

RESOLUTION 2017-089
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
FOX HILLS 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 Fox Hills Second Annexation, as more particularly described below; and

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

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER
OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH
PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO.

CONSIDERING THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, AS BEARING NORTH 89°25'53" EAST AND MONUMENTED AS SHOWN HEREON WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH P.M.; THENCE ALONG THE NORTH LINE OF SAID EAST HALF, NORTH 89°25'53" EAST, 617.37 FEET; THENCE DEPARTING SAID LINE, SOUTH 00°34'07" EAST, 108.71 FEET TO POINT OF BEGINNING, SAID POINT ALSO LYING ON THE SOUTH RIGHT OF WAY LINE OF WEST COUNTY ROAD 38 E, ALSO BEING A POINT ON THE WEST LINE OF AN ACCESS ROAD PER BOOK 1899, PAGE 636 LARIMER COUNTY CLERK AND RECORDER; THENCE ALONG SAID RIGHT OF WAY LINE, NORTH 85°00'00" EAST, 60.22 FEET TO A POINT ON THE WEST LINE OF FOX HILLS SECOND FILING, ALSO BEING THE EAST LINE OF AFOREMENTIONED ACCESS ROAD; THENCE ALONG SAID WEST LINE THE NEXT (2) COURSES AND DISTANCES, SOUTH 00°09'17" EAST, 1227.04 FEET; THENCE, SOUTH 00°11'08" WEST, 1319.89 FEET TO A POINT ON THE SOUTH LINE OF FOX HILLS P.U.D.; THENCE ALONG SAID LINE, NORTH 89°48'10" WEST, 619.19 FEET; THENCE ALONG THE WEST LINE OF SAID FOX HILLS P.U.D.; NORTH 00°11'08" EAST, 1316.09 FEET; THENCE ALONG THE NORTH LINE OF SAID FOX HILLS P.U.D., NORTH 89°50'43" EAST, 559.20 FEET TO A POINT ON THE WEST LINE OF FOX HILLS P.U.D., SAID LINE ALSO BEING

THE EAST LINE OF WILDFLOWER RIDGE P.U.D.; THENCE ALONG SAID LINE, NORTH 00°09'17" WEST, 1221.96 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL CONTAINS 889,556 SQUARE FEET, OR 20.421 ACRES, MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY NOW ON RECORD OR EXISTING.

Section 3. That the City Council hereby finds and determines that the annexation petition for the Fox Hills 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 Fox Hills 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 held this 3rd day of October, A.D. 2017.


Mayor

ATTEST:

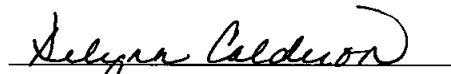

City Clerk



EXHIBIT A

NOTICE

TO ALL PERSONS INTERESTED:

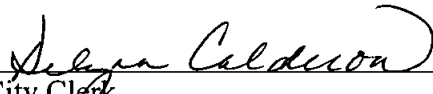
PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted Resolution 2017-089 initiating annexation proceedings for the Fox Hills Second Annexation, consisting of approximately 20.4 acres and generally located approximately 3300' west of S. Taft Hill Road and south of and abutting County Road 38E, said Annexation being more particularly described in Resolution 2017-089.

That, on November 7, 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 Residential Foothills ("R-F") 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 3rd day of October, A.D. 2017.



City Clerk