S2555

ORDINANCE NO. 132, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING EXECUTION OF THE AMENDED PLAT RELATED TO THE
DEDICATION OF PUBLIC RIGHTS-OF-WAY IN THE
AMENDED HERSH MINOR RESIDENTIAL DEVELOPMENT NO. 06-S2555
FOR THE BENEFIT OF THE CITY OF FORT COLLINS
AND THE NATURAL AREAS PROGRAM

WHEREAS, the City of Fort Collins through its Natural Resources Department, Natural Areas Program purchased three contiguous residential properties which total approximately 42.7 acres located in Larimer County, Colorado, (the "Hersh Property"); and

WHEREAS, the Natural Areas Program purchased the Hersh Property in order to expand the Cathy Fromme Prairie Natural Area with a contiguous parcel; and

WHEREAS, the Natural Areas Program has obtained Larimer County approval to reconfigure and cluster the Hersh Property residential lots to create one large undeveloped lot of 34.4 acres and three smaller lots, to be legally described as Lots 1, 2, 3, and 4 on an amended plat to be known as of the Amended Hersh Minor Residential Development No. 06-S2555 situate in the Northeast Quarter of Section 10, Township 6 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado (the "Amended Plat"); and

WHEREAS, City staff has recommended selling Lots 1, 2, and 3 of the Amended Hersh Minor Residential Development No. 06-S2555 in order to recapture about one-half of the cost of the original purchase while meeting the Natural Areas Program goal of adding a significant adjoining acreage to the Cathy Fromme Prairie Natural Area; and

WHEREAS, Larimer County requires that the Amended Plat dedicate all roads shown thereon as public rights-of-way and, accordingly, the Amended Plat contains the dedication of such rights-of-way; and

WHEREAS, Section 23-111 of the City Code provides that only 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 will be for the benefit of the City's citizens and 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 execution of the Amended Plat 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 City Manager is hereby authorized to execute the Amended Plat, together with any necessary corrections to the legal descriptions thereupon that do not result in a material increase or change in character of the property dedicated as right-of-way determined by the

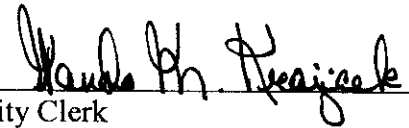
City Manager, in consultation with the City Attorney, to be necessary to protect and advance the interests of the City.

Introduced, considered favorably on first reading, and ordered published this 5th day of September, A.D. 2006, and to be presented for final passage on the 19th day of September, A.D. 2006.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading on the 19th day of September, A.D. 2006.

Mayor

ATTEST:

City Clerk