

ORDINANCE NO. 102, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CONVEYANCE OF ONE DRAINAGE
EASEMENT AND ONE TEMPORARY CONSTRUCTION
EASEMENT ON GOLDEN MEADOWS PARK

A. About one quarter mile north of Harmony Road, located at 4324 McMurray Avenue, lies the City's Golden Meadows Park (the "Property").

B. Two companies, 4401 Innovation Drive L.L.C. and Kederike, LLC, own a parcel of land to the south of the Property, more particularly described as 4401 Innovation Commercial Condominiums (the "Southern Parcel"). The companies propose to install an 18-inch stormwater outfall pipe across the Property for the purpose of conveying stormwater runoff first into a stormwater apparatus on the Property and then into a City stormwater pond. The Property and the City stormwater pond are shown in Exhibit A, which is attached hereto. A description of the Southern Parcel is included in Exhibit B, which is attached hereto.

C. To allow for the installation of the 18-inch stormwater outfall pipe across the Property, the City, through this Ordinance, authorizes the conveyance of one drainage easement of 0.0168 acres (the "DE") and one temporary construction easement of 0.0474 acres (the "TCE") (together, the "Easements") to benefit the Southern Parcel. The form of the DE is attached hereto as Exhibit C. The form of the TCE is attached hereto as Exhibit D.

D. The area and location of the land encumbered by the DE are described in Exhibit B to the form of DE attached as Exhibit C.

E. The area and location of the land encumbered by the TCE are described in Exhibit B to the form of TCE attached as Exhibit D.

F. The proposed discharge location is consistent with the Southern Parcel's natural drainage patterns, where stormwater runoff currently flows northward toward the Property. Given the Southern Parcel's topography and the stormwater requirement to convey stormwater to the City's stormwater pond to the east of the Property, discharge to the north across the Property represents the only practical option.

G. The City has estimated the fair market value of the DE is \$695. The City has estimated the fair market value of the TCE is \$206. The City will convey the Easements for fair market value.

H. 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 finds that granting the Easements on the terms and conditions described herein and as shown in Exhibit C and Exhibit D is in the best interests of the City.

Section 2. The City Council hereby authorizes the Mayor to execute the Easement substantially in the form attached hereto as Exhibit C and the Temporary Construction Easement substantially in the form attached hereto as Exhibit D, with such modifications or additional terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary or appropriate to protect the interests of the City or effectuate the purposes of this Ordinance.

Introduced, considered favorably on first reading on June 17, 2025, and approved on second reading for final passage on July 1, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

Effective Date: July 11, 2025

Approving Attorney: Ted Hewitt

Exhibits: Exhibit A - Property Map
 Exhibit B - Southern Parcel Description
 Exhibit C - Drainage Easement
 Exhibit D - Temporary Construction Easement