

SUBJECT

First Reading of Ordinance No. 028, 2011, Vacating Right-of-way as Dedicated On the Plat of Griffin Plaza Subdivision.

EXECUTIVE SUMMARY

In 1977, the Griffin Plaza Subdivision, located south of Prospect Road and west of College Avenue, platted several lots and a public street extending into the site named Tamasag Drive. Although development did occur on the two lots adjacent to Prospect Road, Tamasag Drive was never constructed as anything more than a driveway. The property owner at the southeast corner of Tamasag Drive and Prospect Road (former Gasamat site) has requested the vacation of Tamasag Drive. The owner of this parcel is considering redeveloping the site, but an application for development has not been submitted.

BACKGROUND / DISCUSSION

The property that Tamasag Drive would serve is currently owned by three different property owners, one owning the lot at the southwest corner of Prospect Road and Tamasag Drive, the second owning the southeast corner of Prospect Road and Tamasag Drive (the applicant), and the third owner owning the remaining lots. Since all of the lots not along Prospect Road are owned by one owner, the vacation of this roadway does not impact the ability to develop or provide adequate access to this property in the future.

STAFF RECOMMENDATION

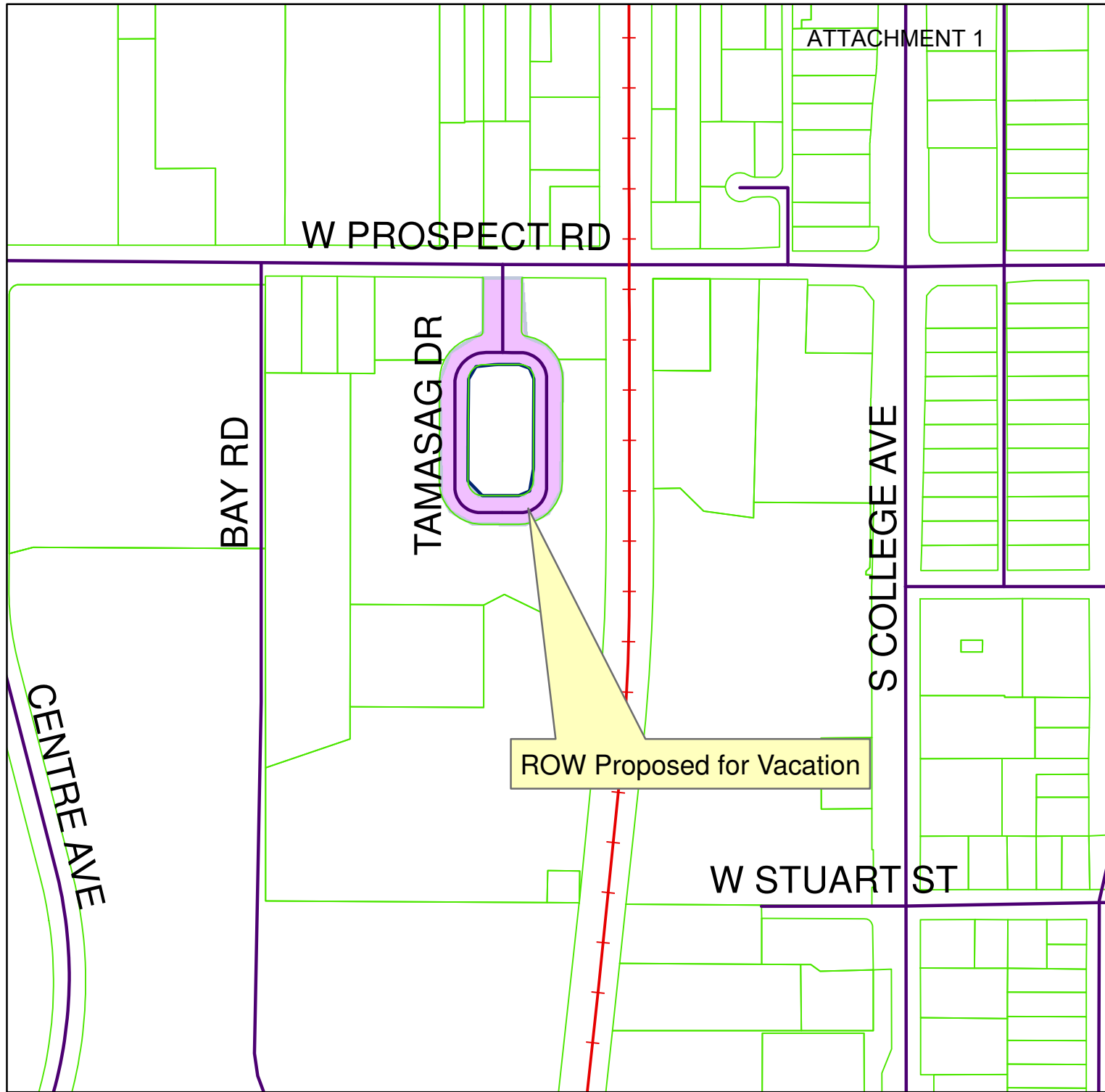
Staff recommends adoption of the Ordinance on First Reading.

PUBLIC OUTREACH

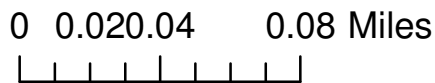
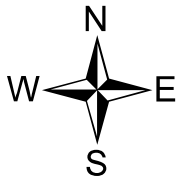
The adjacent property owners have been contacted regarding this vacation and have no objections. All public and private utilities have been notified of the proposed vacation and they report no objections, provided the area is retained as an access and utility easement. With this ordinance, the entire area proposed to be vacated will be retained as an access, emergency access, drainage, and utility easement.

ATTACHMENTS

1. Location map



**Griffin Plaza Subdivision
ROW Proposed for Vacation**



February 2, 2011

ORDINANCE NO. 028, 2011
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING RIGHT-OF-WAY AS DEDICATED
ON THE PLAT GRIFFIN PLAZA SUBDIVISION

WHEREAS, the plat of Griffin Plaza Subdivision included dedication to the public of right-of-way for Tamasag Drive; and

WHEREAS, SeaSpan LLC has requested that the City vacate 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, emergency access, drainage, and utility easement be reserved unto the City; 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; and

WHEREAS, the City shall have no duty to maintain the existing or any future driveway located on the vacated parcel.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Tamasag Drive 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, emergency access, drainage, and utility easement.

Introduced, considered favorably on first reading, and ordered published this 1st day of March, A.D. 2011, and to be presented for final passage on the 15th day of March, A.D. 2011.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of March, A.D. 2011.

Mayor

ATTEST:

City Clerk

PROPERTY DESCRIPTION

Right of Way Vacation
Tamasag Drive

A tract of land known as Tamasag Drive, dedicated as Public Right of Way by the Griffin Plaza Subdivision Plat, Recorded August 10, 1977 as Reception No. 207302 of the Records of Larimer County, located in the Northeast Quarter of Section Twenty-three (23), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the 6th P.M., City of Fort Collins, County of Larimer, State of Colorado, and more particularly described as follows:

COMMENCING at the Northwest corner of Lot 2 of said Griffin Plaza Subdivision and assuming the North line of said Griffin Plaza Subdivision as bearing South 90°00'00" East a distance of 479.50 feet with all bearing contained herein relative thereto;

THENCE South 90°00'00" East along the North line of said Griffin Plaza Subdivision, said line being parallel with and 30.00 feet Southerly of the North line of said Section 23, a distance of 226.40 feet to the Northeast corner of Lot 1 of said Griffin Plaza Subdivision and to the **POINT OF BEGINNING**;

THENCE South 90°00'00" East a distance of 80.00 feet;

THENCE South 00°00'00" West a distance of 106.81 feet to a Point of Curvature (PC);

THENCE along the arc of a curve concave to the Northeast a distance of 20.77 feet, said curve has a Radius of 15.00 feet, a Delta of 79°19'17" and is subtended by a Chord bearing South 39°39'38" East a distance of 19.15 feet to a Point of Reverse Curvature (PRC);

THENCE along the arc of a curve concave to the Southwest a distance of 124.60 feet, said curve has a Radius of 90.00 feet, a Delta of 79°19'17" and is subtended by a Chord bearing South 39°39'38" East a distance of 114.88 feet to a Point of Tangency (PT);

THENCE South 00°00'00" West a distance of 210.00 feet to a PC;

THENCE along the arc of a curve concave to the Northwest a distance of 141.37 feet, said curve has a Radius of 90.00 feet, a Delta of 90°00'00" and is subtended by a Chord bearing South 45°00'00" West a distance of 127.28 feet to a PT;

THENCE North 90°00'00" West a distance of 75.00 feet to a PC;

THENCE along the arc of a curve concave to the Northeast a distance of 141.37 feet, said curve has a Radius of 90.00 feet, a Delta of 90°00'00" and is subtended by a Chord bearing North 45°00'00" West a distance of 127.28 feet to a PT;

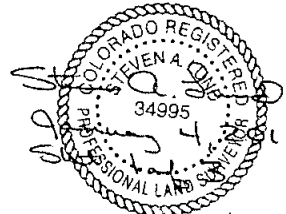
THENCE North 00°00'00" East a distance of 210.00 feet to a PC;

THENCE along the arc of a curve concave to the Southeast a distance of 128.00 feet, said curve has a Radius of 90.00 feet, a Delta of 81°29'13" and is subtended by a Chord bearing North 40°44'37" East a distance of 117.48 feet to a PRC;

THENCE along the arc of a curve concave to the Northwest a distance of 21.33 feet, said curve has a Radius of 15.00 feet, a Delta of 81°29'13" and is subtended by a Chord bearing North 40°44'37" East a distance of 19.58 feet to a PT;

THENCE North 00°00'00" East a distance of 106.15 feet to the **POINT OF BEGINNING**;

EXCEPTING THEREFROM and not inclusive in the aforesaid vacation description, all that portion of said Griffin Plaza Subdivision platted as Lot 11.



Said described vacated Right of Way contains a total of 66,491 sq. ft or 1.526 acres, more or less and is subject to any existing easements and rights of way of record or as now existing on said described parcel of land.

SURVEYOR'S CERTIFICATE

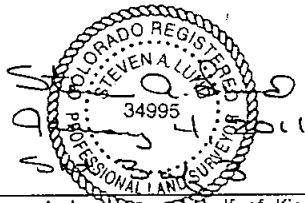
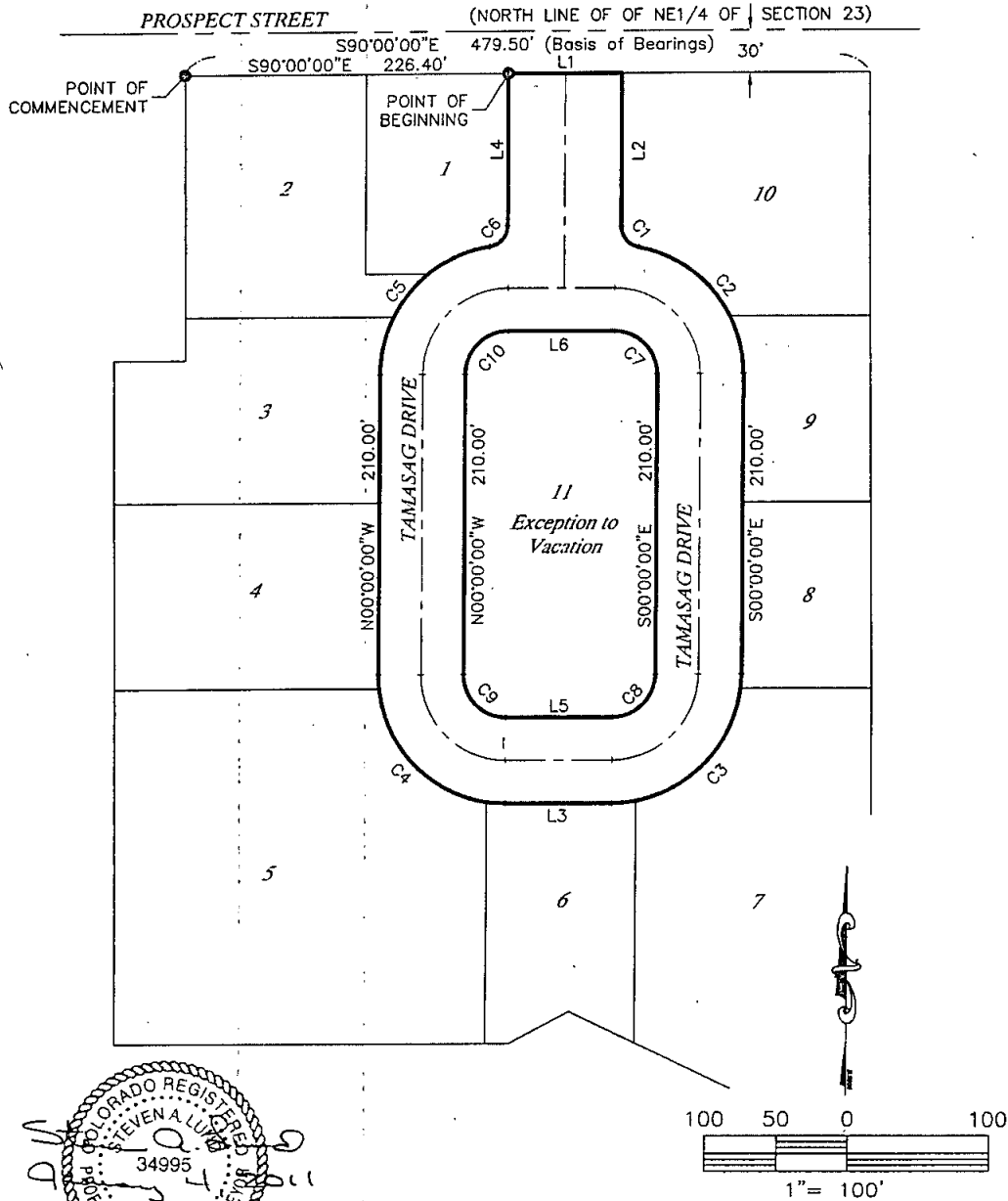
I, Steven A. Lund, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Steven A. Lund – on behalf of King Surveyors, Inc.
Colorado Registered Professional
Land Surveyor #34995

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

Sht. 3 of 3



Steven A. Lund on behalf of King Surveyors, Inc.
Colorado Registered Professional
Land Surveyor #34995

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.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	20.77'	15.00'	79°19'17"	19.15'	S39°39'38"E
C2	124.60'	90.00'	79°19'17"	114.88'	N39°39'38"W
C3	141.37'	90.00'	90°00'00"	127.28'	N45°00'00"E
C4	141.37'	90.00'	90°00'00"	127.28'	S45°00'00"E
C5	128.00'	90.00'	81°29'13"	117.48'	S40°44'37"W
C6	21.33'	15.00'	81°29'13"	19.58'	N40°44'37"E
C7	47.12'	30.00'	90°00'00"	42.43'	N45°00'00"W
C8	47.12'	30.00'	90°00'00"	42.43'	N45°00'00"E
C9	47.12'	30.00'	90°00'00"	42.43'	S45°00'00"E
C10	47.12'	30.00'	90°00'00"	42.43'	S45°00'00"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N90°00'00"E	80.00'
L2	S00°00'00"E	106.81'
L3	N90°00'00"W	75.00'
L4	S00°00'00"E	106.15'
L5	N90°00'00"W	75.00'
L6	N90°00'00"W	75.00'



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PROJECT NO: 2007283
DATE: 11/14/07 REV. 1/4/11
CLIENT: INTERWEST
DWG: 2007283EXH
DRAWN: CSK CHECKED: SAL