

ORDINANCE NO. 114, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING PORTIONS OF RIGHTS-OF-WAY DEDICATED
ON THE WATERFIELD THIRD FILING PLAT

WHEREAS, the Waterfield Third Filing subdivision plat included dedication to the public of rights-of-way for Ouzel Drive, Aleutian Drive, Muscovy Drive, Shearwater Drive, Cape Teal Drive, Merganser Drive (north of Suniga Road), Mandarin Drive, Rosybill Drive, Goslyn Drive, Garganey Drive and Black Scoter Drive (collectively the "Rights-of-Way"); and

WHEREAS, Thrive Homebuilders (acting on behalf of the property owner, Parker Land Investments, LLC) filed an application with the City Engineer in accordance with City Code Section 23-115 requesting that the City vacate the Rights-of-Way to facilitate a change in the development plan and filing of a new subdivision plat to be known as "Waterfield Fourth Filing"; and

WHEREAS, the Rights-of-Way are no longer necessary or desirable to retain for street purposes; and

WHEREAS, pertinent landowners, City agencies, and private utility companies have been contacted and reported no objection to the proposed vacation; and

WHEREAS, in accordance with City Code Section 23-115, the City Engineer has recommended to the Planning Development and Transportation Director that the Rights-of-Way be vacated and the Director recommends to Council that the request for vacation be approved; and

WHEREAS, the right of the residents of the City of Fort Collins will not be prejudiced or injured by the vacation of said street rights-of-way.

NOW, THEREFORE, BE IT ORDAINED 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 Rights-of-Way, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference, are hereby vacated, abated and abolished, provided, however, that:

- (1) this vacation shall not take effect until this Ordinance is recorded with the Larimer County Clerk and Recorder;
- (2) this Ordinance shall be recorded concurrently with the subdivision plat for Waterfield Fourth Filing; and

(3) if this Ordinance is not so recorded by January 10, 2022, then this Ordinance shall become null and void and of no force and effect.

Introduced, considered favorably on first reading, and ordered published this 17th day of September, A.D. 2019, and to be presented for final passage on the 1st day of October, A.D. 2019.



Mayor

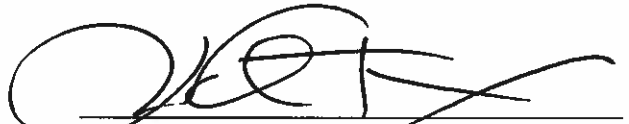
ATTEST:



City Clerk



Passed and adopted on final reading on the 1st day of October, A.D. 2019.



Mayor

ATTEST:



City Clerk





NORTHERN
ENGINEERING

Exhibit A

DESCRIPTION: VACATING RIGHTS-OF-WAY AS DEDICATED ON THE PLAT OF WATERFIELD THIRD FILING AS RECORDED AUGUST 7, 2014 AT RECEPTION NO. 20140043962, LARIMER COUNTY CLERK AND RECORDER

Rights-of-way located in Section 5, Township 7 North, Range 68 West of the Sixth Principal Meridian, City of Fort Collins, County of Larimer, State of Colorado being more particularly described as follows;

Ouzel Drive, Aleutian Drive, Muscovy Drive, Shearwater Drive, Cape Teal Drive, Merganser Drive north of Suniga Road, Mandarin Drive, Rosybill Drive, Goslyn Drive, Garganey Drive and Black Scoter Drive, all in Waterfield Third Filing

The above described vacated rights-of-ways contain 521,166 square feet, or 11.96 acres, more or less.

September 4, 2019

LMS

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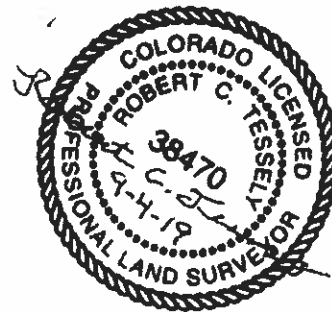
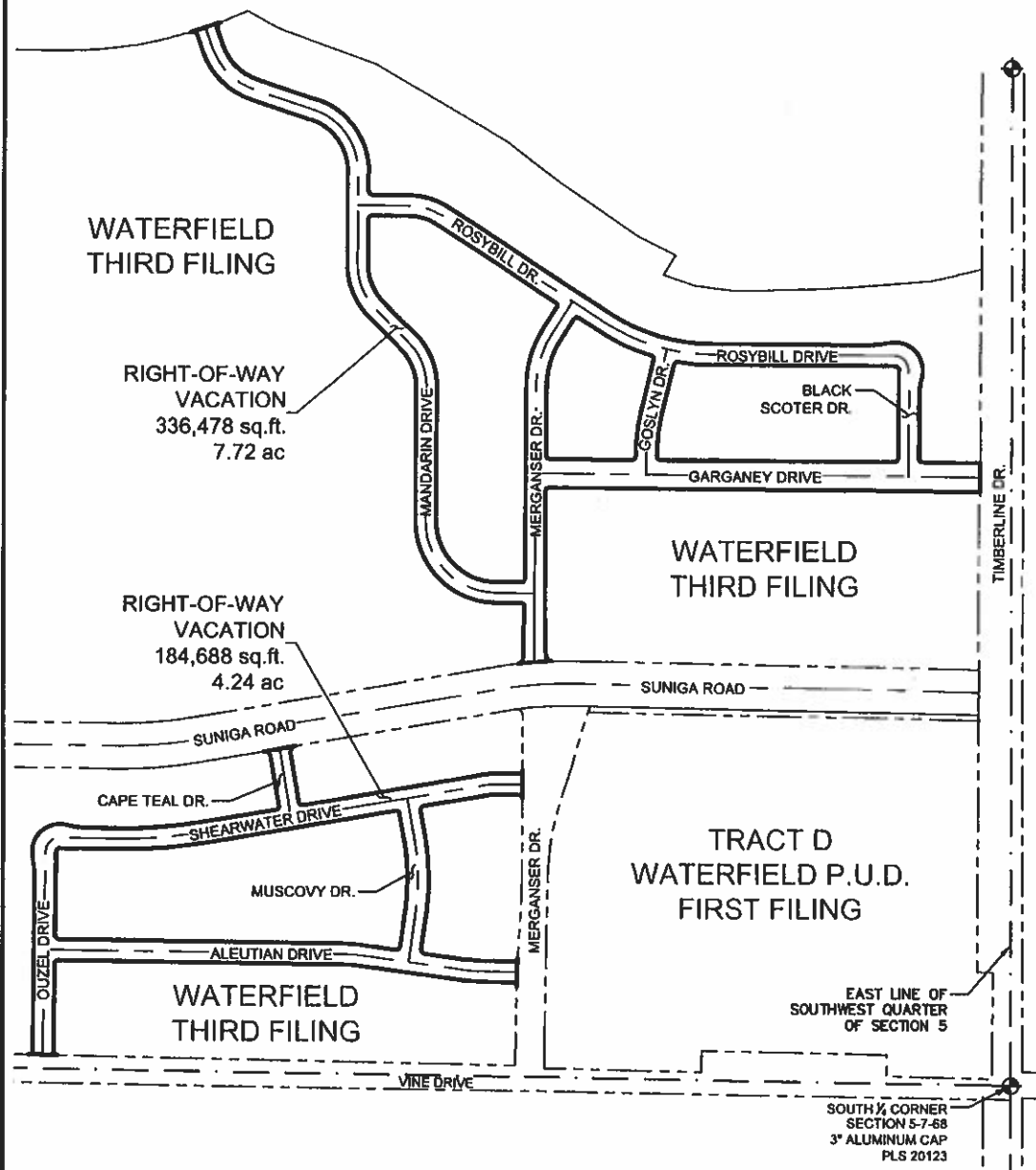


EXHIBIT A

VACATED RIGHT-OF-WAY BEING A PORTION OF SECTION 5, TOWNSHIP 7 NORTH,
RANGE 68 WEST OF THE 6TH P.M., CITY OF FORT COLLINS, COUNTY OF LARIMER,
STATE OF COLORADO.



NOTE: THIS EXHIBIT IS NOT INTENDED TO BE A MONUMENTED LAND SURVEY. ITS SOLE PURPOSE IS AS A GRAPHIC REPRESENTATION TO AID IN THE VISUALIZATION OF THE WRITTEN PROPERTY DESCRIPTION WHICH IT ACCOMPANIES. THE WRITTEN PROPERTY DESCRIPTION SUPERCEDES THE EXHIBIT DRAWING.

