

RESOLUTION 2017-067
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
NEWTON SECOND 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 Newton Second Annexation, as more particularly described below; and

WHEREAS, the City Council desires to initiate annexation proceedings for the Newton Second 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 Newton Second Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS :

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR S89°02'48"E.

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SECTION 3, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH P.M.,

THENCE ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3, S89°02'48"E A DISTANCE OF 264.53 FEET;

THENCE DEPARTING SAID SECTION LINE, N00°57'12"E A DISTANCE OF 30.00 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF VINE DRIVE, THE NORTHERLY LINE OF THE LINCOLN JUNIOR HIGH SCHOOL SECOND ANNEXATION, AND THE WESTERLY LINE OF NEWTON FIRST ANNEXATION, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID LINES THE FOLLOWING FIVE (5) COURSES:

1. N00°49'22"E A DISTANCE OF 60.00 FEET;
2. N89°02'48"W A DISTANCE OF 150.00 FEET;

3. N00°49'22"E A DISTANCE OF 300.00 FEET;
4. S89°02'48"E A DISTANCE OF 200.00 FEET;
5. S00°49'22"W A DISTANCE OF 360.00 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF VINE DRIVE, THE NORTHERLY LINE OF THE LINCOLN JUNIOR HIGH SCHOOL SECOND ANNEXATION, AND THE EASTERLY LINE OF NEWTON FIRST ANNEXATION ;

THENCE ON SAID EASTERLY LINE, N10°35'02"W A DISTANCE OF 125.00 FEET;

THENCE ON THE WESTERLY LINE OF SAID NEWTON FIRST ANNEXATION, S12°29'25"W A DISTANCE OF 125.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 59,938 SQUARE FEET OR 1.3760 ACRES.

Section 3. That the City Council hereby finds and determines that the annexation petition for the Newton Second 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 Newton Second 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 18th day of July, A.D. 2017.



ATTEST:

W Winkelman
City Clerk

Gregory M. Proffem
Mayor Pro Tem

NOTICE

TO ALL PERSONS INTERESTED:

PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted Resolution 2017-067 initiating annexation proceedings for the Newton Second Annexation, consisting of approximately 1.37 acres and generally located at 1516 West Vine Drive, just east of Lincoln Middle School, said Annexation being more particularly described in Resolution 2017-067.

That, on September 5, 2017, 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.

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 (V/TDD: Dial 711 for Relay Colorado) for assistance.

Dated this 18th day of July, A.D. 2017.



W Winkelman

City Clerk