

RESOLUTION 83- 195
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CONVEYANCE OF A TRACT OF LAND
TO JANSEN/WHEELER, A JOINT VENTURE

WHEREAS, Jansen/Wheeler, a Joint Venture ("Developer") desires to receive from the City certain lands presently owned by the City and located immediately to the west of Taft Hill Road at the intersection of Drake Road and Taft Hill Road, and

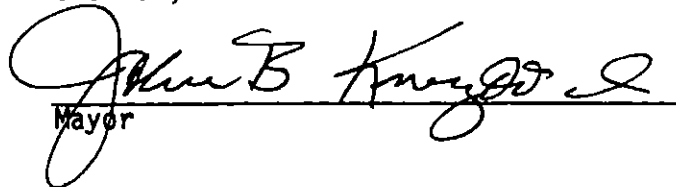
WHEREAS, the City desires to convey said lands to the Developer upon condition that the City reserve a blanket utility, drainage and access easement, over, under and across said tract, and

WHEREAS, the Developer has further agreed to assume all maintenance obligations pertaining to the surface of said land and drainage facilities located therein with the exception of certain major drainage facilities which are to be maintained by the City's Storm Drainage Department, and

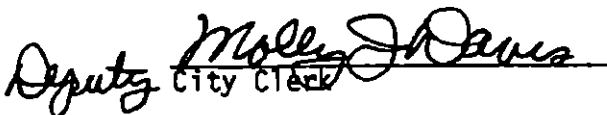
WHEREAS, the Council of the City of Fort Collins does hereby find that the property to be conveyed is not used nor intended to be used for municipal purposes, nor secured for the purpose of being used for municipal purposes, and that it is for the best interests of the City of Fort Collins that the same be sold

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Mayor and City Clerk be, and they hereby are, authorized to execute good and sufficient deeds of conveyance conveying that property as described on Exhibit A, attached hereto, to Jansen/Wheeler, a Joint Venture, reserving unto the City a blanket utility, drainage and access easement together with a reverter in the event of the failure of the Grantee to maintain said property Said conveyance shall be made to Jansen/Wheeler for nominal consideration upon the pledge of Jansen/Wheeler to assume all maintenance obligations for drainage facilities (with certain exceptions) upon said site In furtherance of this conveyance, the City Manager is hereby authorized to execute an agreement with Jansen/Wheeler describing the various rights and obligations of the parties

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 15th day of November, 1983


Mayor

ATTEST



Deputy City Clerk

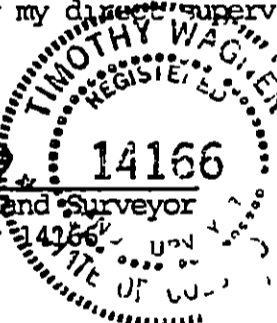
LEGAL DESCRIPTION

A portion of Tract "B" of Brown Farm Third Filing, according to the recorded plat thereof, City of Fort Collins, Larimer County, Colorado, being described as follows Beginning at the Southeast corner of the Southeast Quarter of Section 21, Township 7 North, Range 69 West of the Sixth Principal Meridian, and considering the Southerly line of said Southeast Quarter to bear South 88° 44' 09" West, with all bearings contained herein relative thereto, thence Westerly along said Southerly line, South 88° 44' 09" West, 90 03 feet, thence departing said Southerly line, North 00° 09' 00" East, 50 01 feet to the Northerly right-of-way line of Drake Road and the Southwest corner of said Tract "B", thence Northerly along the Westerly line of said Tract "B", North 00° 09' 00" East, 797 58 feet to the Southerly line of Valley Forge Drive, thence departing said Westerly line, South 89° 51' 00" East, 40 00 feet to the Westerly right-of-way line of Taft Hill Road and the Easterly line of said Tract "B", thence Southerly along said Easterly line, South 00° 09' 00" West, 781 96 feet, thence along a curve to the right having a delta of 88° 35' 09", a radius of 15 00 feet, an arc of 23 19 feet, and a long chord which bears South 44° 26' 35" West, 20 95 feet, thence South 88° 44' 09" West, 25 38 feet to the point of beginning of this description The above described tract contains 0 73 acres

SURVEYOR'S CERTIFICATE

I, Timothy Wagner, do hereby certify that this plat and legal description were prepared by me or under my direct supervision and are true and correct to the best of my knowledge


Timothy Wagner, Registered Land Surveyor
Colorado Registration Number 14166



November 4, 1983
Date