

RESOLUTION 96-154  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE ACQUISITION OF APPROXIMATELY NINETY-EIGHT  
ACRES OF LAND FOR NATURAL AREA PURPOSES

WHEREAS, William and Associates Investment Co., Inc. is the owner of approximately 98 acres of land located south of the Cache la Poudre River in the vicinity of the proposed Timberline Road Extension Project in Fort Collins, more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference and referred to herein as "the Property"; and

WHEREAS, William and Associates have agreed to sell a 32 percent undivided interest in the Property to the City for the amount of \$400,000, and

WHEREAS, William and Associates has agreed to donate a 68 percent undivided interest in the Property to the City, such donation having a fair market value of \$850,000, and

WHEREAS, one of the objectives of the Natural Areas Policy Plan as adopted by the City Council is to establish a system of publicly owned natural areas to protect the integrity of critical conservation sites, protect corridors between natural areas, preserve outstanding examples of Fort Collins' diverse natural heritage and provide a broad range of opportunities for educational, interpretive, and recreational programs to meet community needs; and

WHEREAS, the Parks and Recreation Policy Plan as adopted by the City Council delineates an open land corridor along the Poudre River throughout the City which includes the Property; and

WHEREAS, the right-of-way for the planned Timberline Road Extension crosses the Property; and

WHEREAS, the planned Timberline Road Extension is an approved project in the City's Choices 95 Capital Improvement Program; and

WHEREAS, the acquisition of the Property will help the City meet the objectives of the City's Natural Areas Policy Plan Parks and Recreation Master Plan, and is necessary to the completion of the planned Timberline Road Extension; and

WHEREAS, in the March 1989 Municipal Election, the citizens of the City of Fort Collins approved a one-quarter cent sales tax for the purpose of completing the Choices 95 Capital Projects which include the planned Timberline Road Extension; and

WHEREAS, in the November 1992 General Election, the citizens of the City of Fort Collins approved a one-quarter cent sales tax for the purpose of acquisition and maintenance of natural areas; and

WHEREAS, sufficient funds are available and appropriated in the Natural Areas Project the Timberline Road Extension Project in the Capital Projects Fund for the acquisition of said Property, and additional funds are available in the Capital Projects Fund for maintenance of the Property following acquisition; and

WHEREAS, the Council has determined that the purchase price and donation of said property is fair and reasonable and in the best interests of the citizens of the City; and

WHEREAS, the Natural Resources Advisory Board and the Parks and Recreation Board have recommended to the Council that the acquisition of the Property be completed.

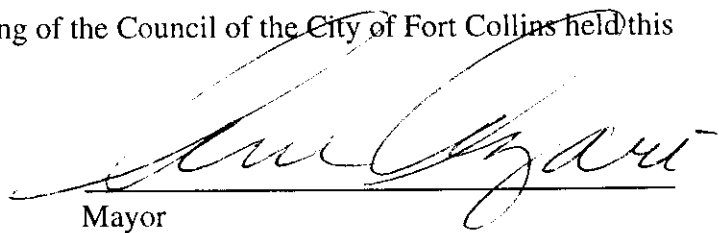
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Manager and Mayor be, and hereby are, authorized to execute such documents as are necessary for the City to acquire the Property comprising approximately ninety-eight (98) acres of land, as described on Exhibit "A," by acquiring a 32 percent undivided interest for \$400,000 and by accepting a donation of 68 percent undivided interest valued at \$850,000.

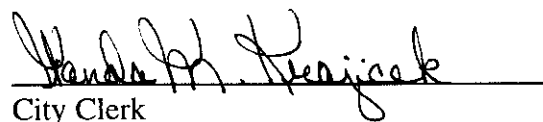
Section 2. That the ninety-eight (98) acres of land, while owned by the City, shall be used for the purposes of constructing the proposed Timberline Road Extension and, to the extent that such Property as acquired through the use of moneys earmarked for natural area purposes, as a public natural area.

Section 3. That in the event that the City Council subsequently determines that it is in the best interests of the City to sell or otherwise dispose of all or any portion of the natural area portions of the Property, the proceeds of such sale shall be dedicated to the acquisition or maintenance of other public natural areas.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 17th day of December, A.D. 1996.

  
Mayor

ATTEST:

  
City Clerk

**Attachment A**  
**Legal Description of William and Associates Property**

A tract of land situate in the West Half of Section 17 and the NorthEast Quarter of Section 18, T7N, R68W of the 6th P.M., City of Ft. Collins, Larimer County, Colorado. More particularly described as follows:

Considering the South line of the SouthWest Quarter of said Section 17 as bearing N 89°25'09" W as determined by GPS observations of monuments found at the South Quarter Corner and at the SW Corner of said Section 17 and with all bearings contained herein relative thereto.

Commencing at the south Quarter Corner of said Section 17; thence along the East line of the SouthWest Quarter of said Section 17 N 00°01'32" W 647.34 feet; thence departing from said line S 89°58'28" W 30.00 feet to a point on the westerly line of a tract described in Book 2056, Page 30 in the records of the Larimer County Clerk and Recorder, said point being the TRUE POINT OF BEGINNING; thence along said line N 00°01'32" W 490.97 feet; thence departing from said line and along the SouthWesterly line of Parcels A, B and D as described at Reception Number 85009713 in the records of the Larimer County Clerk and Recorder; thence along said line N 52°54'33" W 536.64; thence N 72°56'07" W 64.33 feet; thence N 60°24'42" W 135.68 feet; thence N 54°15'55" W 154.30 feet; thence departing from said line and along the Westerly line of said Book 2056, Page 30; thence N 41°16'20" W 320.41 feet; thence N 12°10'07" W 293.56 feet to the beginning of a curve concave to the East having a central angle of 42°45'55" and a radius of 155.00 feet; thence Northerly along the arc of said curve 115.69 feet; thence N 30°35'48" E 173.31 feet to the beginning of a curve concave to the West having a central angle of 48°23'20" and a radius of 115.00 feet; thence Northerly along the arc of said curve 97.12 feet to the beginning of a compound curve concave to the West having a central angle of 29°50'35" and a radius of 653.52 feet; thence NorthWesterly along the arc of said curve 340.39 feet; thence N 51°20'12" W 253.02 feet; thence N 58°09'33" W 191.87 feet; thence N 35°51'40" W 110.50 feet; thence N 32°21'57" W 179.30 feet; thence N 04°15'48" W 617.94 feet to the beginning of a curve concave to the West having a central angle of 56°46'30" and a radius of 100.00 feet; thence Northerly along the arc of said curve 99.09 feet; thence N 61°02'18" W 213.98 feet to the beginning of a curve concave to the South having a central angle of 32°43'25" and a radius of 100.00 feet; thence Westerly along the arc of said curve 57.11 feet; thence S 86°14'17" W 347.82 feet to the beginning of a curve concave to the South having a central angle of 16°15'16" and a radius of 469.67 feet; thence Westerly along the arc of said curve 133.24 feet to the beginning of a reverse curve concave to the North having a central angle of 50°22'10" and a radius of 125.00 feet; thence Westerly along the arc of said curve 109.89 feet to the beginning of a reverse curve concave to the South having a central angle of 56°09'14" and a radius of 238.50 feet; thence Westerly along the arc of said curve 233.75 feet; thence S 64°12'58" W 553.21 feet to the beginning of a curve concave to the North having a central angle of 32°31'03" and a radius of 275.00 feet; thence Westerly along the arc of said curve 156.07 feet; thence N 83°15'59" W 604.02 feet; thence S 89°39'45" W 384.38 feet; thence departing from said line and along the Easterly line of a parcel as shown on a plat recorded at Reception Number 8804182 on September 2, 1988 S 67°55'46" E 496.00 feet; thence S 07°10'58" E 519.40 feet to a point on the

North line of Cache La Poudre Industrial Park P.U.D. as recorded on November 7, 1985 at Reception Number 85057278 in the records of the Larimer County Clerk and Recorder; thence along the boundary line of said P.U.D. S 82°15'39" E 1249.40 feet; thence S 89°50'39" E 1069.82 feet; thence S 00°07'34" W 2142.25 feet; to a point on the boundary line of said Book 2056, Page 30; thence along said line S 55°41'01" E 319.44 feet; thence S 84°44'49" E 528.54 feet; thence S 86°17'21" E 703.92 feet to the beginning of a curve concave to the NorthEast having a central angle of 93°44'10" and a radius of 50.00 feet; thence NorthEasterly along the arc of said curve 81.80 feet to the TRUE POINT OF BEGINNING.