

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 21

DATE: November 2, 1999

STAFF: Troy W. Jones

SUBJECT:

Resolution 99-132 Finding Substantial Compliance and Initiating Annexation Proceedings for the Fossil Creek Wetlands Annexation.

RECOMMENDATION:

Staff recommends adoption of the Resolution.

EXECUTIVE SUMMARY:

This is a request for a 100% voluntary annexation. The site is approximately 90.43 acres of publicly owned property located south of East Trilby Road and west Timberline Road. The recommended zoning is Public Open Lands (POL), and it is adjacent to a larger piece of Public Open Lands.

BACKGROUND:

The property is located within the Fort Collins Urban Growth Area (UGA). According to policies and agreements between the City of Fort Collins and Larimer County, contained in the **INTERGOVERNMENTAL AGREEMENT FOR THE FORT COLLINS URBAN GROWTH AREA**, the City will annex property within the UGA when the property is eligible for annexation according to Colorado Revised Statutes (CRS). This property is eligible for annexation according to CRS, requiring 1/6 contiguity to the existing city limits. The Fossil Creek Wetlands Annexation and Zoning complies with this standard since the property has 4,990.54 feet of its total boundary of approximately 9,858.02 feet contiguous to the existing City limits. This meets the minimum 1,643 feet required to achieve 1/6 contiguity. This contiguity occurs through a common boundary with the Union Pacific South Fourth Annexation (May 1988), and the Greenstone Annexation (January 1993).

The property is currently zoned FA-1 Farming District in Larimer County. The requested zoning for this annexation is the Public Open Lands District (POL). The City's adopted Structure Plan, a part of City Plan, designates the site as Rural/Open Lands and Stream Corridors. A zoning designation of POL is consistent with the Structure Plan designation of Rural/Open Lands and Stream Corridors.

The annexation is made up of one parcel. The owner of record for the parcel is the City of Fort Collins.

The Planning and Zoning Board Hearing:

The Planning and Zoning Board conducted a public hearing on the annexation and zoning request at its meeting on October 21, 1999. At that meeting, the Board recommended adoption of the annexation and of the POL – Public Open Lands Zoning Designation by a vote of 6-0.

RESOLUTION 99-132
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
FOSSIL CREEK WETLANDS ANNEXATION

WHEREAS, a written petition, together with four (4) prints of an annexation map, was heretofore filed with the City Clerk requesting the annexation of certain property to be known as the Fossil Creek Wetlands Annexation; and

WHEREAS, the Council of the City of Fort Collins desires to initiate annexation proceedings in accordance with law.

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

Section 1. That the Council hereby accepts the annexation petition for the Fossil Creek Wetlands Annexation, more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A TRACT OF LAND SITUATE IN THE COUNTY OF LARIMER, STATE OF COLORADO, TO-WIT:

A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 18, THE NORTHWEST 1/4 OF SECTION 17 AND THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO; CONSIDERING THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 18 AS BEARING N 88 51' 14" E, WITH ALL BEARINGS HEREIN RELATIVE THERETO IS CONTAINED WITHIN THE BOUNDARY LINES WHICH BEGIN AT THE NORTH 1/4 CORNER OF SAID SECTION 18: THENCE, N 88 51' 14" E 149.17 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE, S 01 08' 46" E 30.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST TRILBY ROAD, ALSO BEING A POINT ON THE EASTERLY LINE OF THE UNION PACIFIC SOUTH FOURTH ANNEXATION TO THE CITY OF FORT COLLINS; THENCE, S 00 33' 22" E 1833.78 FEET ON AND ALONG THE EASTERLY LINE OF SAID UNION PACIFIC SOUTH FOURTH ANNEXATION TO A POINT OF CURVATURE; THENCE, ALONG A SPIRAL CURVE CONCAVE TO THE EAST WITH DEFINED LINE FROM THE POINT OF CURVATURE TO A POINT OF TANGENCE WHICH BEARS S 01 16' 28" E 186.44 FEET, A LENGTH OF 186.45 FEET, A DELTA ANGLE OF 02 27' 00", ALSO BEING ON AND ALONG THE EASTERLY LINE OF SAID UNION PACIFIC SOUTH FOURTH ANNEXATION TO A POINT OF CURVATURE; THENCE, ALONG A

TANGENT CURVE CONCAVE TO THE EAST WITH A LENGTH OF 584.41 FEET, A RADIUS OF 2092.01 FEET, A DELTA ANGLE OF 16 00' 21" AND A LONG CHORD WHICH BEARS S 11 12' 16" E 582.52 FEET, ALSO BEING THE EASTERLY LINE OF SAID UNION PACIFIC SOUTH FOURTH ANNEXATION, TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18, ; THENCE, N 89 36' 23" E 2305.90 FEET ON AND ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18, ALSO BEING THE NORTHERLY LINE OF THE GREENSTONE ANNEXATION TO THE CITY OF FORT COLLINS, TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH TIMBERLINE ROAD; THENCE, CONTINUING N 89 36' 23" E 50.00 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 18, ALSO BEING THE NORTHERLY LINE OF SAID GREENSTONE ANNEXATION; THENCE, N 89 35' 14" E 30.00 FEET ON AND ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17, ALSO BEING THE NORTHERLY LINE OF THE GREENSTONE ANNEXATION; THENCE, N 00 01' 35" W 1084.61 FEET ON AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTH TIMBERLINE ROAD; THENCE, S 89 35' 14" W 30.00 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE, S 89 58' 25" W 50.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID SOUTH TIMBERLINE ROAD; THENCE, N 85 01' 14" W 784.30 FEET ON AND ALONG THE SOUTHERLY BOUNDARY LINE OF PARAGON ESTATES P.U.D. A SUBDIVISION IN LARIMER COUNTY; THENCE, N 65 39' 59" W 80.00 FEET ON AND ALONG THE SOUTHERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D.; THENCE, N 85 01' 14" W 218.83 FEET ON AND ALONG THE SOUTHERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D.; THENCE, N 59 29' 41" W 610.10 FEET ON AND ALONG THE SOUTHERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D.; THENCE, N 83 14' 07" W 236.10 FEET ON AND ALONG THE SOUTHERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D.; THENCE, N 02 10' 14" W 1045.07 FEET ON AND ALONG THE WESTERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D. TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST TRILBY ROAD; THENCE, N 01 08' 46" W 30.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE, N 01 08' 46" W 50.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID EAST TRILBY ROAD; THENCE, S 88 51' 14" W 568.40 FEET ON AND ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID EAST TIMBERLINE ROAD; THENCE, S 01 08' 46" E 50.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SECTION 18, THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

CONTAINING 90.43 ACRES MORE OR LESS.

Section 2. That the Council hereby finds and determines that the annexation petition and accompanying map are in substantial compliance with the Municipal Annexation Act.

Section 3. That the Notice attached hereto be 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 an annexation ordinance 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 held this 2nd day of November, A.D. 1999.

Mayor

ATTEST:

City Clerk

NOTICE

TO ALL PERSONS INTERESTED:

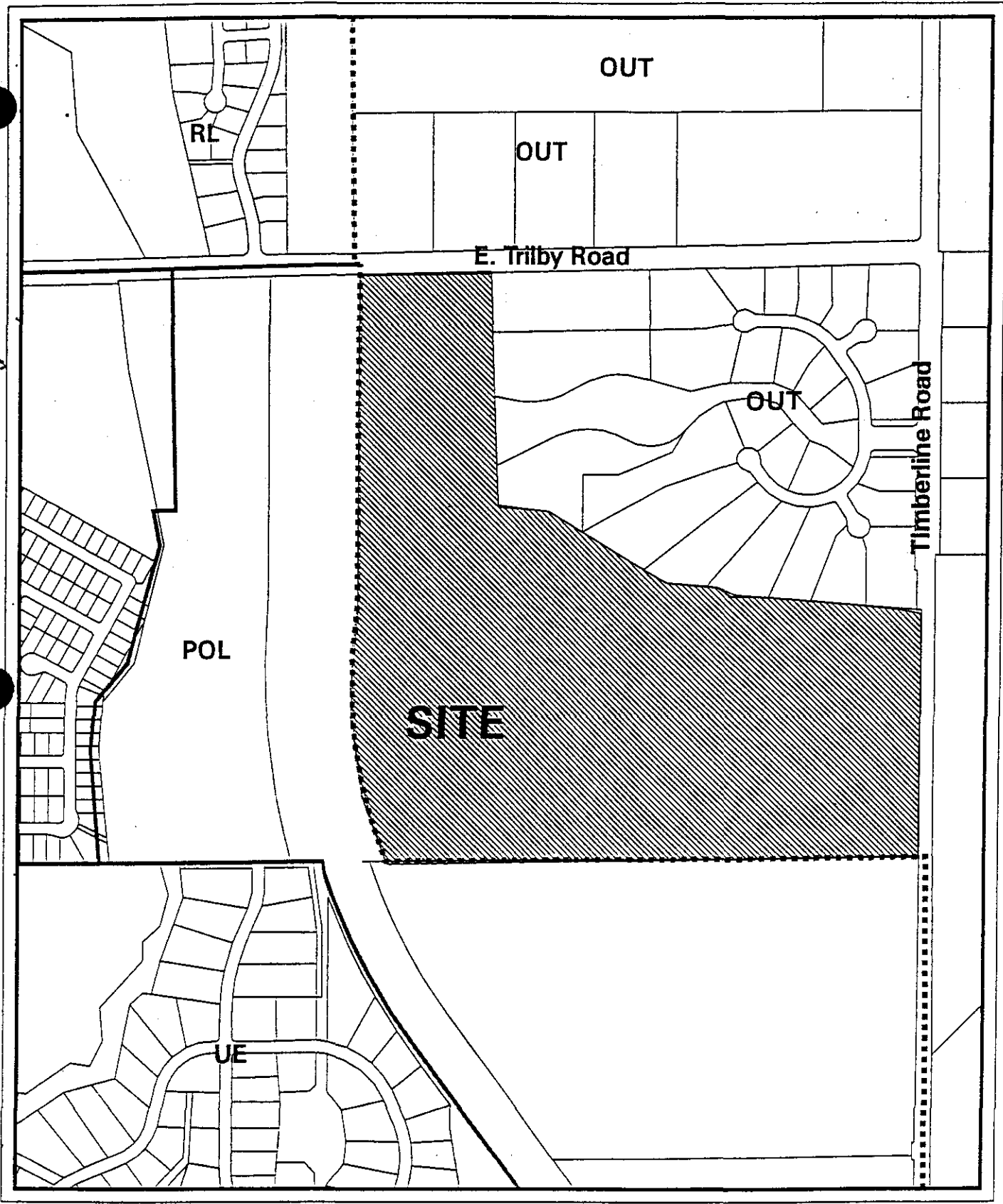
PLEASE TAKE NOTICE that the City Council of the City of Fort Collins has adopted a Resolution initiating annexation proceedings for the Fossil Creek Wetlands Annexation, said Annexation being more particularly described in said Resolution, a copy of which precedes this Notice.

That, on December 7, 1999, 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 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. At such hearing, any persons may appear and present such evidence as they may desire.

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 for assistance.

Dated this 2nd day of November, A.D. 1999.

City Clerk

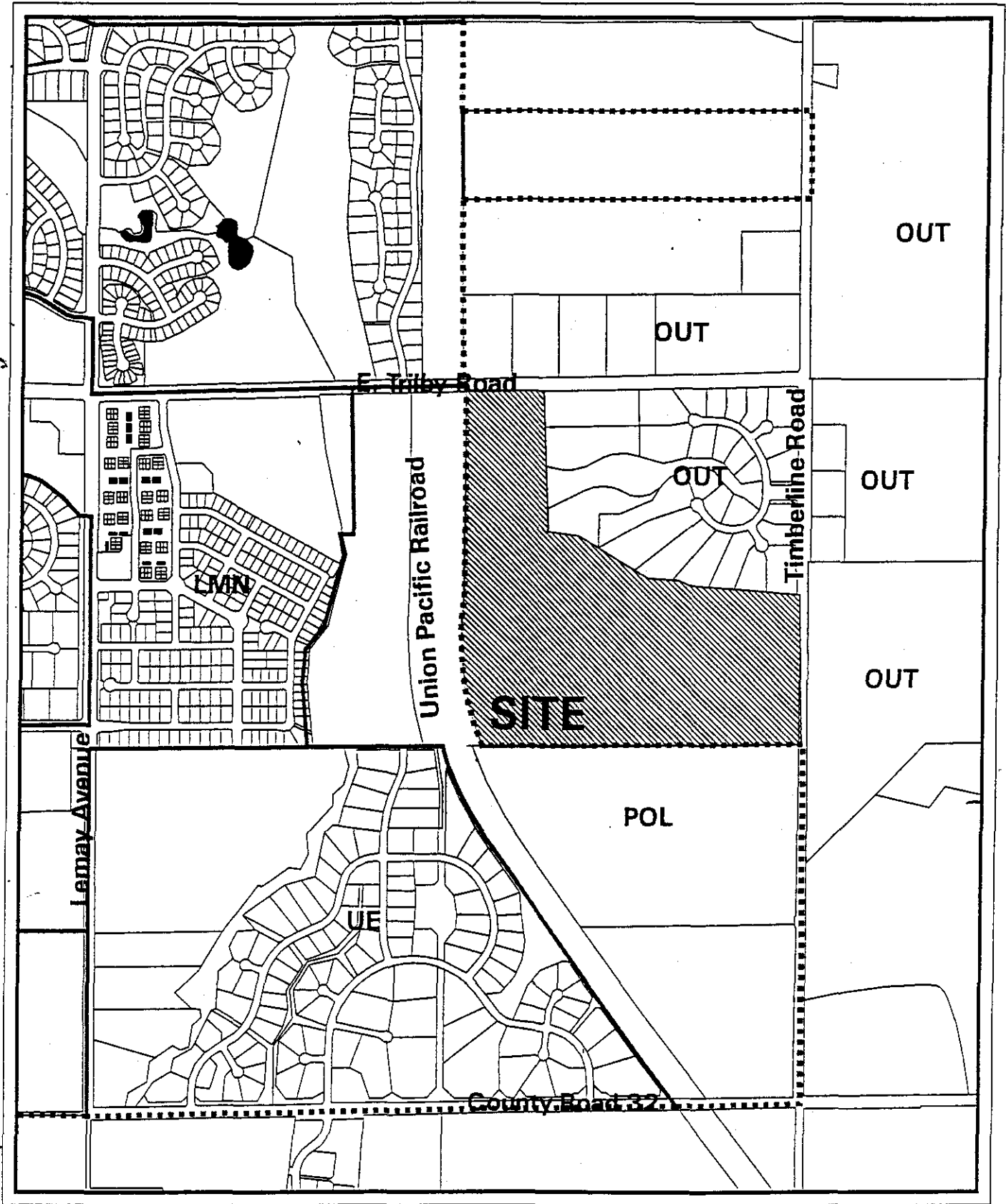


VICINITY MAP

07/15/99

#13-99 Fossil Creek Wetlands Natural Area Annexation & Zoning

1" = 600'



VICINITY MAP

07/16/99

#13-99 Fossil Creek Wetlands Natural Area Annexation & Zoning

1" = 1000'



City of Fort Collins

ITEM NO. 6

MEETING DATE 10/21/99

STAFF Troy Jones

PLANNING AND ZONING BOARD

STAFF REPORT

PROJECT: Fossil Creek Wetlands Annexation & Zoning, File # 13-99

APPLICANT: City of Fort Collins

OWNERS: City of Fort Collins

PROJECT DESCRIPTION: Annexation and zoning of approximately 90.43 acres of publicly owned property located south of East Trilby Road and west Timberline Road. The recommended zoning is Public Open Lands (POL), and it is adjacent to a larger piece of Public Open Lands.

RECOMMENDATION: Staff recommends approval of the annexation and recommends that the property be placed in the Public Open Lands District (POL).

EXECUTIVE SUMMARY:

1. The annexation of this area is consistent with the policies and agreements between Larimer County and the City of Fort Collins as contained in the Intergovernmental Agreement for the Fort Collins Urban Growth Area.
2. The area meets all criteria included in Colorado Revised Statutes to qualify for a voluntary annexation to the City of Fort Collins.
3. The requested Public Open Lands (POL) is in conformance with the policies of City Plan and is consistent with the Structure Plan.

COMMENTS:

1. Background:

The property is located within the Fort Collins Urban Growth Area (UGA). According to policies and agreements between the City of Fort Collins and Larimer County, contained in the **INTERGOVERNMENTAL AGREEMENT FOR THE FORT COLLINS URBAN GROWTH AREA**, the City will annex property within the UGA when the property is eligible for annexation according to Colorado Revised Statutes (CRS). This property is eligible for annexation according to CRS, requiring 1/6 contiguity to the existing city limits. The Fossil Creek Wetlands Annexation and Zoning complies with this standard since the property has 4,990.54 feet of its total boundary of approximately 9,858.02 feet contiguous to the existing City limits. This meets the minimum 1,643 feet required to achieve 1/6 contiguity. This

contiguity occurs through a common boundary with the Union Pacific South Fourth Annexation (May 1988), and the Greenstone Annexation (January 1993).

The surrounding zoning and land uses as follows:

- N: FA-1 Farming District in Larimer County – existing agricultural, single family housing (Paragon Estates),
- S: POL – existing Fossil Creek Wetland Natural Area,
- E: FA-1 Farming District in Larimer County – existing agricultural,
- W: POL – existing Union Pacific Railroad tracks, existing Fossil Creek Wetland Natural Area.

2. Zoning and Analysis:

The property is currently zoned FA-1 Farming District in Larimer County. The requested zoning for this annexation is the Public Open Lands District (POL). The City's adopted Structure Plan, a part of City Plan, designates the site as Rural/Open Lands and Stream Corridors. A zoning designation of POL is consistent with the Structure Plan designation of Rural/Open Lands and Stream Corridors.

3. City Council Hearings:

City Council hearings on this proposed annexation and zoning will be held on the following dates:

Initiating Resolution	November 2, 1999
First Reading	December 7, 1999
Second Reading	December 21, 1999

FINDINGS OF FACT/CONCLUSION:

1. The annexation of this area is consistent with the policies and agreements between Larimer County and the City of Fort Collins as contained in the Intergovernmental Agreement for the Fort Collins Urban Growth Area.
2. The area meets all criteria included in Colorado Revised Statutes to qualify for a voluntary annexation to the City of Fort Collins.
3. The requested Public Open Lands (POL) is in conformance with the policies of City Plan and is consistent with the Structure Plan.

Fossil Creek Wetlands Annexation & Zoning, File # 13-99
October 21, 1999 P & Z Meeting
Page 3

RECOMMENDATION:

Staff recommends that the Planning and Zoning Board forward a recommendation to the City Council to **approve** the Fossil Creek Wetlands Annexation with a zoning designation of Public Open Lands (POL).

**Statement of Principles and Policies and Consistency with the City Structure Plan
For the
Fossil Creek Annexation and Zoning
August 5, 1999**

The following principles and related policies are extracted from "City Plan: Fort Collins, Colorado Comprehensive Plan," and are reiterated to show the conformance of this petition for annexation with the city's documented intentions.

PRINCIPLE NOL-2: Open lands are important in providing the city with a well-defined edge, establishing community separators, directing growth, and preserving rural character.

Policy NOL-2.1 Conservation Tools. The City will purchase open lands and/or development rights and use conservation easements and other such tools, for the purpose of defining community edges. Such open lands include areas for passive or limited recreation for non-athletic purposes, agricultural land, and natural areas.

PRINCIPLE GM-2: The City will consider the annexation of new territory into the City limits when the annexation of such property conforms to the vision, goals, and policies of City Plan.

Policy GM-2.1 Annexation Policies. The City Council will weigh the following factors when considering the annexation of new land into the incorporated limits:

- Statutory requirements. The property must meet all statutory requirements for annexation according to the laws of the State of Colorado.
- Property to be annexed located within the Community Growth Management Area. The property must be currently located within the Community Growth Management Area boundary, or the boundary must be amended by actions of the City (and County, if necessary) before the City approves the proposed annexation.

PETITION FOR ANNEXATION

THE UNDERSIGNED (hereinafter referred to as the "Petitioners") hereby petition the Council of the City of Fort Collins, Colorado for the annexation of an area, to be referred to as the Fossil Creek Wetlands Annexation to the City of Fort Collins. Said area, consisting of approximately 90.43 acres, is more particularly described on Attachment "A", attached hereto.

The Petitioners allege:

1. That it is desirable and necessary that such area be annexed to the City of Fort Collins.
2. That the requirements of Sections 31-12-104 and 31-12-105, C.R.S., exist or have been met.
3. That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the boundaries of the City of Fort Collins.
4. That a community of interest exists between the area proposed to be annexed and the City of Fort Collins.
5. That the area to be annexed is urban or will be urbanized in the near future.
6. That the area proposed to be annexed is integrated with or capable of being integrated with the City of Fort Collins.
7. That the Petitioners herein comprise more than fifty percent (50%) of the landowners in the area and own more than fifty percent (50%) of the area to be annexed, excluding public streets, alleys and lands owned by the City of Fort Collins.
8. That the City of Fort Collins shall not be required to assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property proposed to be annexed except as may be provided by the ordinance of the City of Fort Collins.

Further, as an express condition of annexation, Petitioners consent to the inclusion into the Municipal Subdistrict, Northern Colorado Water Conservancy District (the "Subdistrict") pursuant to §37-45-136(3.6) C.R.S., Petitioners acknowledge that, upon inclusion into the Subdistrict, Petitioners' property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the Subdistrict at the time of inclusion of Petitioners' lands. Petitioners agree to waive any right to an election which may exist pursuant to Article X, §20 of the Colorado Constitution before the Subdistrict can impose such mill levies and special assessments as it has the authority to impose. Petitioners also agree to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, §20 of the Colorado Constitution.

WHEREFORE, said Petitioners request that the Council of the City of Fort Collins approve the annexation of the area described on Attachment "A". Furthermore, the Petitioners request that said area be placed in the POL - Public Open Lands Zone District pursuant to the Land Use Code of the City of Fort Collins.

(Check box if applicable.) The Petitioners reserve the right to withdraw this petition and their signatures therefrom at any time prior to the commencement of the roll call of the City Council for the vote upon the second reading of the annexation ordinance.

Individual Petitioners signing this Petition represent that they own the portion(s) of the area described on Attachment "A" as more particularly described below:

A tract of land situate in the County of Larimer, State of Colorado, to-wit:

See Legal Description on Attachment "A."

IN WITNESS WHEREOF, I/we have executed this Petition for Annexation this 5th day of August, 1999.

City of Fort Collins, Colorado
A Municipal Corporation

By: John F. Fischbach

John F. Fischbach, City Manager
City of Fort Collins, Colorado
P.O. Box 580
Fort Collins, CO 80522-0580

ATTACHMENT "A"

LEGAL DESCRIPTION FOR
FOSSIL CREEK WETLANDS NATURAL AREA ANNEXATION

A tract of land situate in the County of Larimer, State of Colorado, to-wit:

A TRACT OF LAND SITUATE IN THE NORTHEAST 1/4 OF SECTION 18, THE NORTHWEST 1/4 OF SECTION 17 AND THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO; CONSIDERING THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 18 AS BEARING N 88 51' 14" E, WITH ALL BEARINGS HEREIN RELATIVE THERETO IS CONTAINED WITHIN THE BOUNDARY LINES WHICH BEGIN AT THE NORTH 1/4 CORNER OF SAID SECTION 18: THENCE, N 88 51' 14" E 149.17 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE, S 01 08' 46" E 30.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST TRILBY ROAD, ALSO BEING A POINT ON THE EASTERLY LINE OF THE UNION PACIFIC SOUTH FOURTH ANNEXATION TO THE CITY OF FORT COLLINS; THENCE, S 00 33' 22" E 1833.78 FEET ON AND ALONG THE EASTERLY LINE OF SAID UNION PACIFIC SOUTH FOURTH ANNEXATION TO A POINT OF CURVATURE; THENCE, ALONG A SPIRAL CURVE CONCAVE TO THE EAST WITH DEFINED LINE FROM THE POINT OF CURVATURE TO A POINT OF TANGENCE WHICH BEARS S 01 16' 28" E 186.44 FEET, A LENGTH OF 186.45 FEET, A DELTA ANGLE OF 02 27' 00", ALSO BEING ON AND ALONG THE EASTERLY LINE OF SAID UNION PACIFIC SOUTH FOURTH ANNEXATION TO A POINT OF CURVATURE; THENCE, ALONG A TANGENT CURVE CONCAVE TO THE EAST WITH A LENGTH OF 584.41 FEET, A RADIUS OF 2092.01 FEET, A DELTA ANGLE OF 16 00' 21" AND A LONG CHORD WHICH BEARS S 11 12' 16" E 582.52 FEET, ALSO BEING THE EASTERLY LINE OF SAID UNION PACIFIC SOUTH FOURTH ANNEXATION, TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18, ; THENCE, N 89 36' 23" E 2305.90 FEET ON AND ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18, ALSO BEING THE NORTHERLY LINE OF THE GREENSTONE ANNEXATION TO THE CITY OF FORT COLLINS, TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF SOUTH TIMBERLINE ROAD; THENCE, CONTINUING N 89 36' 23" E 50.00 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 18, ALSO BEING THE NORTHERLY LINE OF SAID GREENSTONE ANNEXATION; THENCE, N 89 35' 14" E 30.00 FEET ON AND ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17, ALSO BEING THE NORTHERLY LINE OF THE GREENSTONE ANNEXATION; THENCE, N 00 01' 35" W 1084.61 FEET ON AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID SOUTH TIMBERLINE ROAD; THENCE, S 89 35' 14" W 30.00 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE, S 89 58' 25" W 50.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID SOUTH TIMBERLINE ROAD; THENCE, N 85 01' 14" W 784.30 FEET ON AND ALONG THE SOUTHERLY BOUNDARY LINE OF PARAGON ESTATES P.U.D. A SUBDIVISION IN LARIMER COUNTY; THENCE, N 65 39' 59" W 80.00 FEET ON AND ALONG THE SOUTHERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D.; THENCE, N 85 01' 14" W 218.83 FEET ON AND ALONG THE SOUTHERLY BOUNDARY OF

SAID PARAGON ESTATES P.U.D.; THENCE, N 59 29' 41" W 610.10 FEET ON AND ALONG THE SOUTHERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D.; THENCE, N 83 14' 07" W 236.10 FEET ON AND ALONG THE SOUTHERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D.; THENCE, N 02 10' 14" W 1045.07 FEET ON AND ALONG THE WESTERLY BOUNDARY OF SAID PARAGON ESTATES P.U.D. TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID EAST TRILBY ROAD; THENCE, N 01 08' 46" W 30.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE, N 01 08' 46" W 50.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID EAST TRILBY ROAD; THENCE, S 88 51' 14" W 568.40 FEET ON AND ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID EAST TIMBERLINE ROAD; THENCE, S 01 08' 46" E 50.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SECTION 18, THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

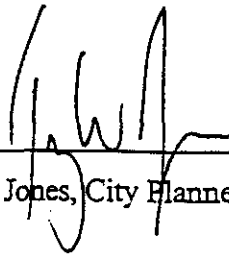
CONTAINING 90.43 ACRES MORE OR LESS.

ATTACHMENT "B"

STATE OF COLORADO)
)ss.
COUNTY OF LARIMER)

The undersigned, being first duly sworn upon his oath states:

That he was the circulator of the attached Petition for Annexation and that each signature therein is the signature of the person whose name it purports to be.

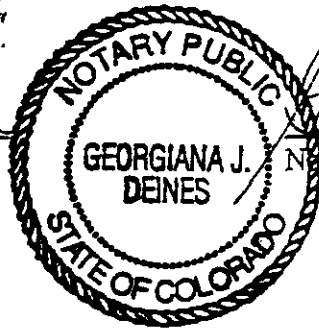


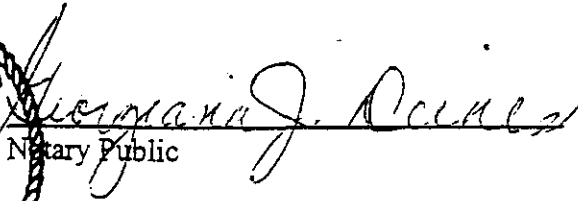
Troy Jones, City Planner

Subscribed and sworn to before me this 27th day of July, 1999, by
Troy Jones

WITNESS my hand and official seal.

June 26, 2002
Commission Expiration





Notary Public

ATTACHMENT "C"

ATTORNEY CERTIFICATION

I, W. PAUL ECKMAN, an attorney licensed to practice in the State of Colorado, hereby certify that I have examined the records of the Clerk and Recorder of Larimer County, Colorado and have verified that the signers of this Annexation Petition for the area referred to as the Fossil Creek Wetlands Annexation to the City of Fort Collins are owners of real property in the area proposed for annexation. Furthermore, I certify that said owners constitute more than 50% of the landowners in the area proposed for annexation, as said area is described on Attachment "A" of said Annexation Petition, and own more than 50% of the land in said area, exclusive of streets and alleys.

Aug 5, 1999
Date

W Paul Eckman # 7927
Signature Attorney Reg. No.