

ORDINANCE NO. 183, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
DECLARING A PORTION OF CITY-OWNED PROPERTY AT  
SCHOOLSIDE PARK AS PUBLIC RIGHT-OF-WAY

A. The City owns a parcel of property near Bacon Elementary School known as Schoolside Park (the "Property"). The Property is approximately 5.438 acres in size.

B. The City plans to start construction of Schoolside Park in 2025.

C. During the Development Review process for Schoolside Park, the City discovered that a 0.141 acre portion of the Property (the "ROW Parcel") was part of the Timberline Road Widening Project and should be declared as public right-of-way because construction of a sidewalk and related improvements on the ROW Parcel have already been completed by the City. The ROW Parcel is more specifically described on Exhibit "A", which is attached hereto and incorporated herein by this reference.

D. In order to establish a public record that the ROW Parcel is intended for use by the City as right-of-way for a public roadway and related improvements, including 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, staff recommends that the City Council declare the ROW Parcel to be right-of-way.

E. Converting a piece of property owned by the City in fee simple to right-of-way constitutes a conveyance of an interest in the property, as doing so creates certain public rights in the property that would not otherwise exist on City-owned property.

F. Section 23-111(a) of the City Code authorizes the City Council to sell, convey or otherwise dispose of any interests in real property owned by the City, provided the City Council first finds, by ordinance, that such sale or other disposition is in the best interests of the City.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby declares that the real property described on Exhibit "A" shall constitute right-of-way for South Timberline Road and related improvements, including for 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, and hereby finds that such declaration is in the best interests of the City.

Section 2. The City Clerk shall cause this Ordinance to be recorded in the real property records of the Larimer County Clerk and Recorder's office once the Ordinance becomes effective.

Introduced, considered favorably on first reading on December 3, 2024, and approved on second reading for final passage on December 17, 2024.

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Mayor

ATTEST:

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City Clerk

Effective Date: December 27, 2024

Approving Attorney: Ted Hewitt