

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

**ITEM NUMBER: 14**

**DATE: September 19, 2006**

**STAFF: Lindsay Kuntz**

**SUBJECT**

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Second Reading of Ordinance No. 135, 2006, Authorizing the Conveyance of a Utility Easement and Temporary Construction Easement for the Greeley Waterline Enhancement Transmission Project.

**RECOMMENDATION**

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Staff recommends adoption of the Ordinance on Second Reading.

**EXECUTIVE SUMMARY**

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As part of the Greeley Waterline Enhancement Transmission Project, the City of Greeley needs to install a waterline on property owned by the City of Fort Collins. The City of Greeley has asked the City of Fort Collins to grant two utility easements and two temporary construction easements for said waterline. City staff has reviewed the proposed easement areas and has agreed there will be no negative impact to the City property by granting these easements. This Ordinance, unanimously adopted on First Reading on September 5, 2006, authorizes conveyance of these easements to the City of Greeley.

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

**ITEM NUMBER:** 16  
**DATE:** September 5, 2006  
**STAFF:** Lindsay Kuntz

**SUBJECT**

First Reading of Ordinance No. 135, 2006, Authorizing the Conveyance of a Utility Easement and Temporary Construction Easement for the Greeley Waterline Enhancement Transmission Project.

**RECOMMENDATION**

Staff recommends adoption of the Ordinance on First Reading.

**FINANCIAL IMPACT**

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

**EXECUTIVE SUMMARY**

As part of the Greeley Waterline Enhancement Transmission Project, the City of Greeley needs to install a waterline on property owned by the City of Fort Collins. The City of Greeley has asked the City of Fort Collins to grant two utility easements and two temporary construction easements for said waterline. City staff has reviewed the proposed easement areas and has agreed that there will be no negative impact to the City property by granting these easements. This Ordinance authorizes conveyance of these easements to the City of Greeley.

**BACKGROUND**

The property owned by the City of Fort Collins is identified as parcel number 87083-00-969 and 87083-06-905. The easements proposed on parcel number 87083-00-969 include a 74 square foot utility easement and a 3,278 square foot temporary construction easement. The easements proposed on parcel number 87083-06-905 include a 2,914 square foot utility easement and an 8,615 square foot temporary construction easement.

ORDINANCE NO. 135, 2006  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE CONVEYANCE OF A UTILITY  
EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT  
FOR THE GREELEY WATERLINE ENHANCEMENT TRANSMISSION PROJECT

WHEREAS, the City of Fort Collins (the "City") is the owner of the property described at Reception 98024197 and at Reception 98111789 of the Larimer County Clerk and Recorder in Fort Collins, Colorado (the "City Property"); and

WHEREAS, the City of Greeley wishes to acquire two utility easements under the City Property, which easements are described on Exhibit "A" and Exhibit "B", attached hereto and incorporated herein by this reference, and two temporary construction easements as described on Exhibit "C" and Exhibit "D", also attached hereto and incorporated herein by this reference, as part of the Greeley Waterline Enhancement Transmission Project; and

WHEREAS, the City of Greeley has agreed to pay to the City in exchange for the easements the amount of \$1000, and

WHEREAS, City staff has identified no significant adverse effects on the property resulting from the grant of the requested easements or installation of the 60-inch water pipeline; 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:

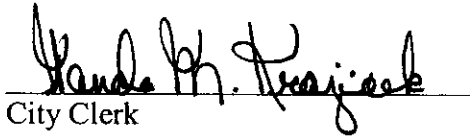
Section 1. That the conveyance of the above-described utility easements and temporary construction easements on the City Property, in a manner consistent with this Ordinance, will be for the benefit of the City's citizens and is in the best interest of the City of Fort Collins.

Section 2. That the Mayor is hereby authorized to execute such documents of conveyance as are necessary to convey such easements to the City of Greeley, upon the terms and conditions described above, together with such other terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City, including any necessary corrections to the legal descriptions thereof that do not result in a material increase or change in character of the intended easement conditions.

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.

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Mayor

ATTEST:

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City Clerk