

RESOLUTION 2016-032  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
FINDING SUBSTANTIAL COMPLIANCE AND  
INITIATING ANNEXATION PROCEEDINGS FOR THE  
EAST PROSPECT AT BOXELDER CREEK ANNEXATION

WHEREAS, a written petition, together with four (4) prints of an annexation map, has been filed with the City Clerk requesting the annexation of certain property to be known as the East Prospect at Boxelder Creek Annexation, as more particularly described below; and

WHEREAS, the City Council desires to initiate annexation proceedings for the East Prospect at Boxelder Creek Annexation in accordance with the Municipal Annexation Act, Section 31-12-101, et seq., Colorado Revised Statutes.

NOW, THEREFORE, BE IT RESOLVED 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 accepts the annexation petition for the East Prospect at Boxelder Creek Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 16 AND THE NORTH HALF OF SECTION 21, 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 SOUTHEAST CORNER OF SAID SECTION 16, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16 TO BEAR N88°21'25"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 2-1/2" BRASS CAP STAMPED LS 14823, AND ON ITS WEST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 14823, 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 SAID SOUTHEAST QUARTER, N88°21'25"W, A DISTANCE OF 1,716.87 FEET TO A POINT ON THE WEST LINE OF INTERSTATE LANDS FIRST ANNEXATION TO THE CITY OF FORT COLLINS, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EAST LINE, S01°38'35"W, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH LINE OF THE VISITOR CENTER AT THE ENVIRONMENTAL CENTER ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID NORTH LINE, N88°21'25"W, A DISTANCE OF 215.33 FEET TO THE NORTHWEST CORNER OF SAID ANNEXATION;

THENCE ALONG THE WEST LINE OF SAID ANNEXATION, S00°15'50"W, A DISTANCE OF 42.51 FEET;

THENCE N88°21'25"W, A DISTANCE OF 709.34 FEET;

THENCE N00°15'33"E, A DISTANCE OF 42.51 FEET;

THENCE N88°22'55"W, A DISTANCE OF 160.00 FEET TO A POINT ON THE EAST LINE OF THE FLATIRON EAST PROSPECT ROAD FIRST ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID EAST LINE, N00°15'33"E, A DISTANCE OF 60.02 FEET;  
THENCE S88°22'55"E, A DISTANCE OF 159.97 FEET;  
THENCE S88°21'25"E, A DISTANCE OF 120.00 FEET TO A POINT ON THE WEST LINE OF THE  
INTERSTATE LANDS SECOND ANNEXATION TO THE CITY OF FORT COLLINS;  
THENCE ALONG THE WEST AND SOUTH LINES OF SAID ANNEXATION THE FOLLOWING  
THREE (3) COURSES:

1. S00°11'35"W, A DISTANCE OF 60.02 FEET;
2. S88°21'25"E, A DISTANCE OF 514.24 FEET;
3. N01°38'35"E, A DISTANCE OF 102.50 FEET;

THENCE S88°21'25"E, A DISTANCE OF 290.40 FEET TO A POINT ON THE BOUNDARY OF SAID  
INTERSTATE LANDS SECOND ANNEXATION;  
THENCE ALONG SAID BOUNDARY, S01°38'35"W, A DISTANCE OF 72.50 FEET TO THE POINT  
OF BEGINNING.

CONTAINING 76,714 SQUARE FEET (1.761 ACRES), MORE OR LESS.

Section 3. That the City Council hereby finds and determines that the annexation  
petition for the East Prospect at Boxelder Creek Annexation is in substantial compliance with the  
Municipal Annexation Act in that the annexation petition contains the following:

- (1) An allegation that it is desirable and necessary that such area be annexed to the  
municipality;
- (2) An allegation that the requirements of Colorado Revised Statutes sections 31-12-  
104 and 31-12-105 exist or have been met;
- (3) An allegation that the signers of the petition comprise more than fifty percent of  
the landowners in the area and own more than fifty percent of the area proposed to be  
annexed, excluding public streets and alleys and any land owned by the annexing  
municipality;
- (4) The signatures of such landowners;
- (5) A request that the annexing municipality approve the annexation of the area proposed  
to be annexed;
- (6) The mailing address of each such signer;
- (7) The legal description of the land owned by such signer;
- (8) The date of signing of each signature; and
- (9) The affidavit of the circulator of such petition that each signature therein is the  
signature of the person whose name it purports to be.

Section 4. That the City Council hereby finds and determines that the annexation map, four copies total, accompanying the annexation petition for the East Prospect at Boxelder Creek Annexation is in substantial compliance with the Municipal Annexation Act in that the map contains the following:

- (1) A written legal description of the boundaries of the area proposed to be annexed;
- (2) A map showing the boundary of the area proposed to be annexed;
- (3) Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;
- (4) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

Section 5. That the Notice attached hereto as Exhibit "A" is hereby adopted as a part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of annexation and zoning ordinances pertaining to the above described property. The City Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 5th day of April, A.D. 2016.



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a horizontal line. Below the line, the word "Mayor" is printed in a serif font.

ATTEST:

A handwritten signature in black ink, appearing to read "W Winkelman", is written over a horizontal line.

City Clerk

## NOTICE

TO ALL PERSONS INTERESTED:

PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted Resolution 2016-032 initiating annexation proceedings for the East Prospect at Boxelder Creek Annexation, consisting of approximately 1.76 acres and generally located east of Summitview Drive and west of the Interstate 25 frontage road, said Annexation being more particularly described in Resolution 2016-032.

That, on May 17, 2016, at the hour of 6:00 p.m., or as soon thereafter as the matter may come on for hearing in the Council Chambers in the City Hall, 300 LaPorte Avenue, Fort Collins, Colorado, the Fort Collins City Council will hold a public hearing upon the annexation petition and zoning request for the purpose of finding and determining whether the property proposed to be annexed meets the applicable requirements of Colorado law and is considered eligible for annexation and for the purpose of determining the appropriate zoning for the property included in the Annexation. At such hearing, any persons may appear and present such evidence as they may desire.

The Petitioner has requested that the Property included in the Annexation be placed in the Urban Estate ("U-E") Zone District and the Employment ("E") Zone District.

The City of Fort Collins will make reasonable accommodations for access to City services, programs and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

Dated this 5th day of April, A.D. 2016.

*W Winkelman*

City Clerk

