

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 24

DATE: February 3, 2004

STAFF: Katie Moore

SUBJECT

First Reading of Ordinance No. 023, 2004, Vacating Portions of the Rights-of-Way as Dedicated on the Plat of Fossil Creek Meadows, First Filing.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY

This site is located east of College Avenue, just north and south of Fossil Creek Parkway. It was a County development proposal that dedicated the streets as shown and laid out on the Fossil Creek Meadows, First Filing plat. Fossil Creek Parkway was built, but the Frontage Road was not. The dedicated right-of-way was annexed into the City when the parcel was annexed in 1985. Since that time a development proposal, Discount Tire at Fossil Creek, for which an Administrative Hearing was held on October 7, 2003, was submitted and shows that Fossil Creek Parkway was constructed slightly different than was originally platted. The plat approved at the Administrative Hearing proposes vacating portions of right-of-way along Fossil Creek Parkway that are no longer needed and dedicating portions which are needed due to the location in which it was constructed. The plat for Discount Tire at Fossil Creek also proposes the vacation of a portion of the right-of-way dedicated for a frontage road for College Avenue. The frontage road is no longer needed, but a portion of right-of-way needed for the expansion of College Avenue will be retained by the City, with the remainder proposed for vacation.

All public and private utilities have been notified of the proposed vacation and they report no objections.

ORDINANCE NO. 023, 2004
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING PORTIONS OF THE RIGHTS-OF-WAY AS DEDICATED ON
THE PLAT OF FOSSIL CREEK MEADOWS, FIRST FILING

WHEREAS, the plat of Fossil Creek Meadows, First Filing included dedication to the public of rights-of-way for Fossil Creek Parkway and Frontage Road for College Avenue; and

WHEREAS, the Administrative Hearing Officer has approved an application for a project development plan (PDP) for a project entitled "Discount Tire at Fossil Creek", which PDP replats said property and rights-of-way; and

WHEREAS, the approval of Discount Tire at Fossil Creek PDP necessitates the vacation of portions of the original rights-of-way dedicated on the plat of Fossil Creek Meadows, First Filing which portions are more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference; and

WHEREAS, said portions of rights-of-way are no longer necessary or desirable to retain for street purposes due to the approval of Discount Tire at Fossil Creek PDP which modifies said street layouts; and

WHEREAS, pertinent City agencies and private utility companies have been contacted and reported no objection to the proposed vacation; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the portions of street rights-of-way, more particularly described on Exhibit "A", are hereby vacated, abated and abolished.

Introduced and considered favorably on first reading and ordered published this 3rd day of February, A.D. 2004, and to be presented for final passage on the 17th day of February, A.D. 2004.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 17th day of February, A.D. 2004.

Mayor

ATTEST:

City Clerk

DISCOUNT TIRE AT FOSSIL CREEK P.D.P.**RIGHT-OF-WAY VACATION LEGAL DESCRIPTION****PARCEL NO. 1**

A part of the existing 50-foot frontage road right-of-way, Fossil Creek Meadows, First Filing, situate in the Southwest 1/4 of Section 1, Township 6 North, Range 69 West of the Sixth P.M., Larimer County, Colorado which considering the West line of the said Southwest 1/4 as bearing N00°48'47"E and with all bearings contained herein relative thereto, being more particularly described as follows:

Begin at a point on the existing frontage road right-of-way which bears S11°41'32"E 469.80 feet from the West 1/4 corner of said Section 1 and run thence along the existing right-of-way, S00°47'47"W 128.98 feet; thence N89°25'54"W 5.19 feet; thence along the arc of a 12.00 foot radius curve to the right, a distance of 18.91 feet; the long chord of which bears N44°16'57"W 17.01 feet; thence N00°52'01"E 116.80 feet; thence S89°48'34"E 17.10 feet to the point of beginning containing 2,183 square feet more or less.

PARCEL NO. 2

A part of Fossil Creek Parkway right-of-way, Fossil Creek Meadows First Filing, situate in the Southwest 1/4 of Section 1, Township 6 North, Range 69 West of the Sixth P.M., Larimer County, Colorado which considering the West line of the said Southwest 1/4 as bearing N00°48'47"E and with all bearings contained herein relative thereto, being more particularly described as follows:

Begin at a point on the existing right-of-way line of Fossil Creek Parkway which bears S27°19'33"E 780.35 feet from the West 1/4 corner of said Section 1 and runs thence along said existing right-of-way along the arc of a 312.84 foot radius curve to the right, a distance of 39.01 feet, the long chord of which bears S42°02'41"E 38.98 feet, and again S38°28'21"E 80.24 feet; and again along the arc of a 232.84 foot radius curve to the left, a distance of 18.33 feet, the long chord of which bears S40°43'42"E 18.33 feet; thence along the arc of a 11.00 foot radius curve to the right, a distance of 7.07 feet, the long chord of which bears N59°14'06"W 6.95 feet; thence along the arc of a 257.96 foot radius curve to the right, a distance of 15.63 feet, the long chord of which bears N39°05'05"W 15.63 feet; thence N37°20'56"W 66.60 feet; thence along the arc of a 322.50 foot radius curve to the left, a distance of 20.22 feet, the long chord of which bears N39°08'42"W 20.22 feet; thence along the arc of a 1140.84 foot radius curve to the left, a distance of 28.58 feet, the long chord of which bears N41°39'32"W 28.58 feet to the point of beginning containing 150 square feet more or less.

PARCEL NO. 3

A part of Fossil Creek Parkway right-of-way, Fossil Creek Meadows First Filing, situate in the Southwest 1/4 of Section 1, Township 6 North, Range 69 West of the Sixth P.M., Larimer County, Colorado which considering the West line of the said Southwest 1/4 as bearing N00°48'47"E and with all bearings contained herein relative thereto, being more particularly described as follows:

Begin at a point on the existing right-of-way line of Fossil Creek Parkway which bears S30°36'06"E 975.71 feet from the West 1/4 corner of said Section 1 and runs thence along the existing right-of-way along the arc of a 232.84 foot radius curve to the left, a distance of 72.89 feet, the long chord of which bears S67°59'32"E 72.59 feet; thence S00°48'47"W 7.71 feet; thence N72°02'09"W 8.42 feet; thence along the arc of a 257.96 foot radius curve to the right, a distance of 59.55 feet, the long chord of which bears N65°25'21"W 59.42 feet; thence along the arc of a 11.00 foot radius curve to the right, a distance of 9.47 feet, the long chord of which bears N34°08'20"W 9.18 feet to the point of beginning containing 391 feet more or less.

PARCEL NO. 4

A part of the existing 50-foot frontage road right-of-way, Fossil Creek Meadows, First Filing, situate in the Southwest 1/4 of Section 1, Township 6 North, Range 69 West of the Sixth P.M., Larimer County, Colorado which considering the West line of the said Southwest 1/4 as bearing N00°48'47"E and with all bearings contained herein relative thereto, being more particularly described as follows:

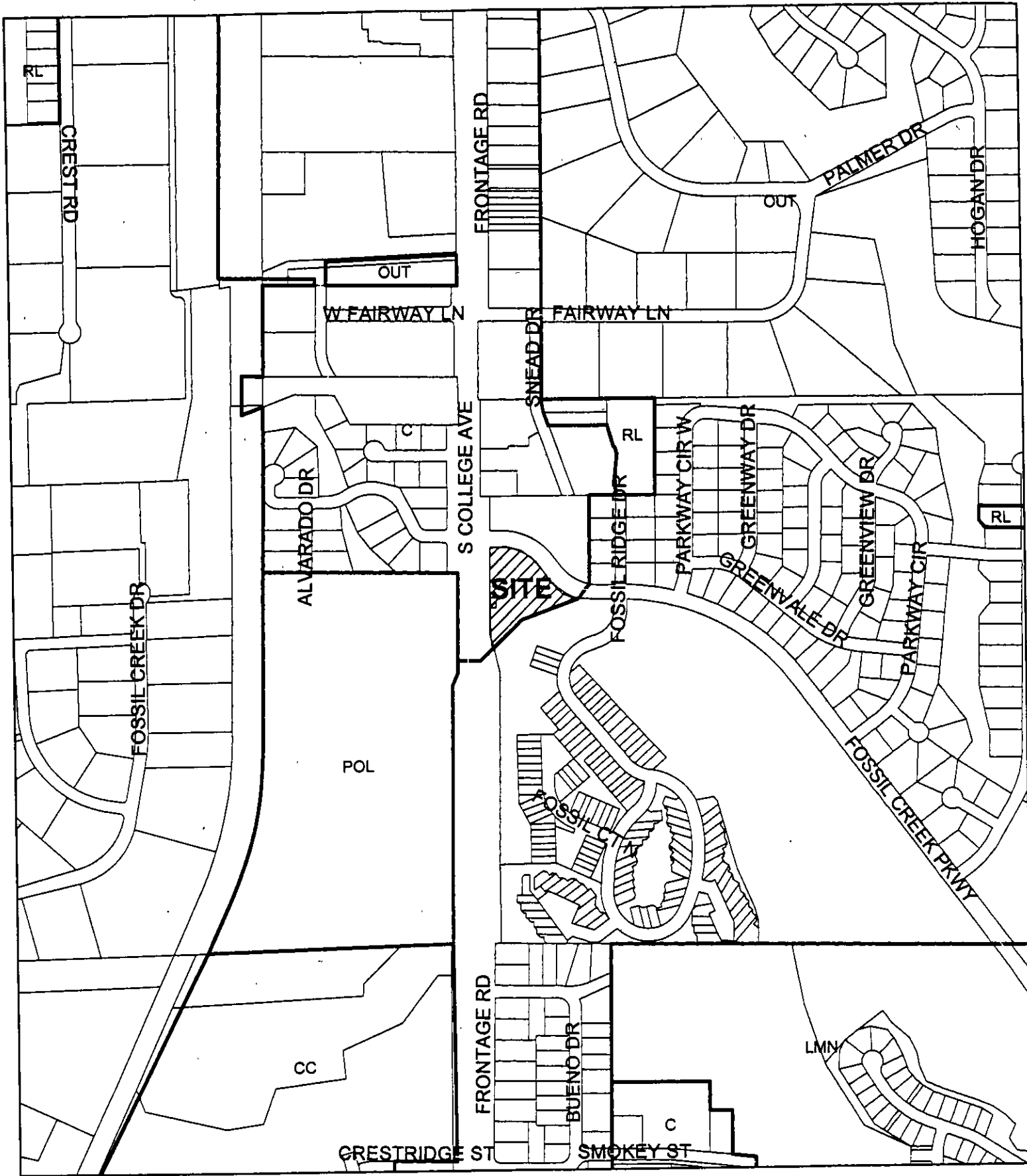
Begin at a point on the existing frontage road right-of-way which bears S04°57'25"E 1159.20 feet from the West 1/4 corner of said Section 1 and run thence S46°11'22"W 62.61 feet; thence N00°52'01"E 19.55 feet; thence along the arc of a 575.75 foot radius curve to the right, a distance of 57.39 feet, the long chord of which bears N03°43'21"E 57.37 feet; thence N06°34'42"E 60.60 feet; thence along the arc of a 618.50 of a radius curve to the left, a distance of 61.65 feet; the long chord of which bears N03°43'21"E 61.63 feet; thence N00°52'01"E 204.33 feet; thence along the arc of a 283.00 foot radius curve to the right, a distance of 97.83 feet; the long chord of which bears N10°46'12"E 97.34 feet; thence along the arc of a 12.00 foot radius curve to the right, a distance of 1.62 feet, the long chord of which bears N24°32'07"E 1.62 feet to the existing frontage road right-of-way; thence along said right-of-way, S00°47'47"W 280.56 feet and again S00°45'47"W 117.81 feet, and again S13°16'27"E 59.81 feet to the point of beginning containing 9,689 square feet more or less.

PARCEL NO. 5

A part of Fossil Creek Parkway right-of-way, Fossil Creek Meadows First Filing, situate in the Southwest 1/4 of Section 1, Township 6 North, Range 69 West of the Sixth P.M., Larimer County, Colorado, which considering the West line of the said Southwest 1/4 as bearing N00°48'47"E and with all bearings contained herein relative thereto being more particularly described as follows:

Begin at a point on the existing right-of-way line of Fossil Creek Parkway which bears S17°53'57"E 736.50 feet from the West 1/4 corner of said Section 1 and runs thence along the arc of a 186.84 foot curve to the right, a distance of 60.33 feet, the long chord of which bears S62°52'50"E 60.07 feet; thence along the arc of 269.36 foot radius curve to the right, a distance of 80.35 feet, the long chord of which bears S45°04'56"E 80.04 feet; thence S36°32'16"E 55.56 feet; thence along the arc of a 321.15 foot radius curve to the left, a distance of 85.93 feet, the long chord of which bears S44°12'12"E 85.67 feet; thence along the arc of a 312.84 foot radius curve to the right, a distance of 80.65 feet, the long chord of which bears N45°51'28"W 80.42 feet; thence N38°28'21"W 80.24 feet; thence along the arc of a 232.84 foot radius curve to the left, a distance of

120.28 feet, the long chord of which bears N53°16'18"W 118.95 feet to the point of beginning containing 651 square feet more or less.

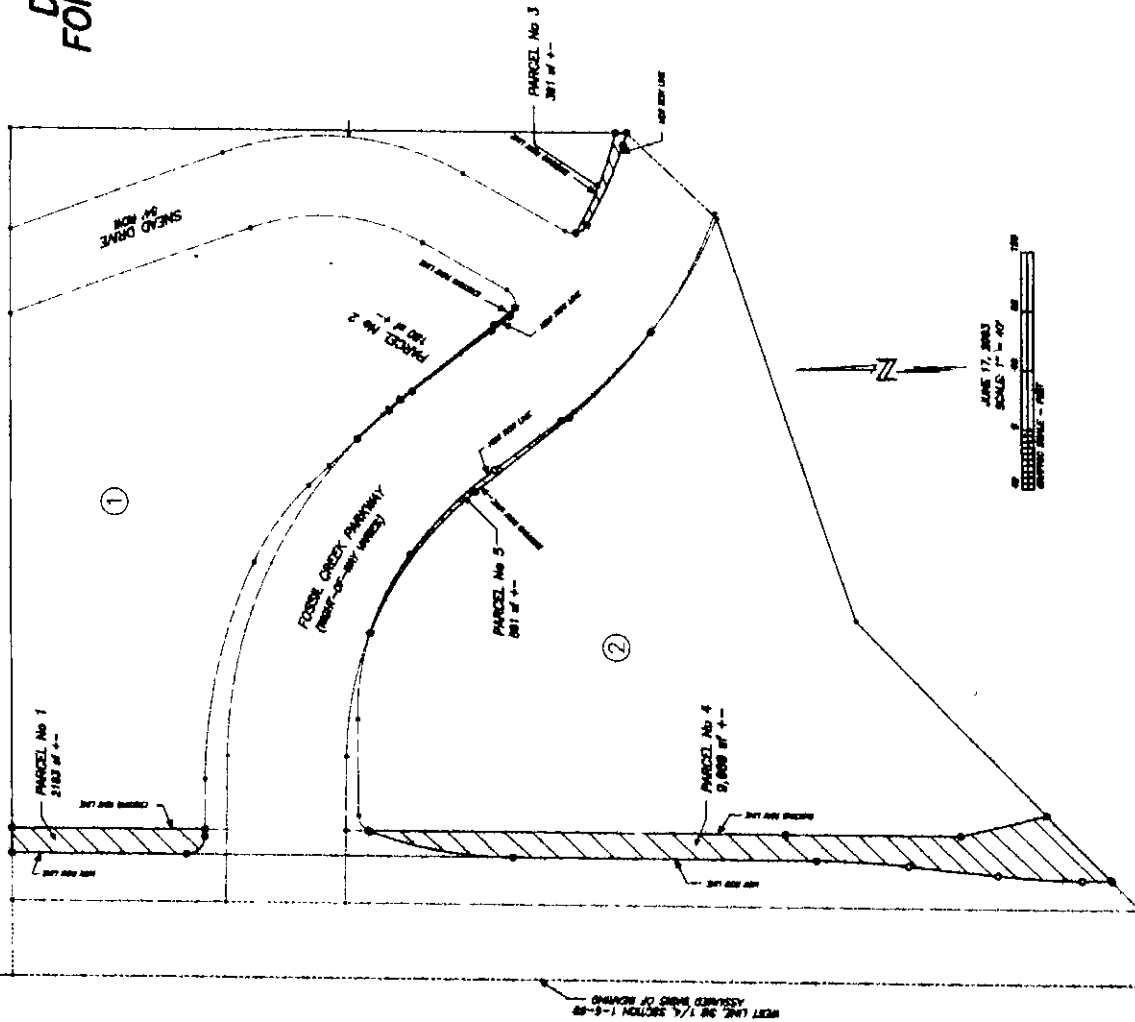


Discount Tire at Fossil Creek



1 inch = 600 feet

EXHIBIT 'A'
RIGHT-OF-WAY VACATIONS
FOR
DISCOUNT TIRE AT FOSSIL CREEK P.D.P.
FORT COLLINS, LARIMER COUNTY, COLORADO



NO.	DATE	REVISIONS

APPROVED FOR CONSTRUCTION
 103 S MEDRAN STREET, FORT COLLINS, COLORADO 80521 (970)442-8231
STEWART & ASSOCIATES
 CONSULTING ENGINEERS AND SURVEYORS

EXHIBIT 'A' - RIGHT-OF-WAY VACATIONS
 DISCOUNT TIRE AT FOSSIL CREEK P.D.P.
 PAUL HEFFRON
 DATE: 6-17-2019
 SHEET NO. 1 OF 1