

ORDINANCE NO. 170, 2005
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE ZONING MAP OF THE
CITY OF FORT COLLINS BY CHANGING THE ZONING
CLASSIFICATION FOR THAT CERTAIN PROPERTY KNOWN
AS THE TIMBERLINE CENTER REZONING

WHEREAS, Division 1.3 of the Fort Collins Land Use Code (the "Land Use Code") establishes the Zoning Map and Zone Districts of the City; and

WHEREAS, Division 2.9 of the Land Use Code establishes procedures and criteria for reviewing the rezoning of land; and

WHEREAS, in accordance with the foregoing, the Council has considered the rezoning of the property which is the subject of this ordinance, and has determined that said property should be rezoned as hereafter provided; and

WHEREAS, the Council has further determined that the proposed rezoning is consistent with the City's Comprehensive Plan and/or is warranted by changed conditions within the neighborhood surrounding and including the subject property; and

WHEREAS, to the extent applicable, the Council has also analyzed the proposed rezoning against the considerations as established in Section 2.9.4(H)(3) of the Land Use Code.

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

Section 1. That the Zoning Map adopted by Division 1.3 of the Land Use Code is hereby amended by changing the zoning classification from "T", Transition Zone District, to "I", Industrial Zone District, for the following described property in the City known as the Timberline Center Rezoning:

A parcel of land being part of the East Half (E1/2) of Section Nineteen (19), Township Seven North (T.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado, and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 19 and assuming the East line of the Northeast Quarter (NE1/4) of said Section 19 as bearing South 00°13'42" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2679.27 feet with all other bearings contained herein relative thereto:

THENCE South 00°13'42" East along said East line a distance of 1631.19 feet;
THENCE South 88°04'47" West a distance of 30.01 feet to the Northeast corner of that parcel of land described in that Special Warranty Deed (SWD) recorded December 22, 1994 as Reception No. 94100658 of the records of the Larimer County Clerk and Recorder (LCCR), said point being 30.00 feet, as measured at a right angle, West of said East line;
THENCE South 00°13'42" East along a line being 30.00 feet, as measured at a right angle, West of and parallel with said East line a distance of 542.29 feet (deed=542.40 feet) to the Northeast corner of that parcel of land described in that Quit Claim Deed (QCD) recorded October 14, 1997 as Reception No. 97067511 of the records of the LCCR;
THENCE South 88°57'54" West along the North line of that parcel of land described in said QCD a distance of 71.46 feet to the **POINT OF BEGINNING**, said point being a point on a curve, said curve being non-tangent to aforesaid line;
THENCE along the arc of a curve which is concave to the East a distance of 7.45 feet, said curve having a radius of 50070.50 feet, a central angle of 00°00'31" and a long chord bearing South 01°14'31" East a distance of 7.45 feet to a Point of Tangency (PT);
THENCE South 01°14'46" East a distance of 306.77 feet to a Point of Curvature (PC);
THENCE along the arc of a curve which is concave to the Northwest a distance of 23.61 feet, said curve having a radius of 15.00 feet, a central angle of 90°12'04" and a long chord bearing South 43°51'16" West a distance of 21.25 feet;
THENCE South 01°21'08" East along a line being non-tangent to aforesaid curve a distance of 57.00 feet to the beginning point of a curve, said curve being non-tangent to aforesaid line;
THENCE along the arc of a curve which is concave to the Southwest a distance of 23.51 feet, said curve having a radius of 15.00 feet, a central angle of 89°47'56" and a long chord bearing South 46°08'44" East a distance of 21.18 feet to a PT;
THENCE South 01°14'46" East a distance of 444.81 feet to the South line of that parcel of land described in that SWD recorded November 4, 2004 as Reception No. 2004-0106576 of the records of the LCCR;
THENCE South 88°57'17" West along said South line a distance of 973.05 feet to the East Right-of-Way (ROW) of the Union Pacific Railroad (UPRR), said point being 75.00 feet, as measured at a right angle, East of the centerline of the main track of said UPRR;
The following Three (3) courses and distances are along said East ROW:
THENCE North 00°03'14" West along a line being 75.00 feet, as measured at a right angle, East of and parallel with the centerline of the main track of said UPRR a distance of 356.80 feet (deed=339.71 feet) to the East-West Quarter Section line of said Section 19;
THENCE North 89°49'17" East along said East-West Quarter Section line a distance of 125.00 feet to a point being 200.00 feet, as measured at a right angle, East of the centerline of the main track of said UPRR;
THENCE North 00°03'14" West along a line being 200.00 feet, as measured at a

right angle, East of and parallel with the centerline of the main track of said UPRR a distance of 521.38 feet (deed=539.15 feet) to the Northwest corner of said parcel of land described in that SWD recorded November 4, 2004 as Reception No. 2004-0106576 of the records of the LCCR, said point being the beginning point of a curve, said curve being non-tangent to aforesaid line;

The following 3 courses and distances are along the Northerly line of said parcel of land described in that SWD recorded November 4, 2004 as Reception No. 2004-0106576 of the records of the LCCR:

THENCE along the arc of a curve which is concave to the Southeast a distance of 139.73 feet (deed=135.48 feet), said curve having a radius of 500.00 feet, a central angle of 16°00'45" and a long chord bearing North 60°52'33" East a distance of 139.28 feet to a PT;

THENCE North 68°52'54" East a distance of 12.27 feet;

THENCE South 01°02'06" East a distance of 99.76 feet;

THENCE North 88°57'54" East along the Northerly line of said parcel of land described in that SWD recorded November 4, 2004 as Reception No. 2004-0106576 of the records of the LCCR and along the Northerly line of that parcel of land described in said QCD a distance of 478.68 feet;

THENCE North 00°01'35" West a distance of 159.86 feet;

THENCE North 88°56'43" East a distance of 213.71 feet to the beginning point of a curve, said curve being non-tangent to aforesaid line;

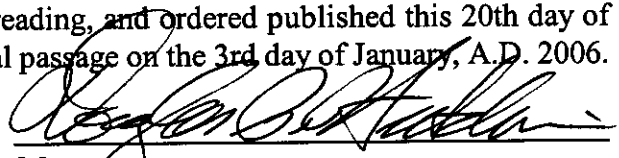
THENCE along the arc of a curve which is concave to the East a distance of 159.91 feet, said curve having a radius of 50070.50 feet, a central angle of 00°10'59" and a long chord bearing South 01°08'46" East a distance of 159.91 feet to the **POINT OF BEGINNING**.

Which above described parcel contains 18.304 acres, more or less (\pm), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

Section 2. That the Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code be, and the same hereby is, changed and amended by showing that the above-described property is not included in the Residential Neighborhood Sign District.

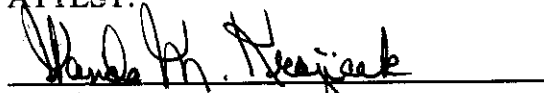
Section 3. The City Manager is hereby authorized and directed to amend said Zoning Map in accordance with this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 20th day of December, A.D. 2005, and to be presented for final passage on the 3rd day of January, A.D. 2006.



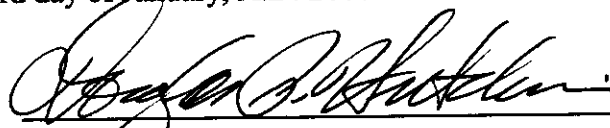
Mayor

ATTEST:



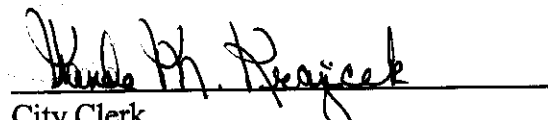
City Clerk

Passed and adopted on final reading this 3rd day of January, A.D. 2006.



Mayor

ATTEST:



City Clerk