

ORDINANCE NO. 153, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CONVEYANCE OF A PORTION OF CITY
PROPERTY IN THE TRAIL HEAD SUBDIVISION IN EXCHANGE
FOR A PARCEL OF LAND FROM TRAIL HEAD HOMES, LLC

WHEREAS, the City of Fort Collins is the owner of that certain real property located in Fort Collins and known as Tract H, Trail Head Subdivision, which was purchased by the City for park purposes ("City Property"), shown as "Tract H" on Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Trail Head Homes, LLC ("Trail Head") is the owner of that certain real property located in Fort Collins and known as Tract G, Trail Head Subdivision, which lies directly to the south of the City Property ("Trail Head Property"), shown as "Tract G" on Exhibit "A"; and

WHEREAS, the boundary line between the City Property and the Trail Head Property is not uniform and City staff has determined this results in portions of the City Property being uncondusive to park purposes by creating a pinch point along the southern boundary where virtually no park uses could occur; and

WHEREAS, the Parks Planning & Development Department and Trail Head have negotiated an exchange of portions of these properties to straighten the boundary line, which will result in more uniform parcels of land that will allow the City and Trail Head to develop their respective properties in the most efficient and economical manner; and

WHEREAS, the portions of the City Property that the City will convey total 9,272.06 square feet, have an estimated fair market value of \$16,689.70, and are more particularly described as Parcel A and Parcel B on Exhibit "B" attached hereto and incorporated herein by this reference ("City Exchange Property"); and

WHEREAS, the portion of the Trail Head Property that Trail Head will convey totals 9,272.32 square feet, has an estimated fair market value of \$16,690.18, and is more particularly described as Parcel C on Exhibit "B" ("Trail Head Exchange Property"); and

WHEREAS, the exchange will result in a net gain to the City of 0.26 square feet of land with an estimated value of \$0.48; and

WHEREAS, City staff has recommended that the City exchange these portions of property with no payment of money between the parties given the comparable values of the parcels; and

WHEREAS, Section 23-111 of the City Code provides that City Council is authorized to sell, convey or otherwise dispose of real property owned by the City, provided the Council first finds by ordinance that such sale or disposition is in the best interests of the City.

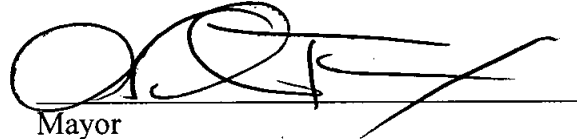
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council determines that the exchange of the portions of real property between the City and Trail Head is in the best interests of the City because the comparable values of the parcels effectively make this an equivalent transaction that will result in more uniform parcels, thereby benefiting the City's residents by making the City's Tract H more conducive to efficient park uses.

Section 3. That the Mayor is hereby authorized to execute such documents as are necessary to complete the conveyance of the City Exchange Property to Trail Head in exchange for the conveyance of the Trail Head Exchange Property to the City, on terms and conditions consistent with this Ordinance, together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City and effectuate the purposes of this Ordinance, including, but not limited to, any necessary changes to the legal descriptions of the subject parcels as long as such changes do not materially increase the size or change the character of the property interests to be conveyed.

Introduced, considered favorably on first reading, and ordered published this 7th day of November, A.D. 2017, and to be presented for final passage on the 21st day of November, A.D. 2017.

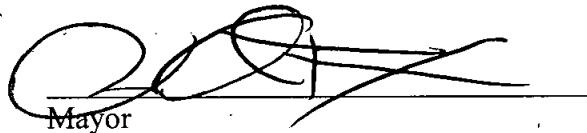

Mayor

ATTEST:

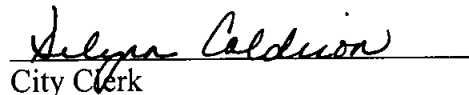

City Clerk



Passed and adopted on final reading on this 21st day of November, A.D. 2017.


Mayor

ATTEST:


City Clerk



PARCEL A LEGAL

A PARCEL OF LAND BEING A PORTION OF TRACT H, TRAIL HEAD, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF SAID TRACT H AS BEARING NORTH 01°44'50" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT H;

THENCE S88°15'10"E ON THE SOUTHERLY LINE OF SAID TRACT H, A DISTANCE OF 92.57 FEET;

THENCE S01°44'50"W CONTINUING ON SAID SOUTHERLY LINE, A DISTANCE OF 11.34 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTHERLY LINE, S88°57'05"E A DISTANCE OF 99.57 FEET TO A POINT ON SAID SOUTHERLY LINE;

THENCE S01°44'50"W ON SAID SOUTHERLY LINE, A DISTANCE OF 6.88 FEET;

THENCE N88°15'10"W CONTINUING ON SAID SOUTHERLY LINE, A DISTANCE OF 99.56 FEET;

THENCE N01°44'50"E CONTINUING ON SAID SOUTHERLY LINE, A DISTANCE OF 5.66 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 624 SQUARE FEET OR 0.0143 ACRES, MORE OR LESS.



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ORIGINAL SCALE: 1" = 50'

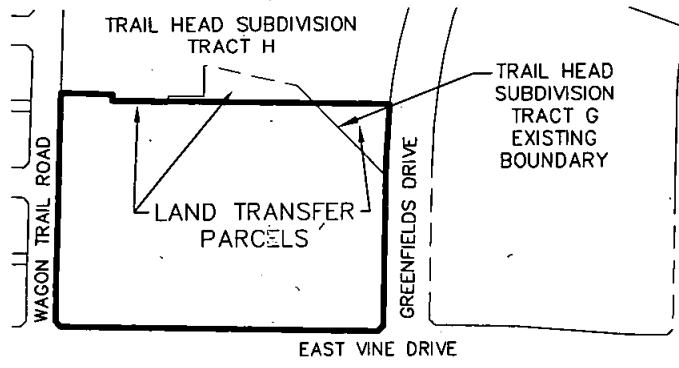
EXHIBIT A1
TRAIL HEAD SUBDIVISION
LAND TRANSFER PARCEL A
NOV. 10, 2017
SHEET 1 OF 2



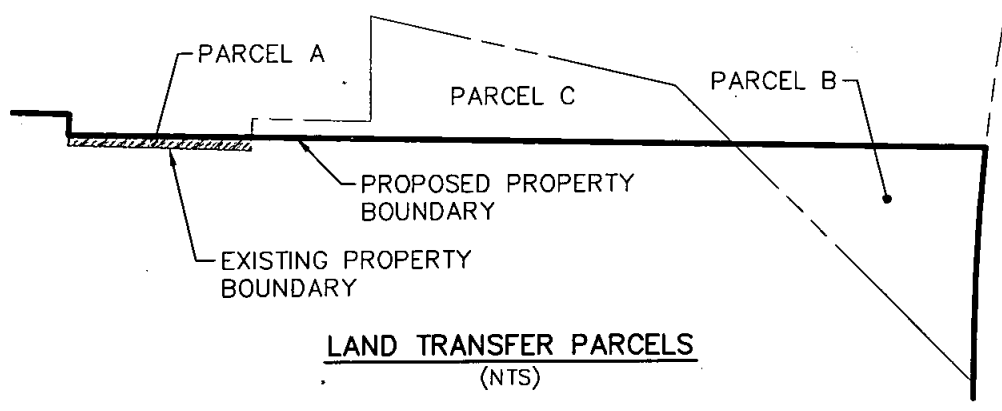
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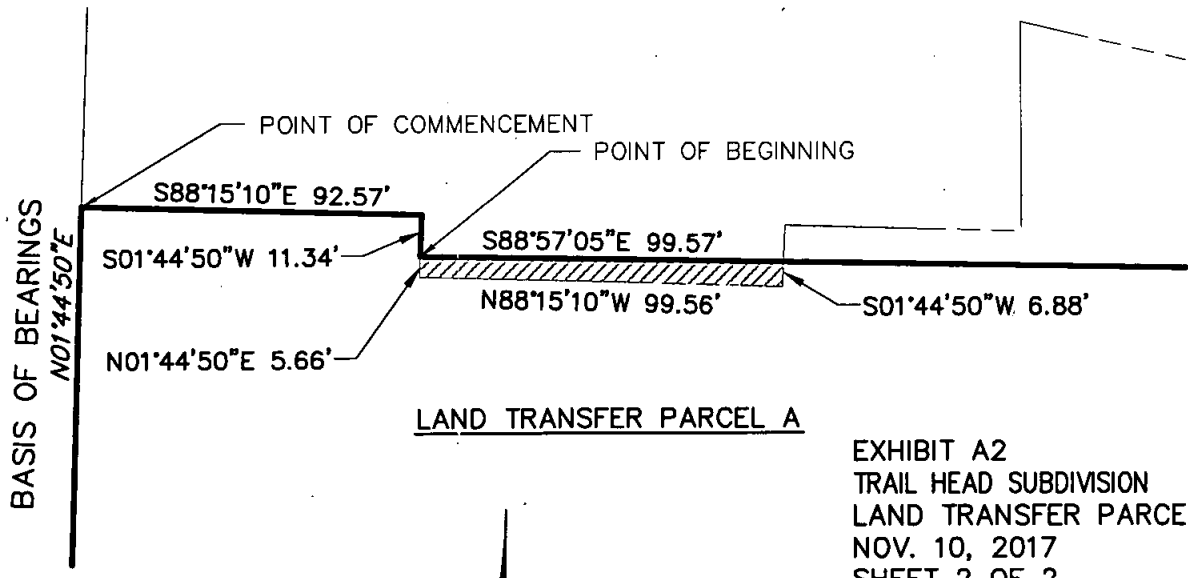
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VICINITY MAP
(NTS)

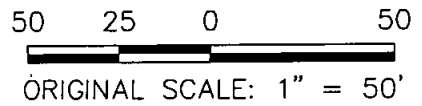


LAND TRANSFER PARCELS
(NTS)



LAND TRANSFER PARCEL A

EXHIBIT A2
TRAIL HEAD SUBDIVISION
LAND TRANSFER PARCEL A
NOV. 10, 2017
SHEET 2 OF 2



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PARCEL B LEGAL

A PARCEL OF LAND BEING A PORTION OF TRACT H, TRAIL HEAD, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF SAID TRACT H AS BEARING NORTH 01°44'50" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT H;

THENCE ON THE SOUTHERLY LINE OF SAID TRACT H BY THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:

- 1) S88°15'10"E A DISTANCE OF 92.57 FEET;
- 2) S01°44'50"W A DISTANCE OF 17.00 FEET;
- 3) S88°15'10"E A DISTANCE OF 99.56 FEET;
- 4) N01°44'50"E A DISTANCE OF 17.00 FEET;
- 5) S88°15'10"E A DISTANCE OF 64.37 FEET;
- 6) N00°05'31"W A DISTANCE OF 57.18 FEET;
- 7) S77°01'33"E A DISTANCE OF 171.55 FEET;
- 8) S45°02'03"E A DISTANCE OF 44.77 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTHERLY LINE, S88°57'05"E A DISTANCE OF 137.44 FEET TO A POINT ON THE WEST R.O.W. OF GREENFIELDS DRIVE;

THENCE SOUTHERLY ON SAID WEST R.O.W. OF GREENFIELDS DRIVE ON A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1117.00 FEET, A CENTRAL ANGLE OF 05°13'42", AND A LONG CHORD WHICH BEARS S03°39'45"W A DISTANCE OF 101.89 FEET, AND ON THE ARC OF SAID CURVE A DISTANCE OF 101.93 FEET TO A POINT OF TANGENCY;

THENCE S01°02'55"W CONTINUING ON SAID WEST R.O.W. A DISTANCE OF 26.09 FEET TO A POINT ON SAID SOUTHERLY LINE OF TRACT H;

THENCE N45°02'03"W A DISTANCE OF 184.36 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 8648 SQUARE FEET OR 0.1985 ACRES, MORE OR LESS.



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ORIGINAL SCALE: 1" = 50'

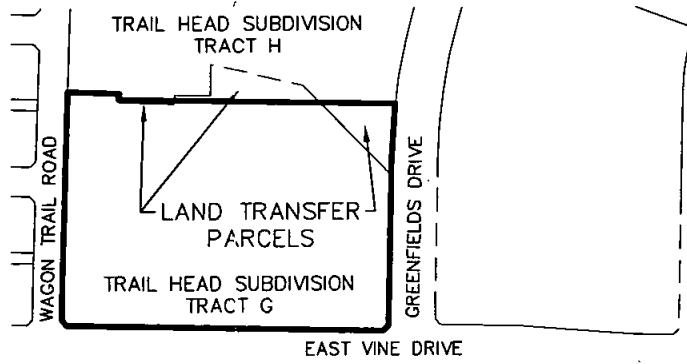
EXHIBIT B1
TRAIL HEAD SUBDIVISION
LAND TRANSFER PARCEL B
NOV. 10, 2017
SHEET 1 OF 2



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VICINITY MAP
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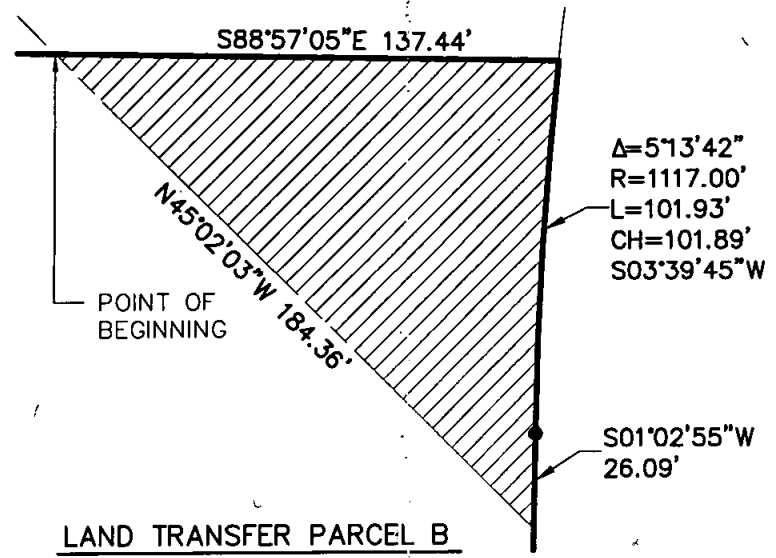
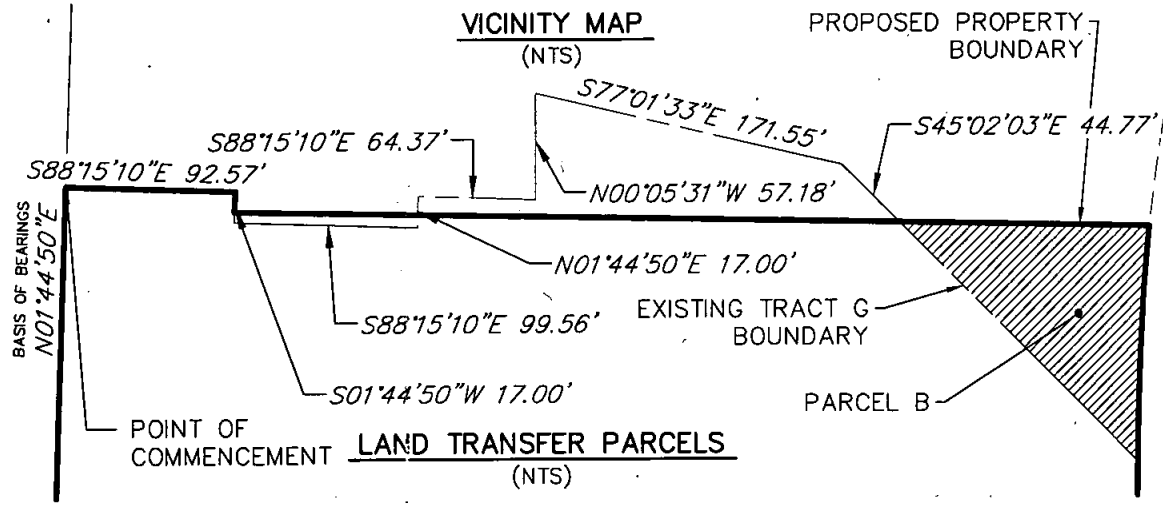


EXHIBIT B2
 TRAIL HEAD SUBDIVISION
 LAND TRANSFER PARCEL B
 NOV. 10, 2017
 SHEET 2 OF 2



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PARCEL C LEGAL

A PARCEL OF LAND BEING A PORTION OF TRACT G, TRAIL HEAD, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF SAID TRACT G AS BEARING NORTH 01°44'50" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT G;

THENCE ON THE NORTHERLY LINE OF SAID TRACT G BY THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

- 1) S88°15'10"E A DISTANCE OF 92.57 FEET;
- 2) THENCE S01°44'50"W A DISTANCE OF 17.00 FEET;
- 3) THENCE S88°15'10"E A DISTANCE OF 99.56 FEET;
- 4) THENCE N01°44'50"E A DISTANCE OF 6.88 FEET TO THE POINT OF BEGINNING;

THENCE ON SAID NORTHERLY LINE BY THE FOLLOWING FIVE (5) COURSES AND DISTANCES:

- 1) THENCE N01°44'50"E A DISTANCE OF 10.12 FEET;
- 2) THENCE S88°15'10"E A DISTANCE OF 64.37 FEET;
- 3) THENCE N00°05'31"W A DISTANCE OF 57.18 FEET;
- 4) THENCE S77°01'33"E A DISTANCE OF 171.55 FEET;
- 5) THENCE S45°02'03"E A DISTANCE OF 44.77 FEET;

THENCE DEPARTING SAID NORTHERLY LINE, N88°57'05"W A DISTANCE OF 263.45 FEET, TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 9272 SQUARE FEET OR 0.2129 ACRES, MORE OR LESS.



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ORIGINAL SCALE: 1" = 50'

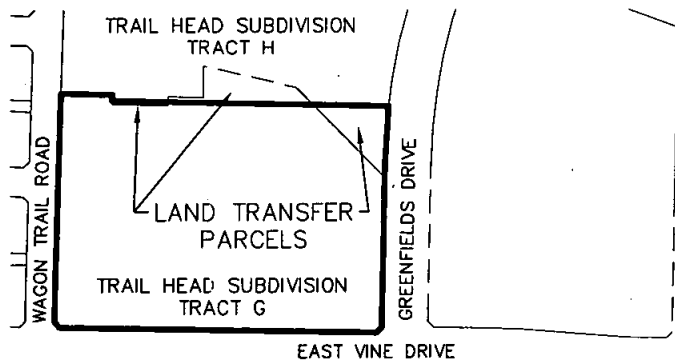
EXHIBIT C1
TRAIL HEAD SUBDIVISION
LAND TRANSFER PARCEL C
NOV. 10, 2017
SHEET 1 OF 2



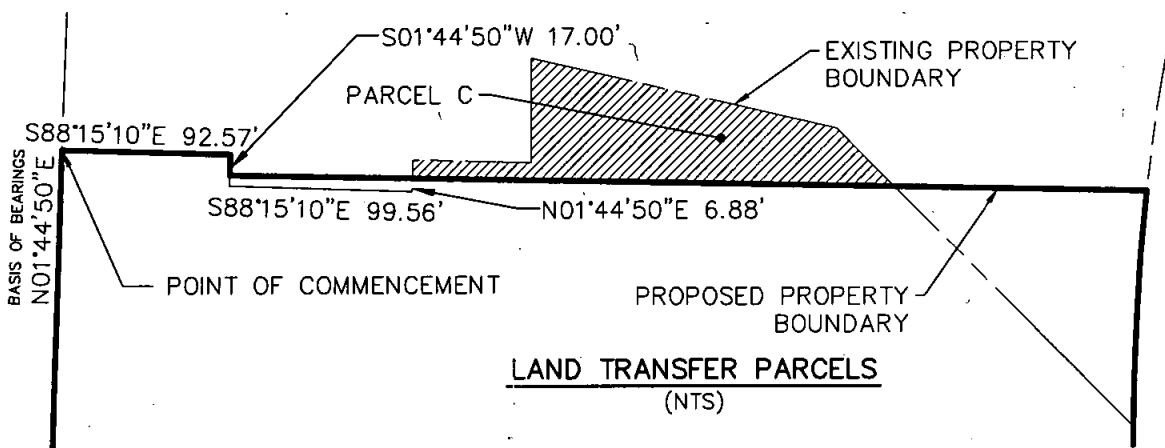
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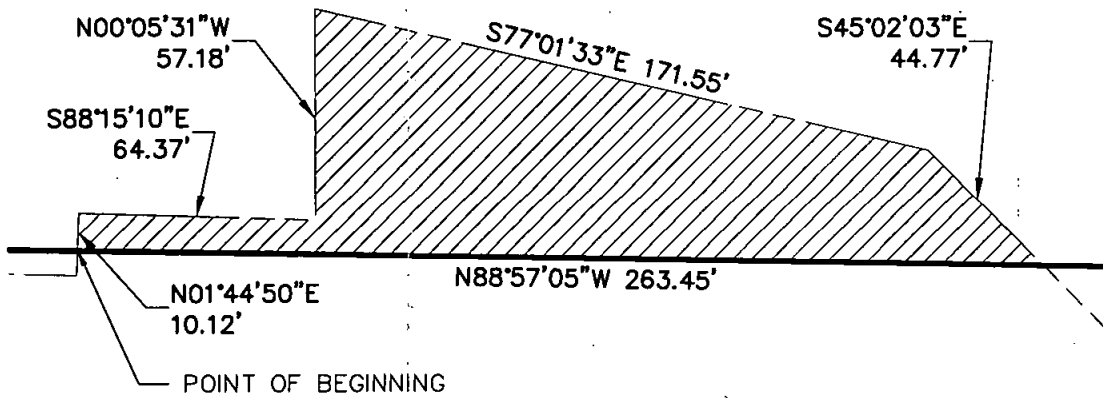
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VICINITY MAP
(NTS)

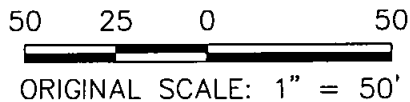


LAND TRANSFER PARCELS
(NTS)



LAND TRANSFER PARCEL C

EXHIBIT C2
TRAIL HEAD SUBDIVISION
LAND TRANSFER PARCEL C
NOV. 10, 2017
SHEET 2 OF 2



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