

ORDINANCE NO. 036, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING THE VACATION OF A PORTION OF TWO
EASEMENTS ORIGINALLY DEDICATED IN THAT CERTAIN
REPLAT OF COACHLIGHT PLAZA PUD

A. The easements at issue were dedicated to the City in that certain Replat of Coachlight Plaza, PUD, recorded on March 1, 1982, with the Larimer County Clerk and Recorder, in Book 2156, Page 1197.

B. The easements include an easement for electrical improvements and an easement for telephone improvements (the "Easements").

C. In May 2022, Coachlight Apartments, LLLP ("Coachlight"), the owner of the property burdened by the Easements, applied to the City for a building permit to enlarge and remodel the original building served by the Easements.

D. In or about April 2023, Coachlight began construction of the new building pursuant to a City-issued building permit, which was closed out on November 2, 2023, after Coachlight completed construction. The closure of the building permit ended Coachlight's involvement in the City's development review process.

E. Coachlight recently advised the City that to obtain its final funding for the project that it must obtain releases of that portion of the Easements underlying the new building, said portion totaling 1,077 square feet.

F. City staff are recommending the City Council vacate the portion of the Easements described on Exhibit "A", attached and incorporate herein by this reference.

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. That the City Council hereby finds and determines that the portions of the Easements, more particularly described on Exhibit "A," are no longer needed or required and that it is in the public interest to vacate the same.

Section 2. That the specified portions of the Easements are hereby vacated, abated and abolished, providing that:

(a) This vacation shall not take effect until this Ordinance is recorded with the Larimer County Clerk and Recorder by the property owner or its agent.

(b) If this Ordinance is not recorded by December 31, 2024, then this Ordinance shall become null and void and of no force and effect.

Introduced, considered favorably on first reading on February 20, 2024, and approved on second reading for final passage on the March 19, 2024.

Mayor

ATTEST:

Interim City Clerk

Effective Date: March 29, 2024

Approving Attorney: Ryan Malarky