

ORDINANCE NO. 162, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE ACQUISITION BY EMINENT DOMAIN OF
CERTAIN LANDS NECESSARY TO CONSTRUCT PUBLIC IMPROVEMENTS
IN CONNECTION WITH THE HORSETOOTH ROAD AND COLLEGE
AVENUE INTERSECTION IMPROVEMENTS PROJECT

WHEREAS, the City Engineering Department completed an Arterial Intersection Prioritization Study in 2011, which listed the Horsetooth Road and College Avenue intersection as one of the locations for needed safety and operational improvements (the "Project"); and

WHEREAS, existing problems identified at this intersection include a high number of left turn crashes for northbound and southbound traffic and heavy congestion during peak traffic periods; and

WHEREAS, the Project will include multi-modal improvements at the intersection of Horsetooth Road and College Avenue and City staff will seek opportunities to incorporate identified improvements while balancing contextual sensitivities and budget constraints; and

WHEREAS, the Project will construct congestion and safety improvements where feasible that may include additional turn lanes, widened sidewalks, medians, signal improvements and bridge reconstruction; and

WHEREAS, current plans for the Project, which plans are subject to modification at the discretion of the City Engineering Department, include replacing the Horsetooth Road bridge crossing the Larimer Canal No. 2, just to the west of College Avenue and widening the bridge along College Avenue just south of Horsetooth Road to accommodate pedestrians and bicycles; and

WHEREAS, to construct the Project, the City will need to acquire certain property rights as described on Exhibits "A" through "I", attached hereto and incorporated herein by this reference (the "Property Rights"); and

WHEREAS, the City will negotiate in good faith for the acquisition of the Property Rights from the owners thereof; and

WHEREAS, the acquisition of the Property Rights and prompt possession of the Property for use for the Project, is desirable and necessary for the construction of the Project, is in the City's best interest, and enhances public health, safety, and welfare; and

WHEREAS, the acquisition of the Property Rights may, by law, be accomplished through eminent domain.

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

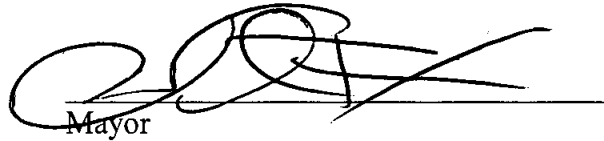
Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby finds and determines that is necessary and in the public interest to acquire the Property Rights described herein for the purpose of constructing the Project.

Section 3. That the City Council hereby authorizes the City Attorney and other appropriate officials of the City to acquire the Property Rights for the City by eminent domain proceedings.

Section 4. The City Council further finds that, in the event acquisition by eminent domain of the Property Rights or any of them is commenced, immediate possession is necessary for the public health, safety and welfare.

Introduced, considered favorably on first reading, and ordered published this 21st day of November, A.D. 2017, and to be presented for final passage on the 5th day of December, A.D. 2017.


Mayor

ATTEST:

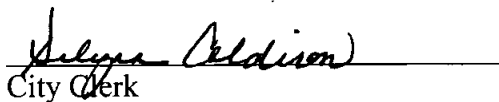

City Clerk



Passed and adopted on final reading on the 5th day of December, A.D. 2017.


Pro Tem Mayor

ATTEST:


City Clerk



PROJECT NUMBER: STU M455-118
PARCEL NUMBER: RW-1
PROJECT CODE: 20615
DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. RW-1 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING A PORTION OF LOT 1 OF THE MATTERHORN P.U.D. AS SHOWN ON THE PLAT THEREOF, RECORDED MARCH 2, 1994 AT RECEPTION NO. 94018473; AND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED FEBRUARY 14, 2014 AT RECEPTION NO. 20140007687 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 26;

THENCE N50°53'14"W, A DISTANCE OF 112.73 FEET TO THE **POINT OF BEGINNING**;

1. THENCE N30°15'01"E, A DISTANCE OF 50.67 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH COLLEGE AVENUE AS SHOWN AND DESCRIBED ON SAID PLAT OF MATTERHORN P.U.D.;
2. THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S00°02'31"E, A DISTANCE OF 58.13 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HORSETOOTH ROAD AS SHOWN AND DESCRIBED ON SAID PLAT;
3. THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S44°50'29"W, A DISTANCE OF 9.22 FEET;
4. THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, N89°51'31"W, A DISTANCE OF 44.51 FEET;
5. THENCE N50°45'08"E, A DISTANCE OF 32.85 FEET TO THE **POINT OF BEGINNING**.

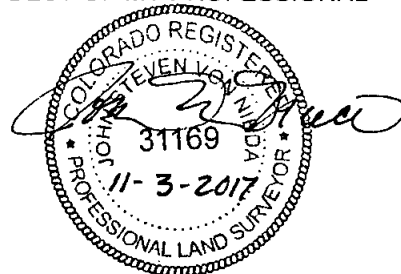
CONTAINING 1,337 SQUARE FEET (0.031 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 26, T7N, R69W OF THE 6TH P.M. TO BEAR N89°43'38"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS WEST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.

JOHN STEVEN VON NIEDA, COLORADO P.L.S. 31169
 FOR AND ON BEHALF OF THE CITY OF FORT COLLINS
 P.O. BOX 580, FORT COLLINS, CO 80522

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PROJECT NUMBER: STU M455-118

PARCEL NUMBER: TE-1

PROJECT CODE: 20615

DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. TE-1 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING LOCATED WITHIN LOT 1 OF THE MATTERHORN P.U.D. AS SHOWN ON THE PLAT THEREOF, RECORDED MARCH 2, 1994 AT RECEPTION NO. 94018473; AND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED FEBRUARY 14, 2014 AT RECEPTION NO. 20140007687 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 26;

THENCE N20°22'46"W, A DISTANCE OF 303.41 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1, SAID POINT BEING THE **POINT OF BEGINNING**;

1. THENCE ALONG SAID NORTH LINE, S89°57'31"E, A DISTANCE OF 43.59 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH COLLEGE AVENUE AS SHOWN AND DESCRIBED ON SAID PLAT;
2. THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S00°02'31"E, A DISTANCE OF 169.50 FEET;
3. THENCE S30°15'01"W, A DISTANCE OF 50.67 FEET;
4. THENCE S50°45'08"W, A DISTANCE OF 32.85 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HORSETOOTH ROAD AS SHOWN AND DESCRIBED ON SAID PLAT;
5. THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, N89°51'31"W, A DISTANCE OF 173.67 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;
6. THENCE ALONG THE WEST LINE OF SAID LOT 1, N05°08'31"W, A DISTANCE OF 42.65 FEET;
7. THENCE N90°00'00"E, A DISTANCE OF 164.19 FEET;
8. THENCE N45°30'24"E, A DISTANCE OF 28.81 FEET;
9. THENCE N00°00'00"E, A DISTANCE OF 170.98 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 16,883 SQUARE FEET (0.388 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 26, T7N, R69W OF THE 6TH P.M. TO BEAR N89°43'38"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS WEST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.

JOHN STEVEN VON NIEDA, COLORADO P.L.S. 31169
FOR AND ON BEHALF OF THE CITY OF FORT COLLINS
P.O. BOX 580, FORT COLLINS, CO 80522



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PROJECT NUMBER: STU M455-118
 PARCEL NUMBER: TE-2
 PROJECT CODE: 20615
 DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. TE-2 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING LOCATED WITHIN LOT 2 OF THE MATTERHORN P.U.D. AS SHOWN ON THE PLAT THEREOF, RECORDED MARCH 2, 1994 AT RECEPTION NO. 94018473; AND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED AUGUST 15, 2008 AT RECEPTION NO. 20080052767 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 26;

THENCE N20°22'46"W, A DISTANCE OF 303.41 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2, SAID POINT BEING THE **POINT OF BEGINNING**;

1. THENCE N00°00'00"E, A DISTANCE OF 65.26 FEET;
2. THENCE N90°00'00"E, A DISTANCE OF 29.68 FEET;
3. THENCE N00°10'45"E, A DISTANCE OF 108.97 FEET;
4. THENCE N11°53'26"E, A DISTANCE OF 65.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH COLLEGE AVENUE AS SHOWN AND DESCRIBED ON SAID PLAT OF MATTERHORN P.U.D.;
5. THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S00°02'31"E, A DISTANCE OF 237.86 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;
6. THENCE ALONG THE SOUTH LINE OF SAID LOT 2, N89°57'31"W, A DISTANCE OF 43.59 FEET TO THE **POINT OF BEGINNING**.

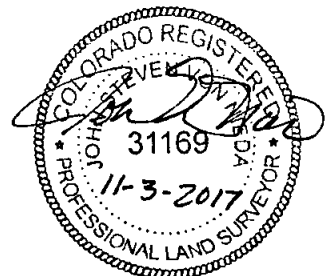
CONTAINING 4,758 SQUARE FEET (0.109 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 26, T7N, R69W OF THE 6TH P.M. TO BEAR N89°43'38"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS WEST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.

JOHN STEVEN VON NIEDA, COLORADO P.L.S. 31169
 FOR AND ON BEHALF OF THE CITY OF FORT COLLINS
 P.O. BOX 580, FORT COLLINS, CO 80522

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PROJECT NUMBER: STU M455-118
PARCEL NUMBER: TE-3
PROJECT CODE: 20615
DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. TE-3 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING LOCATED WITHIN LOT 2 OF STRACHAN SUBDIVISION, FOURTH FILING AS SHOWN ON THE PLAT THEREOF, RECORDED SEPTEMBER 10, 1992 AT RECEPTION NO. 92055745; AND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED NOVEMBER 21, 2007 AT RECEPTION NO. 20070086753 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 25;

THENCE N23°10'13"E, A DISTANCE OF 257.60 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2, STRACHAN SUBDIVISION, FOURTH FILING, SAID POINT BEING THE **POINT OF BEGINNING**;

1. THENCE S00°02'00"E, A DISTANCE OF 160.01 FEET;
2. THENCE S89°51'02"E, A DISTANCE OF 112.29 FEET;
3. THENCE N00°00'00"E, A DISTANCE OF 20.00 FEET;
4. THENCE S89°51'02"E, A DISTANCE OF 24.03 FEET;
5. THENCE S00°08'58"W, A DISTANCE OF 20.00 FEET;
6. THENCE S89°51'02"E, A DISTANCE OF 167.01 FEET;
7. THENCE N00°14'16"E, A DISTANCE OF 20.00 FEET;
8. THENCE S89°51'02"E, A DISTANCE OF 57.49 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2;
9. THENCE ALONG SAID EAST LINE, S00°08'58"W, A DISTANCE OF 47.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2, WHICH IS ALSO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HORSETOOTH ROAD AS SHOWN AND DESCRIBED ON SAID PLAT OF STRACHAN SUBDIVISION, FOURTH FILING;
10. THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, N89°51'02"W, A DISTANCE OF 368.97 FEET;
11. THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY LINE, N45°10'47"W, A DISTANCE OF 44.79 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SOUTH COLLEGE AVENUE AS SHOWN AND DESCRIBED ON SAID PLAT;
12. THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N00°02'00"W, A DISTANCE OF 155.52 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;
13. THENCE ALONG THE NORTH LINE OF SAID LOT 2, S89°51'10"E, A DISTANCE OF 40.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 18,351 SQUARE FEET (0.421 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 25, T7N, R69W OF THE 6TH P.M. TO BEAR S89°51'02"E, SAID LINE BEING MONUMENTED ON ITS WEST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS EAST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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PROJECT NUMBER: STU M455-118

PARCEL NUMBER: RW-4

PROJECT CODE: 20615

DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. RW-4 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING A PORTION OF LOT 1 OF THE FIRST REPLAT OF 1ST CHOICE BANK OF FORT COLLINS AS SHOWN ON THE PLAT THEREOF, RECORDED JULY 7, 1995 AT RECEPTION NO. 95039587 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 36;

THENCE S67°00'28"E, A DISTANCE OF 151.94 FEET TO THE **POINT OF BEGINNING**;

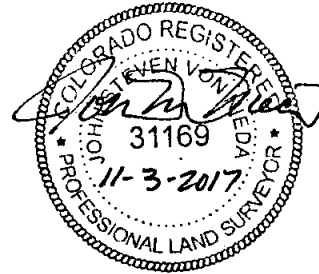
1. THENCE S66°08'12"W, A DISTANCE OF 30.01 FEET;
2. THENCE S42°11'38"W, A DISTANCE OF 29.27 FEET;
3. THENCE S22°08'58"W, A DISTANCE OF 20.47 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SOUTH COLLEGE AVENUE AS SHOWN AND DESCRIBED ON SAID PLAT;
4. THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, N00°20'58"E, A DISTANCE OF 56.15 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HORSETOOTH ROAD AS SHOWN AND DESCRIBED ON SAID PLAT;
5. THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N45°14'58"E, A DISTANCE OF 0.72 FEET;
6. THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE S89°51'02"E, A DISTANCE OF 301.70 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MITCHELL DRIVE AS SHOWN AND DESCRIBED ON SAID PLAT;
7. THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, 15.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 28°52'07", AND A CHORD WHICH BEARS S75°24'59"E, A DISTANCE OF 14.96 FEET;
8. THENCE NON-TANGENT FROM SAID CURVE, N89°51'02"W, A DISTANCE OF 262.20 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,111 SQUARE FEET (0.048 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 36, T7N, R69W OF THE 6TH P.M. TO BEAR S89°51'02"E, SAID LINE BEING MONUMENTED ON ITS WEST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS EAST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.

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PROJECT NUMBER: STU M455-118
PARCEL NUMBER: TE-4
PROJECT CODE: 20615
DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. TE-4 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING LOCATED WITHIN LOT 1 OF THE FIRST REPLAT OF 1ST CHOICE BANK OF FORT COLLINS AS SHOWN ON THE PLAT THEREOF, RECORDED JULY 7, 1995 AT RECEPTION NO. 95039587 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 36;

THENCE S80°05'44"E, A DISTANCE OF 407.14 FEET TO THE **POINT OF BEGINNING**;

1. THENCE N89°51'02"W, A DISTANCE OF 269.16 FEET;
2. THENCE S00°08'58"W, A DISTANCE OF 17.99 FEET;
3. THENCE S38°30'29"W, A DISTANCE OF 43.56 FEET;
4. THENCE S00°00'00"E, A DISTANCE OF 148.35 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1;
5. THENCE ALONG SAID SOUTH LINE, N63°16'02"W, A DISTANCE OF 23.06 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, WHICH IS ALSO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SOUTH COLLEGE AVENUE AS SHOWN AND DESCRIBED ON SAID PLAT;
6. THENCE ALONG SAID EAST RIGHT-OF-WAY LINE N00°20'58"E, A DISTANCE OF 147.25 FEET;
7. THENCE N22°08'58"E, A DISTANCE OF 20.47 FEET;
8. THENCE N42°11'38"E, A DISTANCE OF 29.27 FEET;
9. THENCE N66°08'12"E, A DISTANCE OF 30.01 FEET;
10. THENCE S89°51'02"E, A DISTANCE OF 262.20 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MITCHELL DRIVE AS SHOWN AND DESCRIBED ON SAID PLAT;
11. THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, 31.90 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 60°55'53", AND A CHORD WHICH BEARS S30°30'59"E A DISTANCE OF 30.42 FEET;
12. THENCE NON-TANGENT FROM SAID CURVE, N45°25'09"W, A DISTANCE OF 23.09 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 7,254 SQUARE FEET (0.167 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 36, T7N, R69W OF THE 6TH P.M. TO BEAR S89°51'02"W, SAID LINE BEING MONUMENTED ON ITS WEST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS EAST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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PROJECT NUMBER: STU M455-118
 PARCEL NUMBER: RW-5
 PROJECT CODE: 20615
 DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. RW-5 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING A PORTION OF LOT 1, BLOCK 1 OF THE REPLAT OF LOTS 1, 2, 3 & 4 – CREGER PLAZA SUBDIVISION AS SHOWN ON THE PLAT THEREOF, RECORDED DECEMBER 13, 1979 IN BOOK 2011, PAGE 833; AND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED OCTOBER 10, 2006 AT RECEPTION NO. 20060076771 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35;

THENCE S57°46'08"W, A DISTANCE OF 116.14 FEET TO THE **POINT OF BEGINNING**;

1. THENCE N45°04'55"W, A DISTANCE OF 17.70 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HORSETOOTH ROAD AS SHOWN AND DESCRIBED ON SAID PLAT;
2. THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, S89°43'14"E, A DISTANCE OF 42.79 FEET;
3. THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, S45°04'34"E, A DISTANCE OF 18.65 FEET;
4. THENCE N88°50'13"W, A DISTANCE OF 43.47 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 546 SQUARE FEET (0.013 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 35, T7N, R69W OF THE 6TH P.M. TO BEAR N89°43'38"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS WEST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.

JOHN STEVEN VON NIEDA, COLORADO P.L.S. 31169
 FOR AND ON BEHALF OF THE CITY OF FORT COLLINS
 P.O. BOX 580, FORT COLLINS, CO 80522

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PROJECT NUMBER: STU M455-118
PARCEL NUMBER: RW-5A
PROJECT CODE: 20615
DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. RW-5A OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING A PORTION OF LOT 1, BLOCK 1 OF THE REPLAT OF LOTS 1, 2, 3 & 4 – CREGER PLAZA SUBDIVISION AS SHOWN ON THE PLAT THEREOF, RECORDED DECEMBER 13, 1979 IN BOOK 2011, PAGE 833; AND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED OCTOBER 10, 2006 AT RECEPTION NO. 20060076771 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35;

THENCE S09°21'00"W, A DISTANCE OF 374.49 FEET TO THE **POINT OF BEGINNING**;

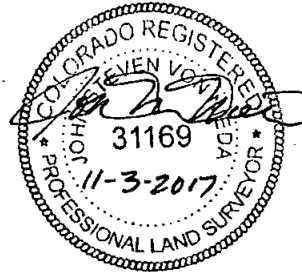
1. THENCE N00°22'55"W, A DISTANCE OF 92.38 FEET;
2. THENCE N21°30'57"E, A DISTANCE OF 27.69 FEET;
3. THENCE N00°22'55"W, A DISTANCE OF 80.76 FEET;
4. THENCE S89°37'05"W, A DISTANCE OF 1.72 FEET;
5. THENCE N00°22'55"W, A DISTANCE OF 107.31 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HORSETOOTH ROAD AS SHOWN AND DESCRIBED ON SAID PLAT;
6. THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, S45°04'34"E, A DISTANCE OF 22.78 FEET;
7. THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH COLLEGE AVENUE AS SHOWN AND DESCRIBED ON SAID PLAT, S00°01'26"W, A DISTANCE OF 290.11 FEET;
8. THENCE N89°58'34"W, A DISTANCE OF 22.57 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 5,224 SQUARE FEET (0.120 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 35, T7N, R69W OF THE 6TH P.M. TO BEAR N89°43'38"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS WEST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.

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PROJECT NUMBER: STU M455-118
PARCEL NUMBER: TE-5
PROJECT CODE: 20615
DATE: NOVEMBER 2, 2017

A TRACT OR PARCEL OF LAND NO. TE-5 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. STU M455-118; BEING LOCATED WITHIN LOT 1, BLOCK 1 OF THE REPLAT OF LOTS 1, 2, 3 & 4 – CREGER PLAZA SUBDIVISION AS SHOWN ON THE PLAT THEREOF, RECORDED DECEMBER 13, 1979 IN BOOK 2011, PAGE 833; AND AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED OCTOBER 10, 2006 AT RECEPTION NO. 20060076771 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35;

THENCE S57°46'08"W, A DISTANCE OF 116.14 FEET TO THE **POINT OF BEGINNING**;

1. THENCE S88°50'13"E, A DISTANCE OF 43.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HORSETOOTH ROAD AS SHOWN AND DESCRIBED ON SAID PLAT;
2. THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, S45°04'34"E, A DISTANCE OF 0.71 FEET;
3. THENCE S00°22'55"E, A DISTANCE OF 107.31 FEET;
4. THENCE N89°37'05"E, A DISTANCE OF 1.72 FEET;
5. THENCE S00°22'55"E, A DISTANCE OF 80.76 FEET;
6. THENCE S21°30'57"W, A DISTANCE OF 27.69 FEET;
7. THENCE S00°22'55"E, A DISTANCE OF 92.38 FEET;
8. THENCE S89°58'34"E, A DISTANCE OF 22.57 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH COLLEGE AVENUE AS SHOWN AND DESCRIBED ON SAID PLAT;
9. THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S00°01'26"W, A DISTANCE OF 73.29 FEET;
10. THENCE S90°00'00"W, A DISTANCE OF 34.63 FEET;
11. THENCE N00°19'29"E, A DISTANCE OF 284.65 FEET;
12. THENCE N47°07'01"W, A DISTANCE OF 63.94 FEET;
13. THENCE N00°06'05"E, A DISTANCE OF 24.67 FEET;
14. THENCE N27°27'45"W, A DISTANCE OF 34.55 FEET;
15. THENCE N89°43'14"W, A DISTANCE OF 108.33 FEET;
16. THENCE S00°16'46"W, A DISTANCE OF 92.87 FEET;

17. THENCE N89°43'14"W, A DISTANCE OF 52.45 FEET;
18. THENCE N00°16'46"E, A DISTANCE OF 92.87 FEET;
19. THENCE N89°43'14"W, A DISTANCE OF 178.55 FEET;
20. THENCE S00°16'46"W, A DISTANCE OF 118.12 FEET;
21. THENCE 153.78 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 354.38 FEET, A CENTRAL ANGLE OF 24°51'46", AND A CHORD WHICH BEARS S12°42'39"W, A DISTANCE OF 152.58 FEET;
22. THENCE 99.84 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 260.00 FEET, A CENTRAL ANGLE OF 22°00'02", AND A CHORD WHICH BEARS S14°08'31"W, A DISTANCE OF 99.22 FEET;
23. THENCE N86°51'30"W, A DISTANCE OF 10.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MASON STREET AS SHOWN AND DESCRIBED ON SAID PLAT;
24. THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, 103.68 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 22°00'02", AND A CHORD WHICH BEARS N14°08'31"E A DISTANCE OF 103.04 FEET;
25. THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, 149.44 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 344.38 FEET, A CENTRAL ANGLE OF 24°51'46", AND A CHORD WHICH BEARS N12°42'39"E, A DISTANCE OF 148.27 FEET;
26. THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, N00°16'46"E, A DISTANCE OF 113.12 FEET;
27. THENCE CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, 23.56 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD WHICH BEARS N45°16'46"E, A DISTANCE OF 21.21 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HORSETOOTH ROAD AS SHOWN AND DESCRIBED ON SAID PLAT;
28. THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, S89°43'14"E, A DISTANCE OF 357.56 FEET;
29. THENCE S45°04'55"E, A DISTANCE OF 17.70 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 23,532 SQUARE FEET (0.540 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

BASIS OF BEARINGS: CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 35, T7N, R69W OF THE 6TH P.M. TO BEAR N89°43'38"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, AND ON ITS WEST END BY A 3" ALUMINUM CAP STAMPED LS 20123, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.



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