

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 24

DATE: August 20, 2002

STAFF: Ken Waido

SUBJECT:

First Reading of Ordinance No. 116, 2002, Correcting the Legal Description of the Property Rezoned Pursuant to Ordinance No. 063, 2002, Known as the 1040 East Elizabeth Street Rezoning.

RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY:

On May 7, 2002, the City Council approved Ordinance No. 063, 2002, which was intended to rezone the property located at 1040 East Elizabeth Street from the N-C-L, Neighborhood Conservation Low Density, District to the N-C-B, Neighborhood Conservation Buffer, District. Staff has learned that the legal description obtained from the County Assessor's Office and contained in Ordinance No. 063, 2002, was only for the office building located on the property and not the total land area of the property itself. Ordinance No. 116, 2002, corrects the legal description of Ordinance No. 063, 2003, thus, rezoning the total property of 1040 East Elizabeth Street from the N-C-L District to the N-C-B District.

ORDINANCE NO. 116, 2002
OF THE COUNCIL OF THE CITY OF FORT COLLINS
CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY
REZONED PURSUANT TO ORDINANCE NO. 063, 2002

WHEREAS, on May 7, 2002, the City Council adopted on second reading Ordinance No. 063, 2002, the purpose of which was to rezone certain property located at 1040 East Elizabeth Street in the City; and

WHEREAS, the legal description contained in Section 1 of Ordinance No. 063, 2002, was incorrect because it only described the building located upon the tract, rather than the entire tract; and

WHEREAS, the Council has determined that it is in the best interest of the City that the legal description as contained in Ordinance No. 063, 2002, be corrected to include the entire tract of land upon which the 1040 East Elizabeth Street condominiums are located.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the legal description contained in Ordinance No. 063, 2002, of the City of Fort Collins is hereby corrected and amended to read as follows:

A TRACT OF LAND SITUATE IN THE NE 1/4 OF SECTION 13, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M., LARIMER COUNTY (CITY OF FORT COLLINS), COLORADO, WHICH CONSIDERING THE EAST LINE OF THE SAID NE 1/4 AS BEARING N 00°25' E WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO IS CONTAINED WITHIN THE BOUNDARY LINES WHICH BEGIN AT A POINT ON THE SOUTH LINE OF THE NE 1/4 WHICH BEARS N 89°38' W 210.00 FEET FROM THE E 1/4 CORNER OF SAID SECTION 13 AND RUNS THENCE N 89°38' W 95.50 FEET THENCE N 00°25' E 200.00 FEET, THENCE S 89°38' E 95.50 FEET THENCE S 00°25' W 200.00 FEET TO THE POINT OF BEGINNING.

Introduced and considered favorably on first reading and ordered published this 20th day of August, A.D. 2002, and to be presented for final passage on the 3rd day of September, A.D. 2002.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 3rd day of September, A.D. 2002.

Mayor

ATTEST:

City Clerk