

ORDINANCE NO. 101, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CONVEYANCE OF A PERMANENT
DRAINAGE EASEMENT ON FOSSIL CREEK RESERVOIR
NATURAL AREA TO SOUTH FORT COLLINS SANITATION
DISTRICT

A. Fossil Creek Reservoir Natural Area (the “Property”) is located in southeast Fort Collins near the I-25 and Highway 392 intersection. The Property was acquired in a series of transactions between 1998 and 2017 in partnership with Larimer County. The City and Larimer County share ownership of approximately 470 acres of the Property, including the 116 acres that encompass Duck Lake. Each holds an undivided 50% interest in the property rights to Duck Lake.

B. South Fort Collins Sanitation District (“SFCSD”) provides sanitary sewer service to more than 60,000 customers in south Fort Collins, north Loveland and west Timnath and Windsor. SFCSD owns a 17-acre property (the “SFCSD Property”) immediately adjacent to the Property. The SFCSD Property contains SFCSD’s administrative headquarters and water reclamation facility. Because SFCSD has outgrown its current office space, SFCSD seeks to construct a 4,100 square foot administration building with associated internal roadway and parking improvements, utilities, drainage infrastructure (including a detention pond), and landscaped areas. In addition, SFCSD proposes to construct turn lane improvements in conjunction with the new administrative building to address traffic impacts and improve safety and site circulation. These improvements are collectively referred to hereafter as the “Improvements”. Larimer County Planning is requiring SFCSD to construct storm drainage and water quality improvements as part of the site plan approval process for the Improvements.

C. To allow for development of the Improvements, the City, through this Ordinance, authorizes the conveyance of one drainage easement of 0.075 acres (the “Easement Area”) on the Property. The form of the Easement Agreement granting the Easement with its terms and conditions is shown on Exhibit A, attached hereto and incorporated herein by this reference. The Board of County Commissioners is scheduled to review the Easement on July 1, 2025. The Easement Area is described on Exhibit B to the Easement Agreement.

D. The City has estimated the fair market value of the Easement is \$3,086, which will be charged to SFCSD; the City and County will evenly split this amount. Consistent with the City of Fort Collins Natural Areas and Conserved Lands Easement Policy, the City will also charge SFCSD a \$5,000 application fee and a \$3,985 mitigation fee.

E. 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 Easement on the terms and conditions described herein is in the best interests of the City.

Section 2. That the City Council hereby authorizes the Mayor to execute the Easement Agreement substantially in the form attached hereto as Exhibit A 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

ATTEST:

City Clerk

Effective Date: July 11, 2025
Approving Attorney: Ted Hewitt

Exhibits: Exhibit A - Easement with Terms and Conditions