

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 19

DATE: April 4, 2006

STAFF: Sheri Wamhoff

SUBJECT

First Reading of Ordinance No. 063, 2006, Vacating a Portion of Right-of-way as Dedicated At Book 1174, Page 543 of the Larimer County Records.

RECOMMENDATION

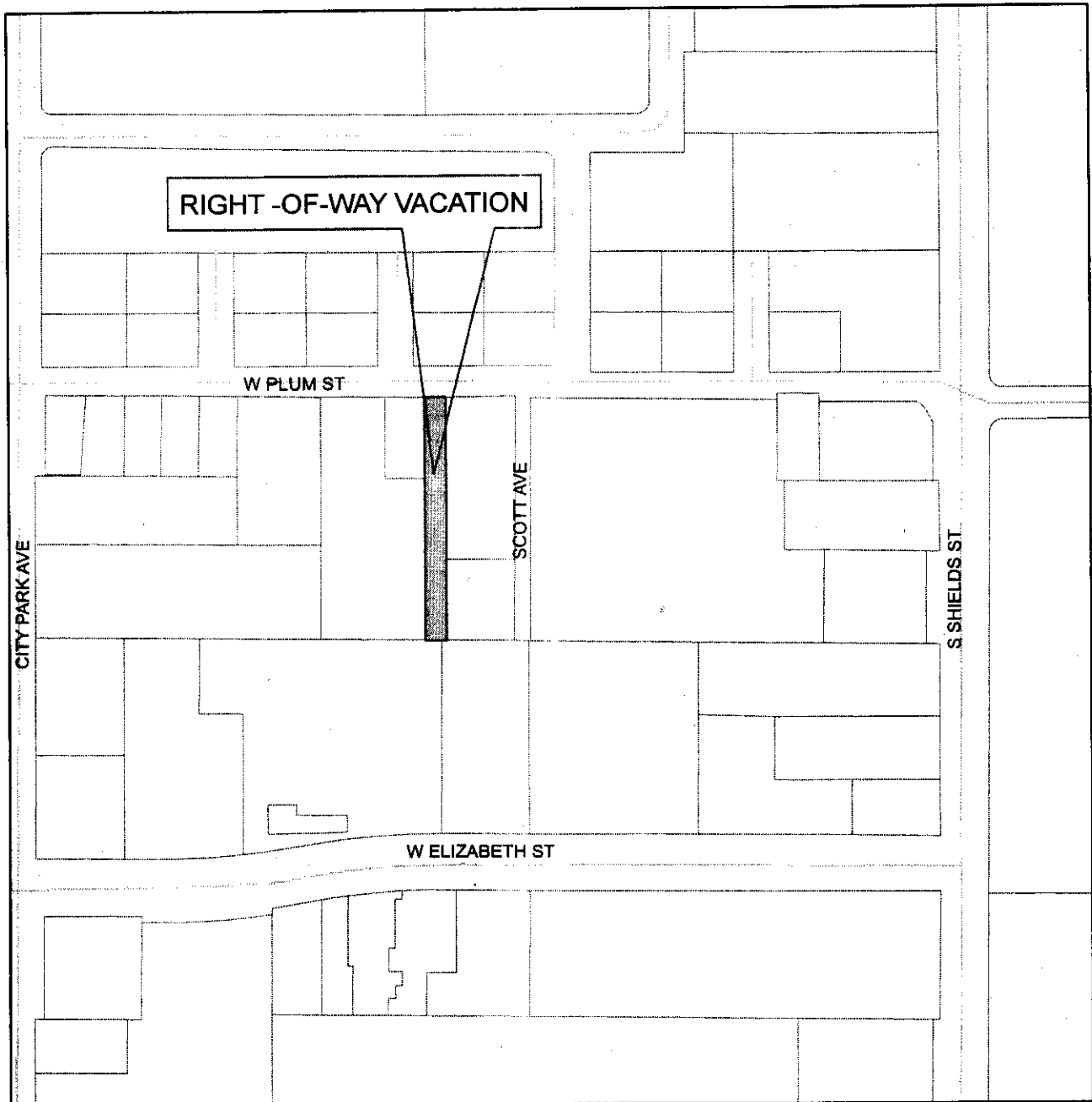
Staff recommends approval of the Ordinance on First Reading.

EXECUTIVE SUMMARY

In 1962, a 25 foot-wide strip of land south of Plum Street, between Shields Street and City Park Avenue, was dedicated to the City (Book 1174, Page 543) for street right-of-way purposes. The owners of the properties at 813 Scott Street, 809 Scott Street and 1201 West Plum Street have requested the City vacate this 25 foot by 349.70 foot strip of land that is adjacent to and on the west side of their properties. The applicants have requested this vacation because they wish to upgrade, renovate or redevelop their properties and feel this land is needed in order to do so. This area of land is not paved and is not used for access or as a driveway to the properties, nor is it planned as use for public access. It does contain several utilities within the area. The applicants have been notified and are aware the City does not determine who will get the vacated property and that ownership of the vacated property is determined in accordance with state statutes.

All public and private utilities have been notified of the proposed vacation and no objections have been stated, provided the area is retained as a utility easement. The entire area proposed to be vacated will be retained as a utility easement.

RIGHT-OF-WAY VACATION



Ordinance No. 063, 2006

Vicinity Map

1201 W. Plum Street (Town Square Condos)

March 20, 2006



ORDINANCE NO. 063, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING A PORTION OF RIGHT-OF-WAY AS DEDICATED
AT BOOK 1174, PAGE 543 OF THE LARIMER COUNTY RECORDS

WHEREAS, certain land was heretofore dedicated to the City as street right-of-way along and to the south of Plum Street between Shields Street and City Park Avenue as described in that certain deed of dedication recorded at Book 1174, Page 543 of the Larimer County, Colorado records; and

WHEREAS, neighboring property owners have 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 a 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 a utility easement.

Introduced, considered favorably on first reading, and ordered published this 4th day of April, A.D. 2006, and to be presented for final passage on the 18th day of April, A.D. 2006.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 18th day of April, A.D. 2006.

Mayor

ATTEST:

City Clerk

EXHIBIT A

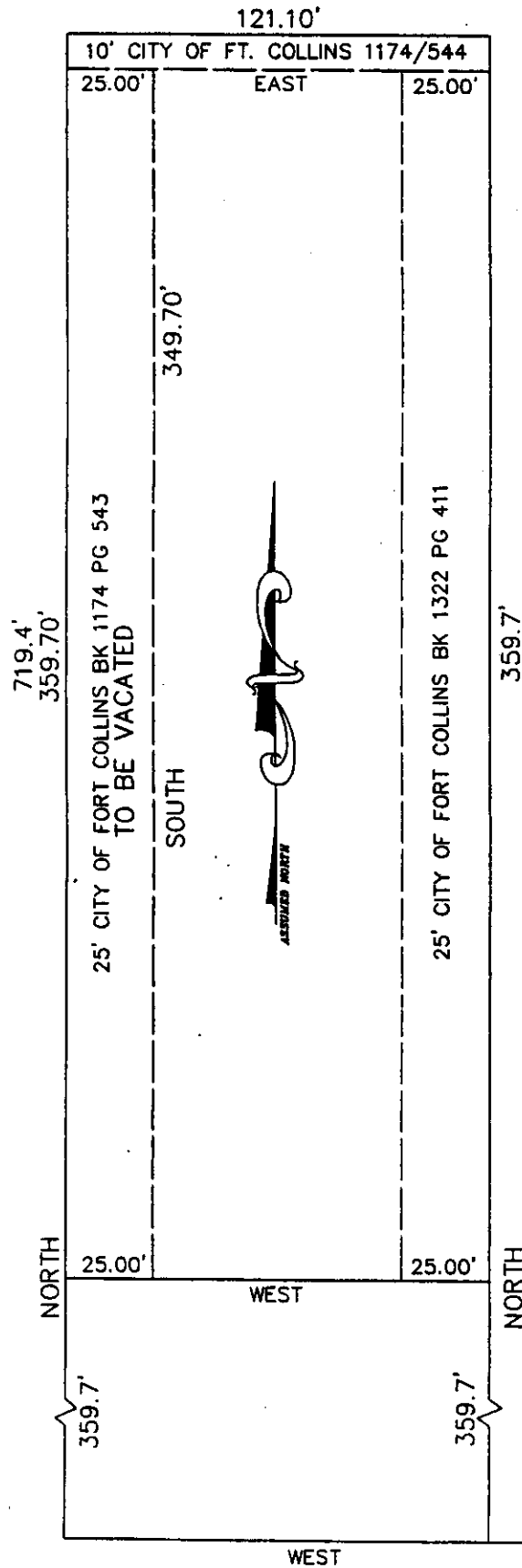
A Tract of land to be vacated on, over, and across a portion of the Northeast Quarter of Section 15, Township 7 North, Range 69 West of the 6th P.M., City of Fort Collins, County of Larimer, State of Colorado being more particularly described as all of the land dedicated to the City of Fort Collins as described in Book 1174, Page 543 of the Larimer County, Colorado Records, reserving unto said City of Fort Collins the same as utility easement.

Sheet 1 of 2

VACATION EXHIBIT MAP

BEING ALL OF BOOK 1174, PAGE 543
 LOCATED IN THE N.E. 1/4 OF SECTION
 15, TOWNSHIP 7 NORTH, RANGE 69
 WEST OF THE 6TH P.M., CITY OF
 FORT COLLINS, COUNTY OF LARIMER,
 STATE OF COLORADO.

Legal Description of a Tract of land
 to be vacated on, over, and across
 a portion of 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 being more particularly
 described as follows:
 Said Tract shall be all of Book 1174,
 Page 543, according to the records
 of the Clerk and Recorder, said County.



S.E. COR., N.E. 1/4
 SEC. 15-7-69

Revised 3/06

Landmark ENGINEERS & ARCHITECTS
 ENGINEERS/ARCHITECTS/PLANNERS/SURVEYORS
 3321 West Eisenhower Blvd., Loveland, Colorado 80537
 (970) 667-6286 Denver (303) 628-7124 Fax (970) 667-9298

TITLE: VACATION EXHIBIT MAP

CLIENT: MAXIIMO DEVELOPMENT GROUP

SCALE: 1"=40' DATE: MAR '08 PROJ: MAXIIMO551101610A2