

AGENDA ITEM SUMMARY

City Council



STAFF

Raime Lanham, Real Estate Specialist
Missy Nelson, Sr. Technical Project Manager

SUBJECT

Second Reading of Ordinance No. 121, 2026, Authorizing the Conveyance of a Permanent Easement and Temporary Construction Easements on Parks Property.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on September 1, 2026, authorizes the conveyance of one Permanent Easement (the "PE") and two Temporary Construction Easements (the "TCEs") (the "Easements"), being a portion of City property owned by Parks, for the abandonment of a septic vault and installation of a sewer line.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

Rightside Investments LLC is the owner and developer (the "Developer") of the real property located at 425 N. College Avenue and 429 N. College Avenue "The Developer's Property". The Developer's Property bound on the north and south by City-owned land. The Developers is required to abandon an existing cesspool associated with their property to facilitate the installation of a new sewer line that will provide service to their property. The cesspool is currently located partially on City-owned land (The "North City Parcel"). The new sewer line will be installed on City-owned land (the "South City Parcel").

The City parcels in question are portions of land managed by the Parks Department, further identified as follows:

Property	Tax ID Number	Permanent Easement	Temporary Easement
N. City Parcel	9711114904	None	1,050 SF for cesspool removal
S. City Parcel	9711111911	345 SF Sewer Easement	1,681 SF For Sewer Line Installation

The parcels are located near the Fort Collins Discovery Museum and Lee Martinez Park but are not included as part of either site plan. The properties are incorporated into the City of Fort Collins. Location Maps are attached as part of the Ordinance.

The South City Parcel was conveyed to the City by Wonderland Hill Development Company in that certain Special Warranty Deed dated July 30, 1997, recorded at Reception No. 19970041141, Clerk and Recorder's Records, Larimer County, Colorado.

The North City Parcel was conveyed to the City by the Colorado Department of Transportation in that certain Quitclaim Deed dated November 27, 1995, recorded at Reception No. 19950075120, Clerk and Recorder's Records, Larimer County, Colorado.

The proposed work on both parcels will be completed using an open-trench excavation method. The existing cesspool, located on the North City Parcel, will be opened and pumped out. Following removal of the contents, the cesspool walls will be collapsed, and the resulting excavation will be backfilled with suitable fill material and compacted. This work will require only a temporary construction easement.

The installation of the new sewer line on the South City Parcel will require both a temporary construction easement and a permanent easement. The temporary construction easement will provide the contractor with the necessary access and work area to perform the open-trench excavation and install the new sewer line. The permanent easement will accommodate the sewer line and associated piping necessary to connect the properties located at 425 N. College Avenue and 429 N. College Avenue to the new sewer system and will remain in place following completion of construction.

The temporary construction easement will terminate upon completion of the work and restoration of the affected area, while the permanent easement will provide for the continued operation, maintenance, repair, and replacement of the sewer line and associated improvements.

All construction activities will be conducted a minimum of two feet from the paved trail. No construction activities or staging of construction materials may occur within the railroad easement, on the paved trail, sidewalk, or landscaped areas. The Developer's contractor will be responsible for implementing all necessary safety precautions associated with the work, including, but not limited to, the installation and maintenance of appropriate construction fencing. Utility locates are required to be requested and completed prior to the commencement of any work, and all applicable permits must be obtained by Rightside Investments LLC or contractor before construction begins. Site restoration is also required.

There is existing light and power infrastructure located east of the proposed cesspool work area which Rightside Investments LLC is aware of. Additionally, the trees located west of the cesspool work area consist of suckers from undesirable tree species. City Forestry has determined that these trees do not require protection during construction.

Alternative Location Analysis

No alternative locations were considered, as the sewage vault is fixed in its existing location, and the proposed new sewer line was designed to minimize impacts to City property and ties into an existing fixed-location City sewer line.

CITY FINANCIAL IMPACTS

Aside from staff time, there is no cost to the City associated with the PE and TCEs. Rightside Investments LLC will reimburse the City for the cost of Real Estate Services' staff time related to this matter. Additionally, City Staff estimates the fair market value of the Easements to total \$601, being itemized as follows (the "Property Values"):

- 1) Permanent Easement – \$328
 - 2) Temporary Construction Easements – \$273
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BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The current existing policy for seeking Parks and Recreation Advisory Board approval is limited to large and impactful land purchases, sales, or policies, because the duties of Parks and Recreation Advisory Board relate to “rules, regulations, policies and administrative and budgetary matters”. This Agenda item for two temporary construction easements and one permanent easement was evaluated to have minimal or no impact on the underlying uses of the parcels in question because the easements are located on land the Park obtained as part of a CDOT land exchange. City staff has determined that these easements on Parks’ properties will have minimal impact on the underlying properties’ purpose and function; therefore, the matter has not been brought before the Board.

PUBLIC OUTREACH

None.

ATTACHMENTS / LINKS

First Reading attachments available in September 1, 2026, agenda materials at the following link: <https://fortcollins-co.municodemeetings.com/>.

1. Ordinance No. 121, 2026