ORDINANCE NO. 061, 2014 OF THE COUNCIL OF THE CITY OF FORT COLLINS AUTHORIZING THE MAYOR TO EXECUTE A DEED CONVEYING 12,391 SQUARE FEET OF CITY-OWNED PROPERTY TO DILLON COMPANIES, INC.

WHEREAS, the City has acquired an approximately one-acre strip of land along the west side of the presently existing Kmart store from the BNSF Railway Company for utilization in the development of the MAX Bus Rapid Transit project; and

WHEREAS, the owner of the Kmart store, Dillon Companies, Inc. (Dillon) has been in negotiations with the City regarding the development of the MAX station located on the Dillon property at the approximate crossing of the MAX system at Drake Road; and

WHEREAS, during these negotiations, the City has developed an alternative design that would allow MAX customers to park at a location much closer to the bus stop than if the one-acre tract acquired from BNSF Railway Company was used for that purpose; and

WHEREAS, Dillon is supportive of locating the parking near the bus stop in exchange for the City's conveyance to Dillon of the 12,391 square foot parcel along the west side of the Kmart store as described on the exhibit to Exhibit "A", attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the proposed conveyance is beneficial to both the City and Dillon in pursuing their respective use of the Property as a retail store and as a bus stop; and

WHEREAS, the City Council has determined that the conveyance of the Property to Dillon is in the best interests of the City and that the Mayor is authorized to execute a deed making such conveyance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Mayor is hereby authorized to execute a deed conveying the Property to the Dillon Companies, Inc., using a deed in substantially the form of the Deed of Conveyance attached hereto as Exhibit "A" and incorporated herein by this reference.

	Mayor
ATTEST:	
City Clerk	
Passed and adopted on final readi	ng on this 6th day of May, A.D. 2014.
	Mayor
ATTEST:	
City Clerk	

Introduced, considered favorably on first reading, and ordered published this 15th day of April, A.D. 2014, and to be presented for final passage on the 6th day of May, A.D. 2014.