

AGENDA ITEM SUMMARY

April 15, 2014

City Council

STAFF

Tyler Siegmund, Civil Engineer

SUBJECT

Second Reading Ordinance No. 053, 2014, Vacating a Portion of Plum Street Right-of-Way as Dedicated on the Dechairo Subdivision Plat.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on April 1, 2014, vacates a portion of Plum Street right-of-way that is no longer necessary or desirable to retain for public street purposes. The property owner adjacent to this portion of right-of-way is requesting the vacation. This location is the future site of the Scott Plaza development project, which was approved at the Planning and Zoning Board Public Hearing on January 9, 2014.

STAFF RECOMMENDATION

Staff recommends the adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. Copy of First Reading Agenda Item Summary, April 1, 2014 (PDF)
2. Ordinance No. 053, 2014 (PDF)

AGENDA ITEM SUMMARY

April 1, 2014

City Council

STAFF

Tyler Siegmund, Civil Engineer

SUBJECT

First Reading of Ordinance No. 053, 2014, Vacating a Portion of Plum Street Right-of-Way as Dedicated on the Dechairo Subdivision Plat.

EXECUTIVE SUMMARY

The purpose of this item is to vacate a portion of Plum Street right-of-way that is no longer necessary or desirable to retain for public street purposes. The property owner adjacent to this portion of right-of-way is requesting the vacation. This location is the future site of the Scott Plaza development project, which was approved at the Planning and Zoning Board Public Hearing on January 9, 2014.

STAFF RECOMMENDATION

Staff recommends the adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

In 2007 additional right-of-way was dedicated to the City along Plum Street on the Dechairo Subdivision plat. With the Scott Plaza development plan, the applicant has proposed a mixed use development project at this location and it has been determined that the additional right-of-way is no longer needed for public street purposes.

The applicant has ownership of the adjacent land. All public and private utilities were notified of the proposed vacation and they report no objections to the vacation request.

FINANCIAL / ECONOMIC IMPACT

There are no financial impacts to the vacation of this portion of right of way.

ENVIRONMENTAL IMPACTS

There are no environmental impacts to the vacation of this portion of right of way.

PUBLIC OUTREACH

A memorandum requesting input was sent to the utility providers and potentially impacted City departments. The adjacent property owner and the person requesting the vacation are one in the same and thus no letters were sent to adjacent property owners.

ATTACHMENTS

1. Location map (PDF)

ORDINANCE NO. 053, 2014
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING A PORTION OF PLUM STREET RIGHT-OF-WAY AS DEDICATED
ON THE DECHAIRI SUBDIVISION PLAT

WHEREAS, the plat of Dechairo Subdivision included the dedication to the public of right-of-way for Plum Street; and

WHEREAS, Scott Plaza, LLC 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 land owners, City agencies, and private utility companies have been contacted and have reported no objection to the proposed vacation; 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 Plum Street right-of-way more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference, is hereby vacated, abated and abolished; provided, however, that:

- 1) this vacation shall not take effect until this Ordinance is recorded by the City Clerk with the Larimer County Clerk and Recorder; and
- 2) this Ordinance shall be recorded by the City Clerk concurrently with the recording of the subdivision plat for the development known as "Scott Plaza"; and
- 3) if this Ordinance is not so recorded by January 9, 2017, then this Ordinance shall become null and void and of no force and effect.

Introduced, considered favorably on first reading, and ordered published this 1st day of April, A.D. 2014, and to be presented for final passage on the 15th day of April, A.D. 2014.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of April, A.D. 2014.

Mayor

ATTEST:

City Clerk

Exhibit A



RIGHT-OF-WAY VACATION EXHIBIT (Plum Street)

A portion of right-of-way to be vacated located in the Northeast Quarter of Section 15, Township 7 North, Range 69 West of the 6th Principal Meridian, City of Fort Collins, County of Larimer, State of Colorado being more particularly described as follows:

Considering the East line of the Northeast Quarter of Section 15 as bearing North 00° 00' 00" East and with all bearings contained herein relative thereto:

Commencing at the East Quarter corner of said Section 15; thence North 00° 00' 00" East, 592.10 feet; thence North 89° 34' 30" West, 726.32 feet to the Southeast corner of Lot 1, Dechairo Subdivision; thence along the East line of said Lot 1, North 00°00'00" East, 101.30 feet to a point on the South right-of-way line of West Plum Street, said point being the **POINT OF BEGINNING**; thence along said South right-of-way line, North 89°34'30" West, 83.64 feet to the West line of said Lot 1; thence, North 00°00'00" East, 9.5 feet; thence, South 89°34'30" East, 83.64 feet; thence, South 00°00'00" West, 9.5 feet to the Point of Beginning, containing 795 square feet or 0.018 acres more or less.

November 5, 2013

LMS

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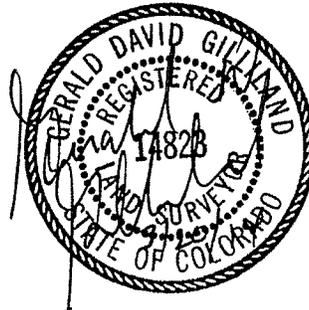
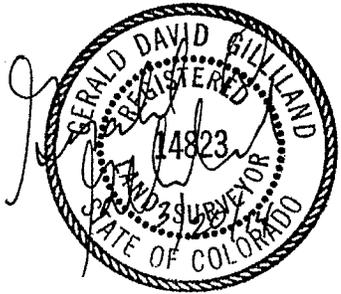
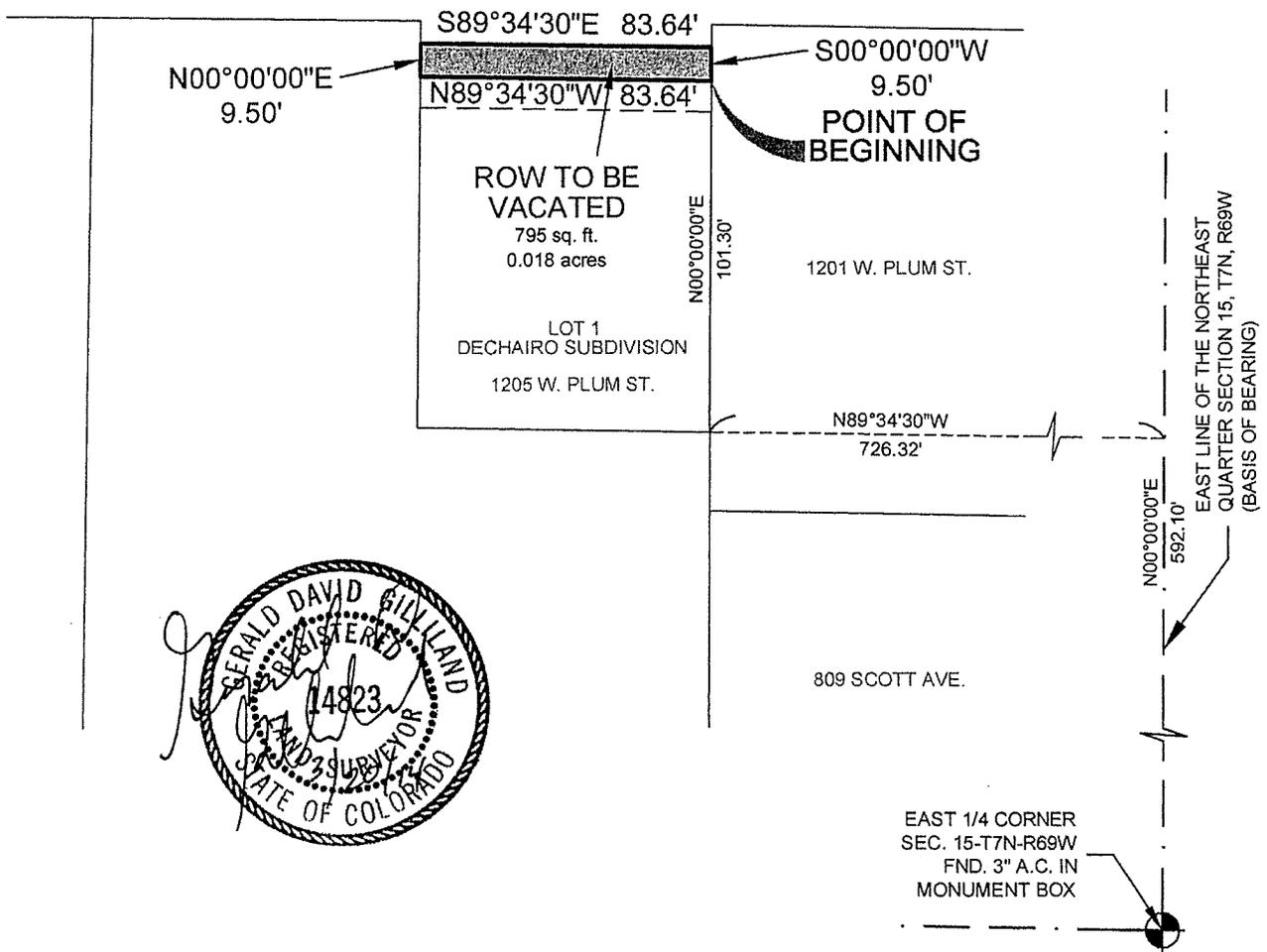


EXHIBIT A

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 15,
TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6th P.M., CITY OF FORT COLLINS,
COUNTY OF LARIMER, STATE OF COLORADO

W. PLUM STREET



SCALE
1" = 50'



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