

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 10

DATE: October 6, 2009

STAFF: Susan Joy

SUBJECT

Second Reading of Ordinance No. 093, 2009, Vacating a Portion of Right-of-way for Redwood Street as Dedicated at Reception #2006-0034597 of the Larimer County Records.

RECOMMENDATION

Staff recommends adoption of this Ordinance on Second Reading.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on September 15, 2009, vacates a portion of the right-of-way, located on Redwood Street, between Cajetan and Osiander Streets, north of Vine Drive. Some of the parcel that was dedicated as right-of-way is not needed for street purposes. The developer of Old Town North Sunterrace Townhomes has requested the vacation of a portion of the right-of-way to accommodate the setbacks needed for the proposed townhomes.

ATTACHMENTS

1. Copy of First Reading Agenda Item Summary - September 15, 2009.
(w/o original attachments)

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 12

DATE: September 15, 2009

STAFF: Susan Joy

SUBJECT

First Reading of Ordinance No. 093, 2009 Vacating a Portion of Right-of-way for Redwood Street as Dedicated at Reception #2006-0034597 of the Larimer County Records.

COPY

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY

The right-of-way at Reception #2006-0034597 was dedicated in 2006 by the developer of Old Town North, in order to complete the construction of Redwood Street, from the development to Vine Drive. Additional land was needed to provide a second point of access into the development. The parcel dedicated was originally a small tract in the Evergreen Park Subdivision that the developer of Old Town North was able to obtain and dedicate to the City in order to construct Redwood Street. Some of the parcel that was dedicated is not needed for street purposes and the developer of Old Town North Sunterrace Townhomes has requested the vacation of a portion of the right-of-way to accommodate the setbacks needed for the proposed townhomes.

All public and private utilities have been notified of the proposed vacation and they report no objections, provided the area is retained as a utility, drainage and sight-distance easement. The adjacent property owner is the developer requesting the vacation and has no objection to the vacation.

COPY

ATTACHMENTS

1. Location map

COPY

ORDINANCE NO. 093, 2009
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING A PORTION OF RIGHT-OF-WAY FOR REDWOOD STREET
AS DEDICATED AT RECEPTION #2006-0034597
OF THE LARIMER COUNTY RECORDS

WHEREAS, certain land was dedicated to the City as street right-of-way for Redwood Street between Vine Drive and Osiander Street as described in that deed of dedication recorded at Reception #2006-0034597 of the Larimer County, Colorado, records; and

WHEREAS, the developer of Old Town North, Second Filing, has requested that the City vacate this right-of-way; and

WHEREAS, the Administrative Hearing Officer has approved an application for the final plan for a project entitled "Old Town North Sunterrace Townhomes," which plan plats property abutting the right-of-way for Redwood Street; and

WHEREAS, the approval of the Old Town North Sunterrace Townhomes necessitates the vacation of a portion of the original right-of-way dedicated for Redwood Street more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference; and

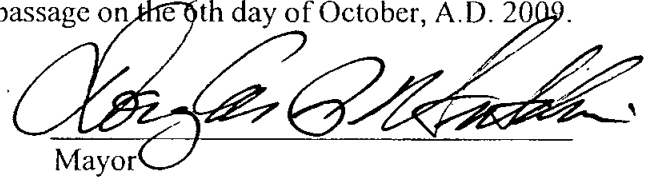
WHEREAS, the portion of the Redwood Street right-of-way is no longer necessary or desirable to retain for street intersection purposes due to the actual alignment of the constructed street; and

WHEREAS, pertinent City agencies and private utility companies have been contacted and have reported no objection to the proposed vacation, provided that a utility, drainage and sight-distance easement be reserved unto the City as more particularly described on Exhibit "B", attached hereto and incorporated herein by this reference; and

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

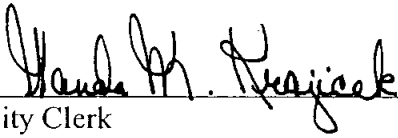
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the portion of street right-of-way, more particularly described on Exhibit "A", is hereby vacated, abated, and abolished, reserving a utility, drainage, and sight-distance easement unto the City as more particularly described on Exhibit "B".

Introduced, considered favorably on first reading, and ordered published this 15th day of September, A.D. 2009, and to be presented for final passage on the 6th day of October, A.D. 2009.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading on the 6th day of October, A.D. 2009.

Mayor

ATTEST:

City Clerk