

ORDINANCE NO. 036, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING THE VACATION OF A PORTION OF TWO
EASEMENTS ORIGINALLY DEDICATED IN THAT CERTAIN
REPLAT OF COACHLIGHT PLAZA PUD

A. The easements at issue were dedicated to the City in that certain Replat of Coachlight Plaza, PUD, recorded on March 1, 1982, with the Larimer County Clerk and Recorder, in Book 2156, Page 1197.

B. The easements include an easement for electrical improvements and an easement for telephone improvements (the "Easements").

C. In May 2022, Coachlight Apartments, LLLP ("Coachlight"), the owner of the property burdened by the Easements, applied to the City for a building permit to enlarge and remodel the original building served by the Easements.

D. In or about April 2023, Coachlight began construction of the new building pursuant to a City-issued building permit, which was closed out on November 2, 2023, after Coachlight completed construction. The closure of the building permit ended Coachlight's involvement in the City's development review process.

E. Coachlight recently advised the City that to obtain its final funding for the project that it must obtain releases of that portion of the Easements underlying the new building, said portion totaling 1,077 square feet.

F. City staff are recommending the City Council vacate the portion of the Easements described on Exhibit "A", attached and incorporate herein by this reference.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby finds and determines that the portions of the Easements, more particularly described on Exhibit "A," are no longer needed or required and that it is in the public interest to vacate the same.

Section 2. That the specified portions of the Easements are hereby vacated, abated and abolished, providing that:

(a) This vacation shall not take effect until this Ordinance is recorded with the Larimer County Clerk and Recorder by the property owner or its agent.

(b) If this Ordinance is not recorded by December 31, 2024, then this Ordinance shall become null and void and of no force and effect.

Introduced, considered favorably on first reading on February 20, 2024, and approved on second reading for final passage on the March 19, 2024.

Mayor

ATTEST:

Interim City Clerk

Effective Date: March 29, 2024

Approving Attorney: Ryan Malarky



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EXHIBIT "A"

December 13, 2023

A description of a portion of an 8-foot Electric Easement and a portion of an 8-foot Telephone Easement within The Replat of Coachlight Plaza to be vacated by City of Fort Collins. For: Coachlight Apartments LLLP.

LEGAL DESCRIPTION

All of that part of an 8-foot Electric Easement and a part of an 8-foot Telephone Easement set forth on the plat of The Replat of Coachlight Plaza, a subdivision of the City of Fort Collins located in the NW1/4 of Section 1, T7N, R69W of the 6th P.M., County of Larimer, State of Colorado, recorded March 1, 1982, in Book 2156 at Page 1197 of the records of Larimer County, Colorado, which lies within the Community Building of Coachlight Apartments, described as follows:

COMMENCING at the Southwest Corner of said The Replat of Coachlight Plaza from which the Northwest Corner of said The Replat of Coachlight Plaza bears N00°00'00"E, 585.69 feet (Basis of Bearing), thence N33°24'16"E, 247.03 feet a point of intersection of the Southerly Line of the Community Building and Easterly Line said 8-foot Electric Easement and the POINT OF BEGINNING;

Thence N89°53'20"W, 8.00 feet along the Southerly Line of said Community Building to the Westerly Line of said 8-foot Electric Easement;

The following courses and distances are along the Westerly, Southerly, Easterly, and Northerly Lines of said 8-foot Electric Easement:

Thence N00°00'00"E, 33.76 feet;

Thence N90°00'00"W, 26.00 feet;

Thence N00°00'00"E, 8.00 feet;

Thence N90°00'00"E, 34.00 feet;

Thence S00°00'00"E, 14.00 feet to the Northerly Line of said 8-foot Telephone Easement;

Thence leaving the Easterly Line of said 8-foot Electric Easement, N90°00'00"E, 30.02 feet along the Northerly Line of said 8-foot Telephone Easement to an angle point thereof;

Thence N00°00'00"E, 20.26 feet along the Westerly Line of said 8-foot Telephone Easement to the Northerly Line of said Community Building;

Thence S89°53'20"E, 8.00 feet along the Northerly Line of said Community Building to the Easterly Line of said 8-foot Telephone Easement;

Thence S00°00'00"E, 20.25 feet along the Easterly Line of said 8-foot Telephone Easement to an angle point thereof;

Thence N90°00'00"E, 8.62 feet along the Northerly Line of said 8-foot Telephone Easement to the Easterly Line of said Community Building;

Thence S00°06'40"W, 8.00 feet along the Easterly Line of said Community Building to the Southerly Line of said 8-foot Telephone Easement;

Thence N90°00'00"W, 46.63 feet along the Southerly Line of said 8-foot Telephone Easement to the Easterly Line of said 8-foot Electric Easement;

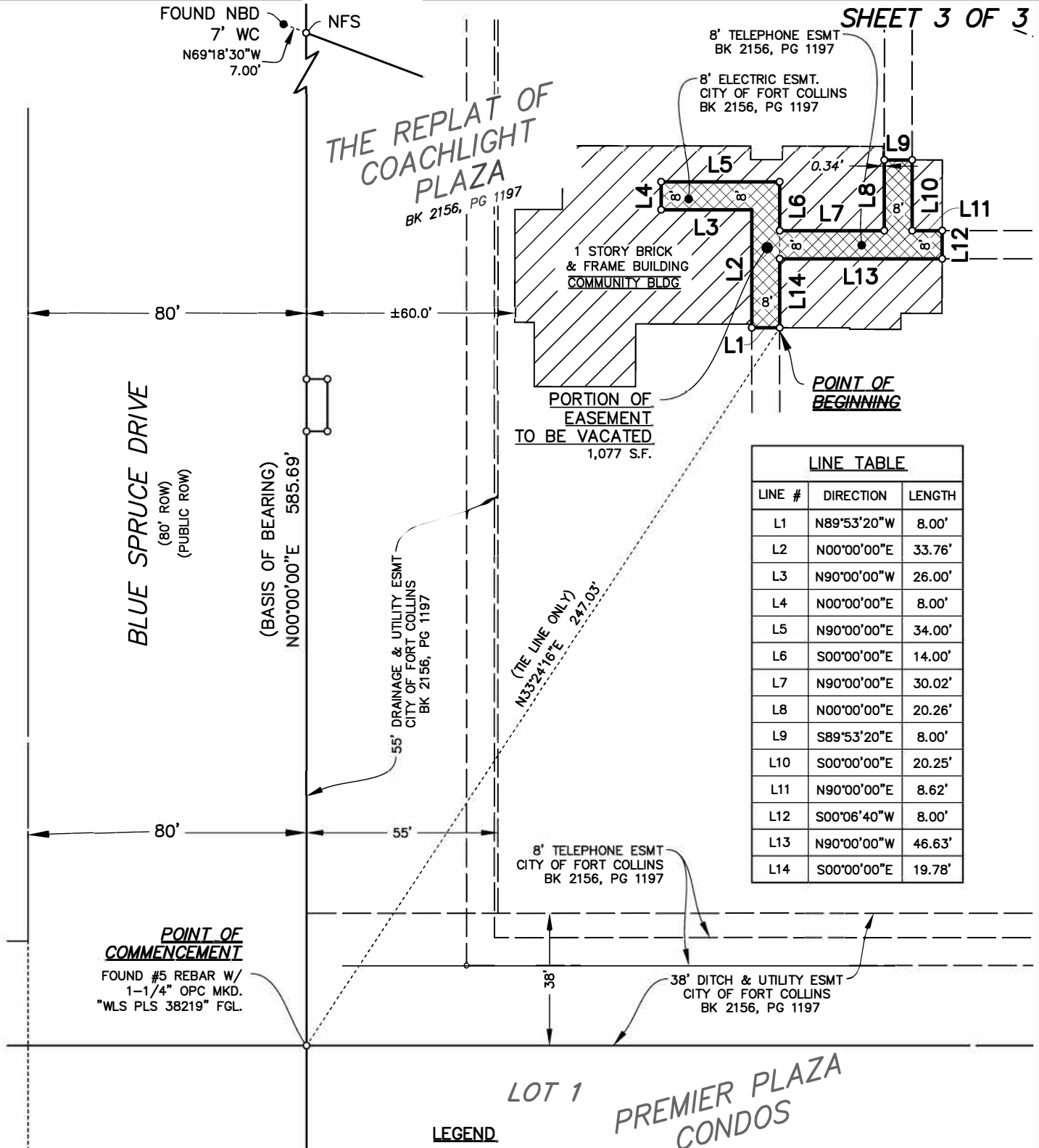
Thence S00°00'00"E, 19.78 feet along the Easterly Line of said 8-foot Electric Easement to the POINT OF BEGINNING.

Area = 1,077 square feet acres (0.025 acres), more or less.

NOTICE: According to Colorado law you **must** commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.


Frank N. Drexel 24305
Colorado Professional Land
Surveyor No. 24305
1500 Kansas Ave #2-E, Longmont, CO 80501
Date: 12-13-23

SHEET 3 OF 3

**EXHIBIT MAP**

SCALE: 1"=40'
DATE: 12-13-23
DWG: 17211-E.DWG

NOTE

THIS EXHIBIT MAP IS INTENDED ONLY AS AN AID TO FOLLOW THE ATTACHED LEGAL DESCRIPTION AND DOES NOT REPRESENT A LAND SURVEY PLAT ACCORDING TO COLORADO STATUTES.



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