

ORDINANCE NO. 170, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE ACQUISITION BY EMINENT DOMAIN PROCEEDINGS OF
CERTAIN LANDS NECESSARY TO CONSTRUCT PUBLIC IMPROVEMENTS IN
CONNECTION WITH THE JEFFERSON STREET IMPROVEMENTS PROJECT

WHEREAS, in March 2009, the City entered into an Intergovernmental Agreement with the Colorado Department of Transportation (the "IGA") enabling the City to receive \$1,000,000 in federal Congestion Mitigation and Air Quality ("CMAQ") funds for the Jefferson Street Improvement Project (the "Project"); and

WHEREAS, the City provided an additional \$249,000 in local matching funds to the Project resulting in an overall Project budget of \$1,249,000; and

WHEREAS, shortly thereafter, the City initiated the Jefferson Street Alternatives Analysis Project to explore alternate configurations for the Project, and formalized the preferred alternative between various stakeholders by amending the IGA in July of 2013; and

WHEREAS, after additional design and process, the City has shifted its focus to the Project's property acquisition phase and the current IGA will not allow further amendment for this purpose; and

WHEREAS, CDOT has developed a new intergovernmental agreement that will enable the continuation of the Project (the "New IGA") through authorization of the property acquisition phase, and formalize a Project budget of \$526,100, which is the remaining CMAQ funds under the Project's previous IGA; and

WHEREAS, as the available funds are not sufficient to acquire all needed property interests for the Project, staff is prioritizing using the remaining CMAQ funds to acquire property interests for existing sidewalks currently located over five parcels of private property; and

WHEREAS, the area where the existing sidewalks are located is the same as where the eventual sidewalk improvements will be constructed, providing both a long-term benefit for the Project as well as immediately correcting public infrastructure located on private property; 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 is desirable and necessary for the construction of the Project, is in the City's best interest, and enhances public health, safety, and welfare because it provides public infrastructure and walkways within the City; 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 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.

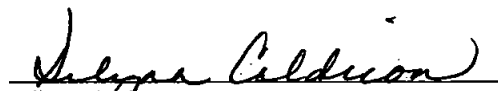
Section 4. The City Council further finds that, in the event acquisition by eminent domain of the Property Rights or any of them is commenced, immediate possession is necessary for the public health, safety and welfare.

Introduced, considered favorably on first reading, and ordered published this 4th day of December, A.D. 2018, and to be presented for final passage on the 18th day of December, A.D. 2018.



Mayor

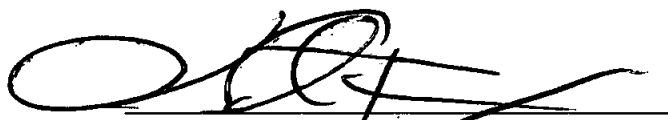
ATTEST:



City Clerk




Passed and adopted on final reading on the 18th day of December, A.D. 2018.



Mayor

ATTEST:



City Clerk



EXHIBIT "A"

PROJECT NUMBER: AQC M455-088
 PARCEL NUMBER: ROW1
 PROJECT CODE: 16525
 DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. ROW1 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED JANUARY 5, 2015 AT RECEPTION NO. 20150000457 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE N32°26'44"E, A DISTANCE OF 579.78 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE SOUTHEASTERLY BOUNDARY OF THE EXISTING ACCESS AND LANDSCAPING EASEMENT TO THE CITY OF FORT COLLINS RECORDED AT RECEPTION NO. 2000068772;

1. THENCE S48°09'59"E, A DISTANCE OF 156.02 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY OF AN EXISTING EMERGENCY ACCESS EASEMENT RECORDED AT RECEPTION NO. 20170028600;
2. THENCE ALONG SAID NORTHWESTERLY BOUNDARY, S41°33'52"W, A DISTANCE OF 6.00 FEET TO A POINT ON THE EXISTING NORTHEASTERLY RIGHT-OF-WAY LINE OF JEFFERSON STREET AS SHOWN AND DESCRIBED IN THE DEED OF DEDICATION FOR RIGHT-OF-WAY RECORDED DECEMBER 11, 2008 AT RECEPTION NO. 20080077417;
3. THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, N48°09'59"W, A DISTANCE OF 156.05 FEET TO THE MOST SOUTHERLY CORNER OF SAID ACCESS AND LANDSCAPING EASEMENT;
4. THENCE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID ACCESS AND LANDSCAPING EASEMENT, N41°46'39"E, A DISTANCE OF 6.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 937 SQUARE FEET (0.021 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, 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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EXHIBIT "B"

PROJECT NUMBER: AQC M455-088
PARCEL NUMBER: ROW2
PROJECT CODE: 16525
DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. ROW2 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED NOVEMBER 20, 2012 AT RECEPTION NO. 20120082369 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER (HEREINAFTER KNOWN AS THE 316 JEFFERSON TRACT); LOCATED IN THE WEST HALF OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE S88°17'53"E, A DISTANCE OF 869.14 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE SOUTHEASTERLY BOUNDARY OF THE 316 JEFFERSON TRACT;

1. THENCE ALONG SAID SOUTHEASTERLY BOUNDARY, S41°43'08"W, A DISTANCE OF 7.46 FEET TO A POINT ON THE EXISTING NORTHEASTERLY RIGHT-OF-WAY LINE OF JEFFERSON STREET;
2. THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, N48°31'10"W, A DISTANCE OF 124.96 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF LINDEN STREET;
3. THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, N41°43'08"E, A DISTANCE OF 7.65 FEET;
4. THENCE S48°26'06"E, A DISTANCE OF 124.96 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 945 SQUARE FEET (0.022 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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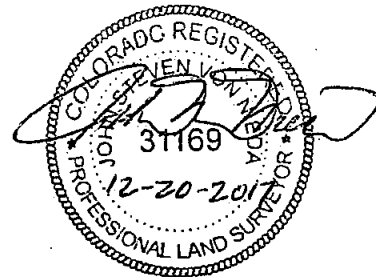


EXHIBIT "C"

PROJECT NUMBER: AQC M455-088
PARCEL NUMBER: ROW4
PROJECT CODE: 16525
DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. ROW4 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED NOVEMBER 30, 2016 AT RECEPTION NO. 20160082452 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER (HEREINAFTER KNOWN AS THE 360-400 JEFFERSON TRACT); LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE S82°41'18"E, A DISTANCE OF 989.74 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE NORTHWESTERLY BOUNDARY OF THE 360-400 JEFFERSON TRACT;

1. THENCE S48°26'06"E, A DISTANCE OF 285.91 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF THE 360-400 JEFFERSON TRACT;
2. THENCE ALONG SAID SOUTHEASTERLY BOUNDARY, S41°43'08"W, A DISTANCE OF 6.82 FEET TO A POINT ON THE EXISTING NORTHEASTERLY RIGHT-OF-WAY LINE OF JEFFERSON STREET;
3. THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, N48°31'10"W, A DISTANCE OF 285.91 FEET TO THE MOST WESTERLY CORNER OF THE 360-400 JEFFERSON TRACT;
4. THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID TRACT, N41°43'08"E, A DISTANCE OF 7.24 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,010 SQUARE FEET (0.046 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, 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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FOR AND ON BEHALF OF THE CITY OF FORT COLLINS
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EXHIBIT "D"

PROJECT NUMBER: AQC M455-088
PARCEL NUMBER: PE4A
PROJECT CODE: 16525
DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. PE4A OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING LOCATED WITHIN THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED NOVEMBER 30, 2016 AT RECEPTION NO. 20160082452 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER (HEREINAFTER KNOWN AS THE 360-400 JEFFERSON TRACT); LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE S82°41'18"E, A DISTANCE OF 989.74 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE NORTHWESTERLY BOUNDARY OF THE 360-400 JEFFERSON TRACT;

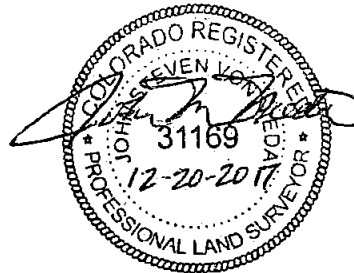
1. THENCE ALONG SAID NORTHWESTERLY BOUNDARY, N41°43'08"E, A DISTANCE OF 4.00 FEET;
2. THENCE S48°26'06"E, A DISTANCE OF 22.00 FEET;
3. THENCE S41°43'08"W, A DISTANCE OF 4.00 FEET;
4. THENCE N48°26'06"W, A DISTANCE OF 22.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 88 SQUARE FEET 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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EXHIBIT "E"

PROJECT NUMBER: AQC M455-088
PARCEL NUMBER: PE4B
PROJECT CODE: 16525
DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. PE4B OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING LOCATED WITHIN THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED NOVEMBER 30, 2016 AT RECEPTION NO. 20160082452 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER; LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE S80°24'06"E, A DISTANCE OF 1,052.23 FEET TO THE POINT OF BEGINNING;

THENCE N41°33'54"E, A DISTANCE OF 2.00 FEET;

THENCE S48°26'06"E, A DISTANCE OF 26.00 FEET;

THENCE S41°33'54"W, A DISTANCE OF 2.00 FEET;

THENCE N48°26'06"W, A DISTANCE OF 26.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 52 SQUARE FEET 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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EXHIBIT "F"

PROJECT NUMBER: AQC M455-088
PARCEL NUMBER: ROW3
PROJECT CODE: 16525
DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. ROW3 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED JANUARY 15, 2008 AT RECEPTION NO. 20080002964 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER (HEREINAFTER KNOWN AS THE 324 JEFFERSON TRACT); LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE S88°17'53"E, A DISTANCE OF 869.14 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE NORTHWESTERLY BOUNDARY OF THE 324 JEFFERSON TRACT;

1. THENCE S48°26'06"E, A DISTANCE OF 150.95 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF THE 324 JEFFERSON TRACT;
2. THENCE ALONG SAID SOUTHEASTERLY BOUNDARY, S41°43'08"W, A DISTANCE OF 7.24 FEET TO A POINT ON THE EXISTING NORTHEASTERLY RIGHT-OF-WAY LINE OF JEFFERSON STREET;
3. THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, N48°31'10"W, A DISTANCE OF 150.95 FEET TO THE MOST WESTERLY CORNER OF THE 324 JEFFERSON TRACT;
4. THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID TRACT, N41°43'08"E, A DISTANCE OF 7.46 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,110 SQUARE FEET (0.025 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, 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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FOR AND ON BEHALF OF THE CITY OF FORT COLLINS
P.O. BOX 580, FORT COLLINS, CO 80522

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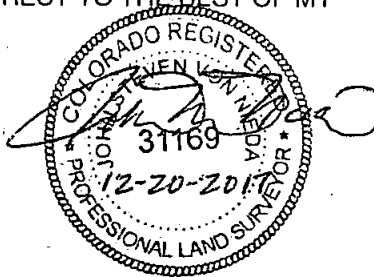


EXHIBIT "G"

PROJECT NUMBER: AQC M455-088

PARCEL NUMBER: PE3

PROJECT CODE: 16525

DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. PE3 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING LOCATED WITHIN THAT TRACT OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED JANUARY 15, 2008 AT RECEPTION NO. 20080002964 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER (HEREINAFTER KNOWN AS THE 324 JEFFERSON TRACT); LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE S88°17'53"E, A DISTANCE OF 869.14 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE NORTHWESTERLY BOUNDARY OF THE 324 JEFFERSON TRACT;

1. THENCE ALONG SAID NORTHWESTERLY BOUNDARY, N41°43'08"E, A DISTANCE OF 4.00 FEET;
2. THENCE S48°26'06"E, A DISTANCE OF 20.00 FEET;
3. THENCE S41°33'54"W, A DISTANCE OF 4.00 FEET;
4. THENCE N48°26'06"W, A DISTANCE OF 20.01 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 80 SQUARE FEET 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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EXHIBIT "H"

PROJECT NUMBER: AQC M455-088
PARCEL NUMBER: ROW5
PROJECT CODE: 16525
DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. ROW5 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED JUNE 2, 1994 AT RECEPTION NO. 94047089 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER (HEREINAFTER KNOWN AS THE 410 JEFFERSON TRACT); LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE S75°12'39"E, A DISTANCE OF 1,236.58 FEET TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE NORTHWESTERLY BOUNDARY OF THE 410 JEFFERSON TRACT;

1. THENCE S48°26'06"E, A DISTANCE OF 137.95 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF THE 410 JEFFERSON TRACT;
2. THENCE ALONG SAID SOUTHEASTERLY BOUNDARY, S41°43'08"W, A DISTANCE OF 6.62 FEET TO A POINT ON THE EXISTING NORTHEASTERLY RIGHT-OF-WAY LINE OF JEFFERSON STREET;
3. THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, N48°31'10"W, A DISTANCE OF 137.95 FEET TO THE MOST WESTERLY CORNER OF THE 410 JEFFERSON TRACT;
4. THENCE ALONG THE NORTHWESTERLY BOUNDARY OF SAID TRACT, N41°43'08"E, A DISTANCE OF 6.82 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 927 SQUARE FEET (0.021 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, 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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EXHIBIT "I"

PROJECT NUMBER: AQC M455-088
PARCEL NUMBER: PE5
PROJECT CODE: 16525
DATE: DECEMBER 19, 2017

A TRACT OR PARCEL OF LAND NO. PE5 OF THE CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, PROJECT NO. AQC-M455-088; BEING LOCATED WITHIN THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED JUNE 2, 1994 AT RECEPTION NO. 94047089 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER (HEREINAFTER KNOWN AS THE 410 JEFFERSON TRACT); LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, 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 WEST QUARTER CORNER OF SAID SECTION 12;

THENCE S72°44'59"E, A DISTANCE OF 1,352.95 FEET TO THE **POINT OF BEGINNING**;

1. THENCE N41°43'08"E, A DISTANCE OF 4.00 FEET;
2. THENCE S48°26'06"E, A DISTANCE OF 9.00 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF THE 410 JEFFERSON TRACT;
3. THENCE ALONG SAID SOUTHEASTERLY BOUNDARY, S41°43'08"W, A DISTANCE OF 4.00 FEET;
4. THENCE N48°26'06"W, A DISTANCE OF 9.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 36 SQUARE FEET 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 WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12, T7N, R69W OF THE 6TH P.M. TO BEAR N00°23'32"E, SAID LINE BEING MONUMENTED ON ITS SOUTH END BY A 2" ALUMINUM CAP STAMPED LS 17497 SET FLUSH IN CONCRETE GUTTER PAN, AND ON ITS NORTH END BY A 3-1/4" BRASS CAP STAMPED "DEPARTMENT OF HIGHWAYS" SET IN A MONUMENT BOX, 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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