

RESOLUTION 2017-095
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
WATER TREATMENT FACILITY ANNEXATION NO. 4

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 Water Treatment Facility Annexation No. 4, as more particularly described below; and

WHEREAS, the City Council desires to initiate annexation proceedings for the Water Treatment Facility Annexation No. 4 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 Water Treatment Facility Annexation No. 4, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, IN SECTION 8, AND IN THE WEST HALF OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 9, AND CONSIDERING THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9 TO BEAR N88°54'50"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 3" ALUMINUM CAP STAMPED LS 20123, AND ON ITS WEST END BY A 3-1/4" ALUMINUM CAP STAMPED LS 34990, 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 NORTHWEST QUARTER, N88°54'50"W, A DISTANCE OF 198.01 FEET TO A POINT ON THE WEST BOUNDARY OF THE MOUNTAIN VIEW SCHOOL ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID WEST BOUNDARY, S00°33'03"W, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LAPORTE AVENUE, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. N88°54'50"W, A DISTANCE OF 1,762.43 FEET;
2. S00°23'29"W, A DISTANCE OF 10.00 FEET;
3. N88°54'50"W, A DISTANCE OF 588.26 FEET;
4. 23.76 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°45'15", AND A CHORD WHICH BEARS S45°42'32"W A DISTANCE OF 21.35 FEET;

THENCE CROSSING THE RIGHT OF WAY OF OVERLAND TRAIL, S75°48'16"W, A DISTANCE OF 107.24 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OVERLAND TRAIL AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LAPORTE AVENUE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHT (8) COURSES:

1. S88°50'59"W, A DISTANCE OF 255.48 FEET;
2. N87°52'23"W, A DISTANCE OF 536.14 FEET;
3. N01°36'58"W, A DISTANCE OF 11.68 FEET;
4. S88°14'24"W, A DISTANCE OF 496.33 FEET;
5. S87°43'40"W, A DISTANCE OF 2,025.35 FEET;
6. ALONG THE RIGHT-OF-WAY LINE DESCRIBED IN THE BARGAIN AND SALE DEED RECORDED OCTOBER 30, 1963 IN BOOK 1226, PAGE 127, N75°57'18"W, A DISTANCE OF 996.25 FEET;
7. CONTINUING ALONG THE RIGHT-OF-WAY LINE DESCRIBED IN BOOK 1226, PAGE 127, N85°44'28"W, A DISTANCE OF 966.93 FEET;
8. CONTINUING ALONG THE RIGHT-OF-WAY LINE DESCRIBED IN BOOK 1226, N85°51'13"W, A DISTANCE OF 1,287.07 FEET;

THENCE CONTINUING ALONG THE RIGHT-OF-WAY LINE DESCRIBED IN BOOK 1226, PAGE 127 THE FOLLOWING FOUR (4) COURSES:

1. S00°47'02"W, A DISTANCE OF 278.19 FEET;
2. N89°12'58"W, A DISTANCE OF 60.00 FEET;
3. N00°47'02"E, A DISTANCE OF 1,110.00 FEET;
4. S89°12'58"E, A DISTANCE OF 60.00 FEET TO A POINT ON THE WESTERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE INTERGOVERNMENTAL AGREEMENT RECORDED MARCH 20, 1980 IN BOOK 2032, PAGE 855;

THENCE ALONG SAID WESTERLY LINE AND ALONG THE WESTERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED JULY 3, 1984 IN BOOK 2278, PAGE 2163, N00°47'02"E, A DISTANCE OF 921.83 FEET;

THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 2278, PAGE 2163, N89°18'09"E, A DISTANCE OF 1,819.07 FEET;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 2278, PAGE 2163 AND ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 2032, PAGE 855, S11°53'09"E, A DISTANCE OF 1,000.96 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED TO PLATTE RIVER POWER AUTHORITY RECORDED FEBRUARY 10, 1981 IN BOOK 2104, PAGE 896;

THENCE ALONG THE NORTHERLY, WESTERLY AND SOUTHERLY

BOUNDARIES OF SAID TRACT THE FOLLOWING THREE (3) COURSES:

1. S78°06'51"W, A DISTANCE OF 175.01 FEET;
2. S11°53'09"E, A DISTANCE OF 175.00 FEET;
3. N78°06'51"E, A DISTANCE OF 173.57 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 2032, PAGE 855;

THENCE ALONG SAID EASTERLY LINE, S10°51'20"E, A DISTANCE OF 15.10 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, S49°14'02"E, A DISTANCE OF 1,450.69 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LAPORTE AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING ELEVEN (11) COURSES:

1. S75°57'18"E, A DISTANCE OF 36.44 FEET;
2. N87°43'40"E, A DISTANCE OF 1,584.77 FEET;
3. N00°26'54"E, A DISTANCE OF 20.43 FEET;
4. S85°38'55"E, A DISTANCE OF 188.73 FEET;
5. N87°22'37"E, A DISTANCE OF 263.57 FEET;
6. N88°23'15"E, A DISTANCE OF 654.58 FEET;
7. N00°20'15"E, A DISTANCE OF 9.18 FEET;
8. N88°23'15"E, A DISTANCE OF 325.79 FEET;
9. S00°20'14"W, A DISTANCE OF 4.99 FEET;
10. N88°23'15"E, A DISTANCE OF 246.47 FEET;
11. N54°50'50"E, A DISTANCE OF 72.56 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF OVERLAND TRAIL;

THENCE CROSSING THE RIGHT OF WAY OF OVERLAND TRAIL, S69°04'07"E, A DISTANCE OF 90.46 FEET TO THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF OVERLAND TRAIL AND THE NORTHERLY RIGHT-OF-WAY LINE OF LAPORTE AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S69°19'37"E, A DISTANCE OF 26.19 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S88°54'50"E, A DISTANCE OF 2,345.88 FEET TO ITS INTERSECTION WITH THE WESTERLY BOUNDARY OF WATER TREATMENT FACILITY ANNEXATION NO. 3;

THENCE ALONG SAID WESTERLY BOUNDARY, N89°37'32"W, A DISTANCE OF 2,415.93 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 9;

THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, S88°12'10"E, A DISTANCE OF 2,416.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 102.825 ACRES, MORE OR LESS.

Section 3. That the City Council hereby finds and determines that the annexation petition for the Water Treatment Facility Annexation No. 4 is in substantial compliance with the Municipal Annexation Act in that the annexation petition contains the following:

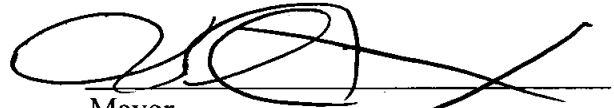
- (1) An allegation that it is desirable and necessary that such area be annexed to the municipality;
- (2) An allegation that the requirements of Colorado Revised Statutes sections 31-12-104 and 31-12-105 exist or have been met;
- (3) An allegation that the signers of the petition comprise more than 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 Water Treatment Facility Annexation No. 4 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; and
- (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 17th day of October, A.D. 2017.


Mayor

ATTEST:


City Clerk



NOTICE

TO ALL PERSONS INTERESTED:


PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted Resolution 2017-095 initiating annexation proceedings for the Water Treatment Facility Annexation No. 4, consisting of approximately 102.825 acres and generally starting at the intersection of Sunset Street and Laporte Avenue and ending at 4316 Laporte Avenue, said Annexation being more particularly described in Resolution 2017-095.

That, on November 21, 2017, 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") and Residential Foothills ("R-F") Zone Districts.

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 17th day of October, A.D. 2017.


City Clerk

