

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 13

DATE: January 17, 2006

STAFF: Darin Atteberry

SUBJECT

Resolution 2006-005 Authorizing the Initiation of Exclusion Proceedings in District Court Regarding the Exclusion of Annexed Properties Within the Territory of the Poudre Valley Fire Protection District.

RECOMMENDATION

Staff recommends adoption of this Resolution.

EXECUTIVE SUMMARY

This resolution authorizes the City Attorney to file a Petition in Larimer County District Court to exclude properties annexed into the City in 2005 from the Poudre Valley Fire Protection District in accordance with state law and to allow for the provision of fire protection services to such properties by the Poudre Fire Authority.

BACKGROUND

Last year, City Council approved the filing of an exclusion Petition for all previously annexed properties from 1950 to January 2005. The state statute (CRS 32-1-502 et seq) governing the procedure for excluding annexed properties from a special district's territory requires that Council adopt a resolution reflecting Council's agreement to provide the fire service to the newly annexed areas that was previously provided by the Fire Protection District. Resolutions will need to be presented to the Council as additional properties are annexed into the City. Staff anticipates filing an exclusion petition once each year and will submit a resolution to Council annually.

In 2005, the City has annexed numerous areas within the territory of the Poudre Valley Fire Protection District, the legal descriptions of which are described in Exhibit "A" attached to the Resolution.

Prior to annexation, the residents within the properties described on Exhibit "A" have paid ad valorem property taxes to the Poudre Valley Fire Protection District for fire protection services. Subsequent to annexation, the annexed properties will be subject to ad valorem property taxes to the

City of Fort Collins for City services, including fire protection. From the date of such annexations, the City has provided municipal services to said properties, including police and fire services.

This Resolution sets forth the City's agreement to continue to provide fire protection services to the previously annexed properties and allows the City Attorney to begin the process for an order of exclusion.

RESOLUTION 2006-005
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE INITIATION OF EXCLUSION PROCEEDINGS
IN DISTRICT COURT REGARDING THE EXCLUSION OF
ANNEXED PROPERTIES WITHIN THE TERRITORY
OF THE POUFRE VALLEY FIRE PROTECTION DISTRICT

WHEREAS, in 2005, the City has previously annexed numerous properties within the territory of the Poudre Valley Fire Protection District; and

WHEREAS, CRS Section 32-1-502 requires an order of exclusion from the district court to remove or exclude annexed properties from special district territories; and

WHEREAS, under the provisions of C.R.S. Section 32-1-502(2)(a), any order excluding property from the boundaries of a special district requires the governing body of the annexing municipality to agree, by resolution, to provide the services previously provided by the special district to the area described in the petition for exclusion from and after the effective date of the exclusion order; and

WHEREAS, from the date of such annexations, the City has provided municipal services to said properties, including police and fire services; and

WHEREAS, the residents within the properties described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Annexed Properties") have paid ad valorem property taxes to the Poudre Valley Fire Protection District for fire protection services prior to annexation and, subsequent to annexation, will instead pay ad valorem property taxes to the City of Fort Collins for city services, including fire protection; and

WHEREAS, it is the desire and intent of the City Council to reflect by this Resolution its willingness to provide fire protection services to the Annexed Properties and to exclude all such properties from the Poudre Valley Fire Protection District; and

WHEREAS, the City Council wishes to properly exclude the Annexed Properties from the Fire District in accordance with law and to allow for the provision of fire protection services to such properties by the Poudre Fire Authority, which is an independent entity providing fire protection services to both the Poudre Valley Fire Protection District and the City pursuant to an intergovernmental agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the Council hereby agrees that the Annexed Properties should be excluded from the Poudre Valley Fire Protection District.

Section 2. That the Council hereby authorizes the City Attorney to file a petition in the Larimer County District Court pursuant to CRS Section 32-1-502 for an order to exclude the Annexed Properties, the boundaries of which are described on Exhibit "A".

Section 3. That the Council hereby agrees to provide fire protection service, through the Poudre Fire Authority, to the Annexed Properties.

Section 4. That the Council hereby finds that a plan for the disposition of assets or continuation of service is unnecessary as the Poudre Fire Authority has in the past and continues to serve both the Poudre Valley Fire Protection District and the City.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 17th day of January, A.D. 2006.

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

LIEBL ANNEXATION

That portion of the Northwest Quarter of Section 8, and the Northeast Quarter of Section 8, Township 6 North, Range 68 West of the 6th P.M., Larimer County, Colorado, being more particularly described by the following boundary lines: commencing at the Northwest corner of said Section 8; thence S 00° 00'00" E, along the West line of the Northwest Quarter of said Section 8, 861.68 feet; thence N 89° 41'30" E 30.00 feet to the TRUE POINT OF BEGINNING; thence continuing N 89° 41'30" E 20.00 feet; thence S 00° 00'00" E, along the Easterly right-of-way line of Timberline Road as dedicated on the plat of Liebl M.R.D. 95-EX0652, 205.16 feet; thence N 89° 41'30" E along the Northerly line of Lot 2 of said Liebl M.R.D., 438.34 feet; thence S 00° 00'00" E, along the East line of said Lot 2, 240.84 feet to the Southeast corner of Lot 2, Liebl M.R.D.; thence S 89° 41'30" W 518.34 feet to a point on the Westerly right-of-way line of Timberline Road; thence N 00° 00'00" W 189.64 feet to a point on the approximate centerline of the Mail Creek Ditch, said point also being on the Southerly line of the Willow Springs Annexation; thence along said line S 52° 11'00" E 37.98 feet; thence N 89° 41'30" E 30.00 feet to a point on the West line of the Northwest Quarter of said Section 8, said point also being the most Southeasterly corner of the Willow Springs Annexation; thence along said line N 00° 00'00" W 279.73 feet, more or less, to the POINT OF BEGINNING, containing 2.864 Acres, more or less, and being subject to any easements, rights-of-way or restriction now existing or on record.

CRAWFORD ANNEXATION

A tract of land situate in the Northeast 1/4 of the Northwest 1/4 of Section 2, Township 7 North, Range 69 West of the Sixth P.M., and a tract in the Southeast 1/4 of the Southwest 1/4 of Section 35, Township 8 North, Range 69 West of the Sixth P.M., County of Larimer, State of Colorado, being more particularly described as follows, to-wit; considering the North line of the Northeast 1/4 of said Northwest 1/4 as bearing N89°58'09"E and with all bearings contained herein relative thereto, is contained within the boundary lines which begin at a point on the North line of said Northwest 1/4 which bears S89°58'09"W 181.00 feet from the North 1/4 Corner of said Section 2, and run thence S00°04'08"E 320.80 feet; thence N89°58'09"E 181.00 feet to a point on the East line of the Northeast 1/4 of said Northwest 1/4; thence along said East line, S00°04'08"E 964.74 feet to the Center-North 1/16 Corner of said Section 2; thence along the South line of the Northeast 1/4 of said Northwest 1/4, S89°53'50"W 662.52 feet; thence N00°05'34"W 562.81 feet; thence S89°53'50"W 632.75 feet to a point on the East line of a public and private access easement as recorded in Book 151 at Page 239; thence along said East line, N00°07'01"W 694.36 feet to a point on the existing South right-of-way line of West Willox Lane; thence along said existing South right-of-way line, S89°58'09"W 30.00 feet to a point on the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 2; thence along said West line, N00°07'01"W 30.00 feet to the West 1/16 Corner on the North line of said Section 2; thence N 00°07'01"W 30.00 feet to a point on the existing North right-of-way line of West Willox Lane; thence along said existing North right-of-way line, N89°58'09"E 1145.13 feet; thence S00°04'08"E 30.00 feet to the point of beginning, containing 29.5614 acres, more or less, and being subject to a road right-of-way over the North 60.00 feet thereof for West Willox Lane, and being further subject to all easements and rights-of-way which are existing or are of record or as shown on this plat.

KINGDOM HALL ANNEXATION

A TRACT OF LAND SITUATE IN THE SW 1/4 OF SECTION 5, AND THE NW 1/4 OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING:THE WEST LINE OF THE SOUTHWEST ONE QUARTER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., IS ASSUMMED TO BEAR N 00° 10'00" W AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO:

COMMENCING AT THE SW CORNER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 68 WEST;
THENCE ALONG THE SOUTH LINE OF THE SW 1/4 OF SAID SECTION 5, N 89° 32'26" E FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;
THENCE ALONG A LINE 30.00 FEET EAST AND PARALLEL WITH THE WEST SECTION LINE OF SAID SECTION 5, N 00° 10'00" W FOR A DISTANCE OF 500.00 FEET;
THENCE N 89° 32'00" E FOR A DISTANCE OF 318.48 FEET;
THENCE S 00° 08'02" E FOR A DISTANCE OF 530.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAST COUNTY ROAD 36 (AKA KECHTER ROAD);
THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S 89° 32'26" W FOR A DISTANCE OF 318.18 FEET TO A POINT ON A LINE LYING 30 FEET EAST OF AND PARALLEL WITH THE WEST SECTION LINE OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M.;
THENCE ALONG THE LINE LYING 30 FEET EAST AND PARALLEL WITH SAID SECTION LINE N 00° 10'00" W FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3.87 ACRES.

SUNRISE RIDGE ANNEXATION

A TRACT OF LAND SITUATE IN THE COUNTY OF LARIMER, STATE OF COLORADO, TO WIT:

A PORTION OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4 AND THE SOUTHWEST QUARTER OF SECTION 3, ALL IN TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 AS BEARING NORTH 03°37'29" WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 4; THENCE, NORTH 89°35'15" EAST, 30.04 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 7; THENCE, ALONG SAID EAST LINE, SOUTH 03°37'29" EAST, 653.71 FEET; THENCE, DEPARTING SAID EAST LINE, SOUTH 89°41'27" WEST, 691.52 FEET TO A POINT ON THE EAST LINE OF WILLOW BROOK; THENCE, ALONG SAID EAST LINE, NORTH 03°33'16" WEST, 652.42 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE, ALONG SAID NORTH LINE, NORTH 89°35'15" EAST, 660.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 450,606 SQUARE FEET OR 10.344 ACRES, MORE OR LESS.

STATE HIGHWAY 14 - EAST FRONTAGE ROAD ANNEXATION

Lot 2, Lee M.L.D. No. 04-S2309, County of Larimer, State of Colorado,
containing 35.8638 acres, more or less.

WATERDALE ANNEXATION

CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AS BEARING N 89° 15' 00" W WITH ALL BEARINGS HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 15 THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE S 00° 07' 56" W 110.26 FEET; THENCE, S 00° 15' 39" W 1945.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF THE STATE HIGHWAY 14 - EAST FRONTAGE ROAD ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE, N 89° 32' 32" W 1417.34 FEET ALONG SAID NORTHERLY LINE; THENCE N 00° 29' 22" E 403.53 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF INTERCHANGE BUSINESS PARK SUBDIVISION;

THENCE THE FOLLOWING SEVEN (5) COURSES ON AND ALONG SAID EASTERLY LINE, N 32° 15' 02" E 688.50 FEET; THENCE, S 89° 40' 58" E 362.73 FEET TO A POINT OF A COMPOUND CURVE CONCAVE TO THE NORTHWEST; THE FIRST CURVE HAS A LENGTH OF 451.81 FEET WITH A CENTRAL ANGLE OF 44° 15' 02" A RADIUS OF 585.00 FEET AND A CHORD WHICH BEARS N 48° 01' 16" E 440.66 FEET TO THE POINT OF THE SECOND CURVE HAVING A LENGTH OF 437.67 FEET WITH A CENTRAL ANGLE OF 31° 56' 40" A RADIUS OF 785.00 FEET AND A CHORD WHICH BEARS N 09° 55' 25" E 432.02 FEET; THENCE N 06° 02' 54" W 215.77 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 14 (A.K.A. EAST MULBERRY STREET); THENCE LEAVING SAID LINE OF THE INTERCHANGE BUSINESS PARK SUBDIVISION, N 00° 45' 02" E 129.27 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE, N 00° 57' 01" E 40.84 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 14 (A.K.A. EAST MULBERRY STREET);

THENCE, PROCEEDING ALONG SAID NORTHERLY RIGHT-OF-WAY, S 89° 02' 59" E 311.23 FEET; THENCE S 00° 02' 07" W 39.72 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 15 AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

CONTAINING 38.68 ACRES MORE OR LESS.

EAST RIDGE SECOND ANNEXATION

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., LARIMER COUNTY, COLORADO.

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 8, T7N, R68W, SAID

POINT BEING MARKED BY A NO. 6 REBAR AND 2" ALUMINUM CAP STAMPED LS 7839; AND CONSIDERING THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8 TO BEAR N88°50'31"W, (CENTER QUARTER CORNER OF SAID SECTION 8 BEING MARKED BY A NO. 6 REBAR AND 2 1/2" ALUMINUM CAP STAMPED LS 17497), WITH ALL OTHER BEARINGS RELATIVE THERETO; SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 8, S88°50'31"W, 1,156.31 FEET TO THE POINT OF BEGINNING; THENCE S70°00'03"W, 155.15 FEET; THENCE N88°50'31"W, 214.07 FEET; THENCE N71°33'57"W, 188.56 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 8; THENCE ALONG SAID SECTION LINE, S88°50'31"E, 538.82 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 0.48 ACRES (21,080 SQUARE FEET) MORE OR LESS AND IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, AND RESTRICTIONS OF RECORD, OR THAT NOW EXIST ON THE GROUND.

MINATTA ANNEXATION

Property Description for the RF Zone District:

A parcel of land located in the Southeast Quarter (SE1/4) of Section Seventeen (17), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the East Quarter Corner (E1/4) of said Section 17 and assuming the North line of said SE1/4 to bear South 85°25'09" West a distance of 2651.92 feet with all bearings here in relative thereto:

THENCE South 85°25'09" West along said North line a distance of 30.40 feet to a point on the West line of the Fort Collins Substation Annexation as recorded May 26, 1989 as Reception No. 89023302;

THENCE South 00°31'30" West along the West line of said Fort Collins Substation Annexation, also being the West line of Fort Collins-Loveland Water District Pump Station Annexation as recorded April 17, 1989 as Reception No. 89016100, extended, a distance of 597.90 feet;

THENCE South 85°25'38" West along the Northerly line of said Fort Collins-Loveland Water District Pump Station Annexation, also being the North line of Overland Trail Annexation as recorded November 10, 1994 as Reception No. 94090903, extended, a distance of 1487.51 feet to the POINT OF BEGINNING;

THENCE continuing South 85°25'38" West along said Northerly line a distance of 1133.94 feet to the West line of said SE1/4;

THENCE North 00°31'16" East along said West line, said line also being the East line of said Overland Trail Annexation a distance of 597.53 feet to the Center Quarter Corner of said Section 17;

THENCE North 85°25'09" East along said North line of said SE1/4 a distance of 1080.80 feet;

THENCE South 04°34'51" East a distance of 595.32 feet to the POINT OF BEGINNING.

Said parcel contains 15.132 acres more or less (±).

Property Description for the LMN Zone District:

A parcel of land located in the Southeast Quarter (SE1/4) of Section Seventeen (17), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the East Quarter Corner (E1/4) of said Section 17 and assuming the North line of said SE1/4 to bear South 85°25'09" West a distance of 2651.92 feet with all bearings here in relative thereto:

THENCE South 85°25'09" West along said North line a distance of 30.40 feet to a point on the West line of the Fort Collins Substation Annexation as recorded May 26, 1989 as Reception No. 89023302, said point being the POINT OF BEGINNING;

THENCE South 00°31'30" West along the West line of said Fort Collins Substation Annexation, also being the West line of Fort Collins-Loveland Water District Pump Station Annexation as recorded April 17, 1989 as Reception No. 89016100, extended, a distance of 597.90 feet;

THENCE South 85°25'38" West along the Northerly line of said Fort Collins-Loveland Water District Pump Station Annexation, also being the North line of Overland Trail Annexation as recorded November 10, 1994 as Reception No. 94090903, extended, a distance of 1487.51 feet;

THENCE North 04°34'51" West a distance of 595.32 feet to said North line of said SE1/4;

THENCE North 85°25'09" East along said North line a distance of 1540.72 to the POINT OF BEGINNING.

Said parcel contains 20.697 acres more or less (±).

INTERCHANGE BUSINESS PARK FIRST ANNEXATION

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AS BEARING S 00° 19' 37" W WITH ALL BEARINGS HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15 THENCE S 00° 19' 37" W 1083.79 FEET; THENCE, S 89° 40' 58" E 60.20 FEET TO A POINT ON THE WESTERLY LINE OF INTERCHANGE BUSINESS PARK SUBDIVISION; CONTINUING, S 89° 40' 58" E 8.69 FEET; THENCE S 00° 19' 20" W 451.78 FEET ALONG SAID WESTERLY LINE TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; CONTINUING, S 00° 19' 20" W 132.53 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF THE LEE M.L.D.; THENCE, S 89° 40' 58" E 280.01 FEET ALONG SAID NORTHERLY LINE TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF THE STATE HIGHWAY 14-EAST FRONTAGE ROAD ANNEXATION TO THE CITY OF FORT COLLINS; CONTINUING, S 89° 40' 58" E 877.15 FEET; THENCE, N 32° 15' 02" E 688.50 FEET; THENCE, S 89° 40' 58" E 362.73 FEET; THENCE, N 54° 46' 43" W 276.81 FEET; THENCE, S 81° 12' 56" W 600.20 FEET; THENCE S 56° 21' 04" W 562.79 FEET; THENCE, S 64° 59' 48" W 27.24 FEET; THENCE, N 82° 33' 29" W 431.56 FEET; THENCE, N 41° 00' 17" W 35.26 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE SOUTHEAST FRONTAGE ROAD AT A POINT ON A CURVE CONCAVE TO THE SOUTHEAST A LENGTH OF 304.33 FEET WITH A CENTRAL ANGLE OF 48° 34' 12" A RADIUS OF 359.00 FEET AND A CHORD WHICH BEARS S 24° 36' 06" W 295.30 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; CONTAINING 15.55 ACRES MORE OR LESS.

INTERCHANGE BUSINESS PARK SECOND ANNEXATION

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AS BEARING S 00° 19' 37" W WITH ALL BEARINGS HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15 THENCE S 00° 19' 37" W 1083.79 FEET; THENCE, S 89° 40' 58" E 60.20 FEET TO A POINT ON THE WESTERLY LINE OF INTERCHANGE BUSINESS PARK SUBDIVISION; CONTINUING, S 89° 40' 58" E 8.69 FEET; THENCE S 00° 19' 20" W 451.78 FEET ALONG SAID WESTERLY LINE TO THE POINT OF A CURVE CONCAVE TO THE SOUTHEAST A LENGTH OF 304.33 FEET WITH A CENTRAL ANGLE OF 48° 34' 12" A RADIUS OF 359.00 FEET AND A CHORD WHICH BEARS N 24° 36' 06" E 295.30 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF THE INTERCHANGE BUSINESS PARK FIRST ANNEXATION TO THE CITY OF FORT COLLINS AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE THE FOLLOWING SIX (6) CALLS ALONG SAID NORTHERLY LINE OF THE INTERCHANGE BUSINESS PARK FIRST ANNEXATION: S 41° 00' 17" E 35.26 FEET; THENCE, S 82° 33' 29" E 431.56 FEET; THENCE, N 64° 59' 48" E 27.24 FEET; THENCE, N 56° 21' 04" E 562.79 FEET; THENCE, N 81° 12' 56" E 600.20 FEET; THENCE, S 54° 46' 43" E 276.81 FEET; TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE INTERCHANGE BUSINESS PARK AT THE POINT OF A COMPOUND CURVE CONCAVE TO THE NORTHWEST; THE FIRST CURVE HAS A LENGTH OF 451.81 FEET WITH A CENTRAL ANGLE OF 44° 15' 02" A RADIUS OF 585.00 FEET AND A CHORD WHICH BEARS N 48° 01' 16" E 440.66 FEET TO THE POINT OF THE SECOND CURVE HAVING A LENGTH OF 437.67 FEET WITH A CENTRAL ANGLE OF 31° 56' 40" A RADIUS OF 785.00 FEET AND A CHORD WHICH BEARS N 09° 55' 25" E 432.02 FEET; THENCE N 06° 02' 54" W 215.77 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 14 (A.K.A. EAST MULBERRY STREET); THENCE, N 00° 45' 02" E 129.27 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE, N 00° 57' 01" E 40.84 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 14 (A.K.A. EAST MULBERRY STREET); THENCE, PROCEEDING ALONG SAID NORTHERLY RIGHT-OF-WAY, N 89° 02' 59" W 48.41 FEET; THENCE N 00° 57' 01" E 30.00 FEET; THENCE, N 89° 02' 59" W 365.00 FEET; THENCE, S 00° 57' 01" W 30.00 FEET; THENCE N 89° 02' 59" W 521.71 FEET; THENCE, N 68° 59' 48" W 78.77 FEET; THENCE, LEAVING SAID NORTHERLY RIGHT-OF-

WAY, S 00° 45' 00" W 71.37 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE, S 00° 40' 44" E 127.62 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 14 (A.K.A. EAST MULBERRY STREET); THENCE, N 89° 08' 58" W 94.35 FEET ALONG SAID RIGHT-OF-WAY; THENCE, S 53° 59' 02" W 63.66 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE SOUTHEAST FRONTAGE ROAD; THENCE, ALONG SAID EASTERLY RIGHT-OF-WAY LINE S 01° 07' 35" E 193.02 TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST A LENGTH OF 330.20 FEET WITH A CENTRAL ANGLE OF 55° 38' 37" A RADIUS OF 340.00 FEET AND A CHORD WHICH BEARS S 26° 41' 36" W 317.37 FEET; THENCE, S 54° 30' 57" W 1013.19 FEET TO A POINT OF CURVATURE CONCAVE TO THE SOUTHEAST A LENGTH OF 35.29 FEET WITH A CENTRAL ANGLE OF 05° 37' 55" A RADIUS OF 359.00 FEET AND A CHORD WHICH BEARS S 51° 42' 10" W 35.27 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; CONTAINING 34.08 ACRES MORE OR LESS.

INTERCHANGE BUSINESS PARK THIRD ANNEXATION

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN AS BEARING S 00° 19' 37" W WITH ALL BEARINGS HEREIN RELATIVE THERETO:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE S 00° 19' 37" W 1083.79 FEET; THENCE, S 89° 40' 58" E 60.20 FEET TO A POINT ON THE WESTERLY LINE OF INTERCHANGE BUSINESS PARK SUBDIVISION, THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

CONTINUING, S 89° 40' 58" E 8.69 FEET; THENCE, S 00° 19' 20" W 451.78 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF THE INTERCHANGE LANDS FIRST ANNEXATION TO THE CITY OF FORT COLLINS AT THE EASTERLY RIGHT-OF-WAY LINE OF THE SOUTHEAST FRONTAGE ROAD; THENCE THE FOLLOWING EIGHT (8) COURSES ON AND ALONG THE WESTERLY LINE OF SAID INTERCHANGE LANDS FIRST ANNEXATION ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF THE SOUTHEAST FRONTAGE ROAD:

- 1- ALONG A CURVE CONCAVE TOWARDS THE SOUTHEAST 339.62 FEET, WITH A CENTRAL ANGLE OF 54° 12' 08", A RADIUS OF 359.00 FEET AND A CHORD WHICH BEARS N 27° 25' 04" E 327.09 FEET;
- 2- N 54° 30' 57" E 1013.19 FEET;
- 3- ALONG A CURVE CONCAVE TOWARDS THE NORTHWEST A LENGTH OF 330.20 FEET, WITH A CENTRAL ANGLE OF 55° 38' 37" A RADIUS OF 340.00 FEET AND A CHORD WHICH BEARS N 26° 41' 36" E 317.37 FEET;
- 4- N 01° 07' 35" W 193.02 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 14 (A.K.A. EAST MULBERRY STREET);
- 5- N 53° 59' 02" E 63.66 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY;
- 6- S 89° 08' 58" E 94.35 FEET CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY;
- 7- N 00° 40' 44" W 127.62 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15;
- 8- N 00° 45' 00" E 71.37 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF COLORADO HIGHWAY 14 (A.K.A. EAST MULBERRY STREET);

THENCE, N 68° 26' 05" W 214.43 FEET ALONG SAID RIGHT-OF-WAY; THENCE, N 81° 58' 06" W 46.30 FEET CONTINUING ALONG SAID RIGHT-OF-WAY; THENCE, N 80° 49' 35" W 159.16 FEET CONTINUING ALONG SAID RIGHT-OF-WAY; THENCE, S 00° 45' 00" W 272.27 FEET TO A POINT OF

INTERSECTION WITH THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15; S 00° 45' 00" W 138.23 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO HIGHWAY 14 (A.K.A. EAST MULBERRY STREET) ALSO BEING THE NORTHERLY LINE OF SAID INTERCHANGE BUSINESS PARK SUBDIVISION;

THENCE, S 35° 28' 58" E 274.67 FEET ALONG SAID NORTHERLY LINE TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE SOUTHEAST FRONTAGE ROAD; THENCE, ALONG A CURVE CONCAVE TOWARDS THE NORTHWEST A LENGTH OF 113.57 FEET, WITH A CENTRAL ANGLE OF 25° 01' 38", A RADIUS OF 260.00 FEET AND A CHORD WHICH BEARS S 30° 44' 57" W 112.67; THENCE, S 54° 30' 13" W 333.70 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE, N 35° 30' 27" W 443.03 FEET; THENCE, S 42° 33' 02" W 444.41; THENCE, S 20° 02' 36" W 380.42 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

CONTAINING 12.70 ACRES MORE OR LESS.