

ORDINANCE NO. 003, 2023  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
DECLARING A PORTION OF CITY-OWNED PROPERTY  
AT 835 WOOD STREET AS RIGHT-OF-WAY

WHEREAS, the City owns a parcel of property located west of the Utility Service Center at 835 Wood Street (the “Property”); and

WHEREAS, the Property is managed by the City’s Operation Services department as a fleet maintenance facility for compressed natural gas (CNG) vehicles; and

WHEREAS, Operation Services hired a surveyor to plat the Property as part of the planned CNG Shop Expansion Project and discovered that a portion of the Property is being used as a right-of-way for Wood Street, but there is no public record of that portion of the Property ever being dedicated as public right-of-way; and

WHEREAS, the draft plat includes a dedication of a portion of the Property totaling approximately 9,300 square feet (approximately .21 acres) as right-of-way for Wood Street in the area indicated on Exhibit “A”, attached and incorporated herein by reference; and

WHEREAS, converting a piece of property owned by the City in fee simple to right-of-way is tantamount to 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; and

WHEREAS, Section 23-111 of the City Code provides that the City Council is authorized 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 interest of the City; and

WHEREAS, the City Council determines that converting .21 acres of the Property to right-of-way to facilitate the continued use of the existing Wood Street improvements is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby declares that the real property described on Exhibit “A” shall constitute right-of-way for Wood Street 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, and hereby finds that such declaration is in the best interest of the City.

Section 3. That the City Manager is hereby authorized to execute the final plat for the Fort Collins Fleet Maintenance Subdivision, including dedication of the right-of-way as shown on Exhibit "A", in substantially the form attached as Exhibit "A" along with such modifications as the City Manager, in consultation with the City Attorney, determines to be necessary or appropriate to protect the interests of the City, so long as such modifications do not substantially increase the portion of the City's property being dedicated as right-of-way.

Introduced, considered favorably on first reading, and ordered published this 17th day of January, 2023, and to be presented for final passage on the 7th day of February, 2023.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 7th day of February, 2023.

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Mayor

ATTEST:

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City Clerk