

ORDINANCE NO. 075, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING THE PROPERTY KNOWN AS THE EAST GATEWAY
ANNEXATION TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2018-041 finding substantial compliance and initiating annexation proceedings for the East Gateway Annexation, as defined therein and described below, was previously adopted by the City Council; and

WHEREAS, Resolution 2018-057 setting forth findings of fact and determinations regarding the East Gateway Annexation was adopted concurrently with the first reading of this Ordinance; and

WHEREAS, the City Council has determined that it is in the best interests of the City to annex the property to be known as the East Gateway Annexation (the "Property") to 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 hereby incorporates the findings of Resolution 2018-041 and Resolution 2018-057 and further finds that it is in the best interests of the City to annex the Property to the City.

Section 3. That the Property, more particularly described as:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE SIXTH P.M., COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10 TO BEAR S89°23'02"E, SAID LINE BEING MONUMENTED ON ITS WEST END BY A 3" BRASS CAP STAMPED LS 23503, AND ON ITS EAST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 31169, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 10, S89°23'02"E, A DISTANCE OF 1,427.40 FEET;
THENCE N00°36'58"E, A DISTANCE OF 30.90 FEET;
THENCE N69°23'46"W, A DISTANCE OF 89.48 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 14 (EAST MULBERRY STREET);

POSTPONED INDEFINITELY ON FIRST READING
JUNE 5, 2018

~~THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N69°23'46"W, A DISTANCE OF 211.18 FEET TO THE MOST WESTERLY CORNER OF THAT TRACT OF LAND CONVEYED TO THE COLORADO DEPARTMENT OF TRANSPORTATION BY WARRANTY DEED RECORDED JUNE 11, 2009 AT RECEPTION NO. 20090038617;~~

~~THENCE ALONG THE NORTHERLY BOUNDARY OF SAID TRACT, S89°47'51"E, A DISTANCE OF 193.56 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED APRIL 12, 2002 AT RECEPTION NO. 2002051529;~~

~~THENCE ALONG SAID WESTERLY BOUNDARY, N00°37'38"E, A DISTANCE OF 2,453.85 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE BNSF RAILWAY;~~

~~THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, N89°02'25"W, A DISTANCE OF 470.00 FEET;~~

~~THENCE N83°54'03"W, A DISTANCE OF 558.15 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID BNSF RAILWAY;~~

~~THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE S89°02'25"E, A DISTANCE OF 1,044.00 FEET;~~

~~THENCE ALONG THE NORTHERLY EXTENSION OF THE TOP BACK OF AN EXISTING CURB, ALONG SAID TOP BACK OF CURB, AND ALONG THE SOUTHERLY EXTENSION OF SAID TOP BACK OF CURB, THE FOLLOWING FIVE (5) COURSES:~~

- ~~1. S00°12'51"W, A DISTANCE OF 920.13 FEET;~~
- ~~2. 34.24 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 07°50'52", AND A CHORD WHICH BEARS S04°08'17"W, A DISTANCE OF 34.22 FEET;~~
- ~~3. S08°03'43"W, A DISTANCE OF 96.07 FEET;~~
- ~~4. 31.86 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 07°18'07", AND A CHORD WHICH BEARS S04°24'40"W, A DISTANCE OF 31.84 FEET;~~
- ~~5. S00°45'36"W, A DISTANCE OF 1,496.03 FEET TO THE POINT OF BEGINNING;~~

~~CONTAINING 76,962 SQUARE FEET (1.767 ACRES), MORE OR LESS~~

~~is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the East Gateway Annexation, which annexation shall become effective upon completion of the conditions contained in Section 31-12-113, C.R.S., including, without limitation, all required filings for recording with the Larimer County Clerk and Recorder.~~

~~Section 4. That, in annexing the Property to the City, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the Property hereby annexed except as may be provided by ordinances of the City.~~

**POSTPONED INDEFINITELY ON FIRST READING
JUNE 5, 2018**

Section 5. That the City hereby consents, pursuant to Section 37-45-136(3.6), C.R.S., to the inclusion of the Property into the Municipal Subdistrict, Northern Colorado Water Conservancy District.

Introduced, considered favorably on first reading, and ordered published this 5th day of June, A.D. 2018, and to be presented for final passage on the 19th day of June, A.D. 2018.

Mayor Pro Tem

ATTEST:

City Clerk

Passed and adopted on final reading on the 19th day of June, A.D. 2018.

Mayor

ATTEST:

City Clerk

**POSTPONED INDEFINITELY ON FIRST READING
JUNE 5, 2018**