

## **SUBJECT**

First Reading of Ordinance No. 014, 2010, Vacating a Portion of Corbett Drive Right-of-way as Dedicated on the Plat of Front Range Village.

## **EXECUTIVE SUMMARY**

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The center of the roundabout at Corbett Drive and Council Tree Avenue in the Front Range Village Shopping Center, located at the northeast corner of Ziegler Road and Harmony Road, is proposed for vacation. The shopping center desires to place a Christmas tree and other decorations in the landscaped area of the roundabout during the holiday season. The City's holiday policy does not allow for this. Therefore, Front Range Village has proposed that the center of the roundabout be vacated.

## **BACKGROUND / DISCUSSION**

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The roundabout at Corbett Drive and Council Tree Ave was constructed with the Front Range Development to serve Front Range Village Shopping Center and adjacent development. The Shopping Center desires long term to place a Christmas display in the roundabout during the holiday season. Because this area is City right-of-way, the placement of the tree does not meet the current City holiday policies. Vacation of the center of the roundabout appears to be the viable option. The center of the roundabout is currently maintained by Front Range Village and that will not change with this request.

## **STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on First Reading.

## **PUBLIC OUTREACH**

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All public and private utilities have been notified of the proposed vacation and they report no objections, provided the area is retained as an access and utility easement. With this Ordinance, the entire area proposed to be vacated will be retained as an access and utility easement. The adjacent property owners are the Front Range Village businesses that made the request.

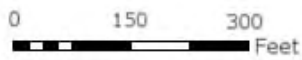
## **ATTACHMENTS**

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1. Location map



Right-of-Way Vacation at Corbett & Council Tree



January 29, 2010

ORDINANCE NO. 014, 2010  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
VACATING A PORTION OF CORBETT DRIVE RIGHT-OF-WAY  
AS DEDICATED ON THE PLAT OF FRONT RANGE VILLAGE

WHEREAS, the plat of Front Range Village included dedication to the public of right-of-way for the roundabout at the intersection of Corbett Drive and Council Tree Avenue; and

WHEREAS, Front Range Village has requested that the City vacate a portion of this right-of-way; and

WHEREAS, said portion of right-of-way is no longer necessary or desirable to retain for street purposes; and

WHEREAS, pertinent City agencies and private utility companies have been contacted and reported no objection to the proposed vacation, provided that an access and utility easement be reserved unto the City; 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 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," attached hereto and incorporated herein by this reference, is hereby vacated, abated and abolished, reserving the same unto the City as an access and utility easement.

Introduced, considered favorably on first reading, and ordered published this 16th day of February, A.D. 2010, and to be presented for final passage on the 2nd day of March, A.D. 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Passed and adopted on final reading on the 2nd day of March, A.D. 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

# Exhibit A

## PROPERTY DESCRIPTION Front Range Village First Replat

A 53.00 foot diameter circular parcel of land being a part of the Right-of-Way of Corbett Drive as shown on the plat of Front Range Village First Replat (FRVFR) as recorded September 4, 2007 as Reception No. 20070067890 of the Records of the Larimer County Clerk & Recorder, located in the Southeast Quarter (SE1/4) of Section Thirty-two (32), Township Seven North (T.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6thP.M.), City of Fort Collins, County of Larimer, State of Colorado and the Radius Point of said circular parcel being more particularly described as follows:

**COMMENCING** at the Northwest Corner of Lot 13 (Southwest Corner of Tract E) of said FRVFR and assuming the North line of said Lot 13 as bearing South 89°59'35" East a distance of 512.63 feet with all other bearings contained herein relative thereto:

**THENCE** North 68°30'12" West a distance of 107.47 feet to the Radius point of aforesaid parcel; Said point being the center of a 53.00 foot Diameter circle (26.50 foot Radius), said circle being the entire parcel described.

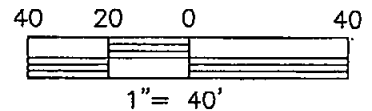
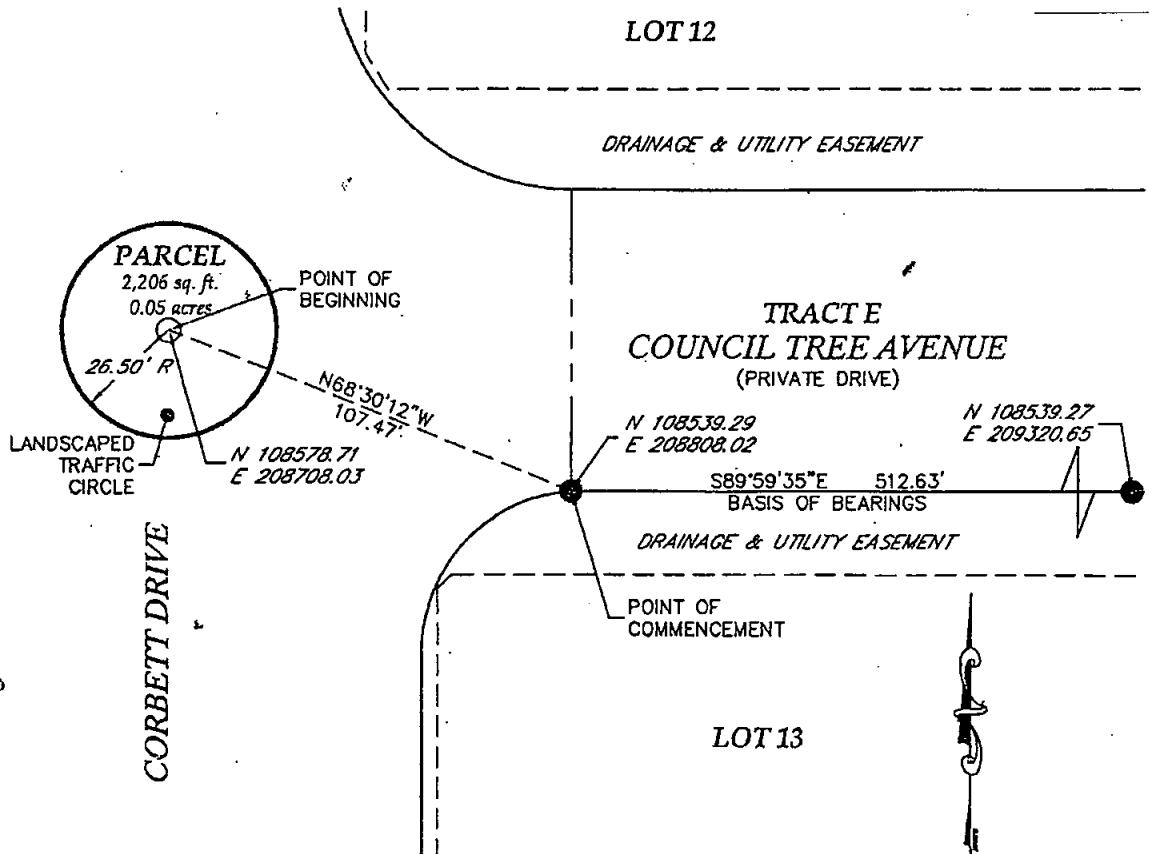
Said described parcel of land contains 2,206 Square Feet or 0.05 Acres, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

## SURVEYORS STATEMENT

I, Lawrence S. Pepek, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.

  
  
Lawrence S. Pepek - on behalf of King Surveyors, Inc.  
Colorado Registered Professional  
Land Surveyor #33642

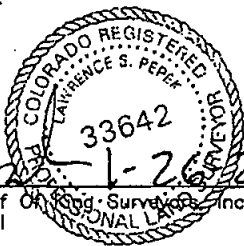
**KING SURVEYORS, INC.**  
650 Garden Drive  
Windsor, Colorado 80550  
(970) 686-5011



● = FOUND NAIL & BRASS TAG IN CONCRETE STAMPED LS 33642

NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

*L. S. Peppek*  
 Lawrence S. Peppek - On Behalf of King Surveyors, Inc.  
 Colorado Registered Professional Land Surveyor #33642



**KING SURVEYORS, INC.**  
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 phone: (970) 686-5011 | fax: (970) 686-5821  
 www.kingsurveyors.com

**PROJECT NO: 2009390**  
**DATE: 1-19-10**  
**CLIENT: BAYER PROPERTIES**  
**DWG: EXHIBIT**