

ORDINANCE NO. 071, 2014
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING PORTIONS OF ZIEGLER ROAD AS DEDICATED
IN BOOK R AT PAGE 118 OF THE LARIMER COUNTY RECORDS

WHEREAS, Book R, Page 118 of the Larimer County Records contains a dedication to the public of right-of-way for Ziegler Road; and

WHEREAS, portions of that right-of-way are no longer necessary or desirable to retain for street purposes and City staff is recommending that said portions be vacated; and

WHEREAS, City agencies, private utility companies, and affected property owners have been contacted and have reported no objection to the proposed vacation, provided that a utility easement and drainage easement is reserved by the City; and

WHEREAS, the rights 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 those certain portions of the Ziegler Road street right-of-way described on Exhibit "A", attached hereto and incorporated herein by this reference, are hereby vacated, abated and abolished, reserving utility and drainage easements unto the City as more particularly described on Exhibit "B", provided however, that this vacation shall not take effect until this Ordinance is recorded with the Larimer County Clerk and Recorder.

Introduced, considered favorably on first reading, and ordered published this 6th day of May, A.D. 2014, and to be presented for final passage on the 20th day of May, A.D. 2014.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 20th day of May, A.D. 2014.

Mayor

ATTEST:

City Clerk

EXHIBIT A
DESCRIPTION OF PORTIONS OF ZIEGLER ROAD RIGHT OF WAY
TO BE VACATED

TRACT 1:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING THAT PORTION OF THE ROAD RIGHT OF WAY DEDICATED BY THE INSTRUMENT RECORDED FEBRUARY 17, 1882 IN BOOK R, PAGE 118 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER LYING WITHIN OUTLOT D OF FOSSIL LAKE PUD FIRST FILING; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 9, AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO BEAR S00°07'50"W, AS SHOWN ON THE PLAT OF FOSSIL LAKE PUD FIRST FILING, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 9, N00°00'10"W, A DISTANCE OF 33.02 FEET;
THENCE N89°59'50"E, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE RIGHT OF WAY DESCRIBED IN BOOK R, PAGE 118, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EAST LINE, S00°00'10"E, A DISTANCE OF 33.05 FEET;
THENCE CONTINUING ALONG SAID EAST LINE, S00°07'50"W, A DISTANCE OF 262.27 FEET TO A POINT ON THE WEST BOUNDARY OF SAID OUTLOT D;
THENCE ALONG SAID WEST LINE THE FOLLOWING THREE (3) COURSES:

1. 6.77 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 25°50'31", AND A CHORD WHICH BEARS N12°47'25"W A DISTANCE OF 6.71 FEET;
2. THENCE N00°07'50"E, A DISTANCE OF 251.01 FEET;
3. THENCE N02°17'16"E, A DISTANCE OF 37.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 412 SQUARE FEET (0.009 ACRES), MORE OR LESS.

TRACT 2:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SAID SECTION 9; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING THAT PORTION OF THE ROAD RIGHT OF WAY DEDICATED IN SAID BOOK R, PAGE 118 LYING WITHIN OUTLOT H AND WITHIN LOT 1, BLOCK 11 OF FOSSIL LAKE PUD FIRST FILING; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 9, AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO BEAR S00°07'50"W, AS SHOWN ON THE PLAT OF FOSSIL LAKE PUD FIRST FILING, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, S00°07'50"W, A DISTANCE OF 333.44 FEET;
THENCE S89°52'10"E, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE RIGHT OF WAY DESCRIBED IN BOOK R, PAGE 118, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EAST LINE, S00°07'50"W, A DISTANCE OF 614.45 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1;
THENCE ALONG SAID WEST LINE AND ALONG THE WEST LINE OF SAID OUTLOT H, THE FOLLOWING FOUR (4) COURSES:

1. 15.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 57°46'09", AND A CHORD WHICH BEARS N28°45'14"W A DISTANCE OF 14.49 FEET;
2. THENCE N00°07'50"E, A DISTANCE OF 497.82 FEET;
3. THENCE N02°25'16"E, A DISTANCE OF 95.36 FEET;
4. THENCE 9.38 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 35°50'24", AND A CHORD WHICH BEARS N20°20'28"E A DISTANCE OF 9.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,051 SQUARE FEET (0.093 ACRES), MORE OR LESS.

TRACT 3:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SAID SECTION 9; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING THAT PORTION OF THE ROAD RIGHT OF WAY DEDICATED IN SAID BOOK R, PAGE 118 LYING WITHIN OUTLOT K OF FOSSIL LAKE PUD FIRST FILING; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 9, AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO BEAR S00°07'50"W, AS SHOWN ON THE PLAT OF FOSSIL LAKE PUD FIRST FILING, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, S00°07'50"W, A DISTANCE OF 998.51 FEET;
THENCE S89°52'10"E, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE RIGHT OF WAY DESCRIBED IN BOOK R, PAGE 118, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF SAID OUTLOT K, S00°07'50"W, A DISTANCE OF 97.69 FEET TO A POINT ON THE SOUTH LINE OF LOT 1, BLOCK 12, FOSSIL LAKE PUD FIRST FILING;
THENCE ALONG SAID SOUTH LINE, N89°52'10"W, A DISTANCE OF 7.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE WEST LINE OF SAID LOT 1, N00°07'50"E, A DISTANCE OF 85.00 FEET;
THENCE CONTINUING ALONG SAID WEST LINE, 15.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 57°46'09", AND A CHORD WHICH BEARS N29°00'54"E A DISTANCE OF 14.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 658 SQUARE FEET (0.015 ACRES), MORE OR LESS.

TRACT 4:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9 AND THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING THAT PORTION OF THE ROAD RIGHT OF WAY DEDICATED IN SAID BOOK R, PAGE 118 LYING WITHIN LOTS 2 THROUGH 11 INCLUSIVE AND WITHIN TRACT

B OF FOSSIL LAKE PUD FIRST FILING; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 9, AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9 TO BEAR N00°07'50"E, AS SHOWN ON THE PLAT OF FOSSIL LAKE PUD FIRST FILING, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG SAID WEST LINE, N00°07'50"E, A DISTANCE OF 1,549.63 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;

THENCE ALONG THE NORTH LINE OF SAID LOT 2, S89°52'10"E, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE RIGHT OF WAY DESCRIBED IN BOOK R, PAGE 118;

THENCE ALONG SAID EAST LINE, S00°07'50"W, A DISTANCE OF 1,549.66 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, S00°14'33"W, A DISTANCE OF 905.07 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT B;

THENCE ALONG SAID SOUTH LINE, N66°16'27"W, A DISTANCE OF 32.71 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17;

THENCE ALONG SAID WEST LINE, N00°14'33"E, A DISTANCE OF 892.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 73,445 SQUARE FEET (1.686 ACRES), MORE OR LESS.

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME AND IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.

JOHN STEVEN VON NIEDA, COLORADO P.L.S. 31169
FOR AND ON BEHALF OF THE CITY OF FORT COLLINS
P.O. BOX 580, FORT COLLINS, CO 80522

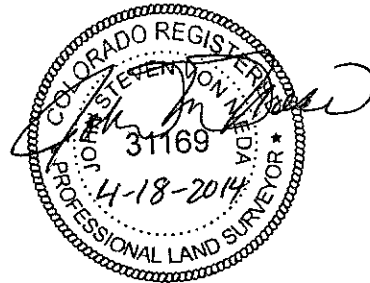
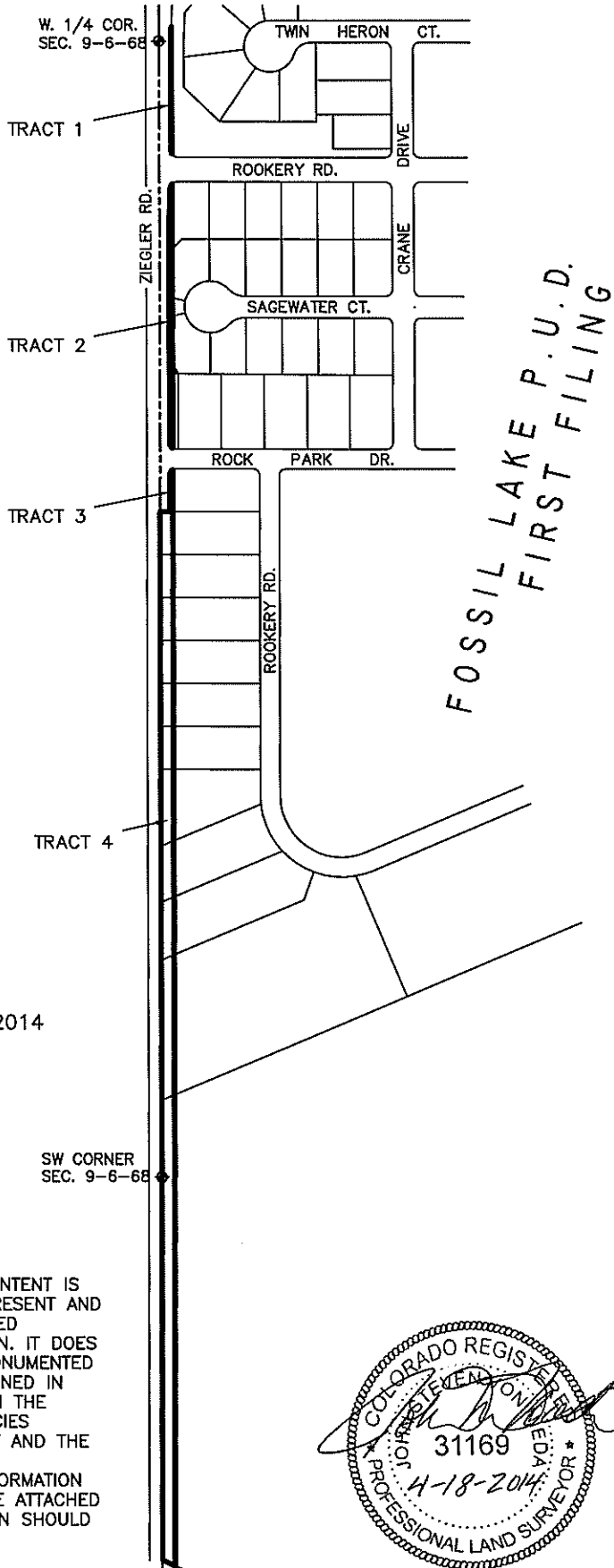


EXHIBIT A
PORTIONS OF ZIEGLER ROAD TO BE VACATED – OVERVIEW

PAGE 1



APRIL 18, 2014
1"=400'

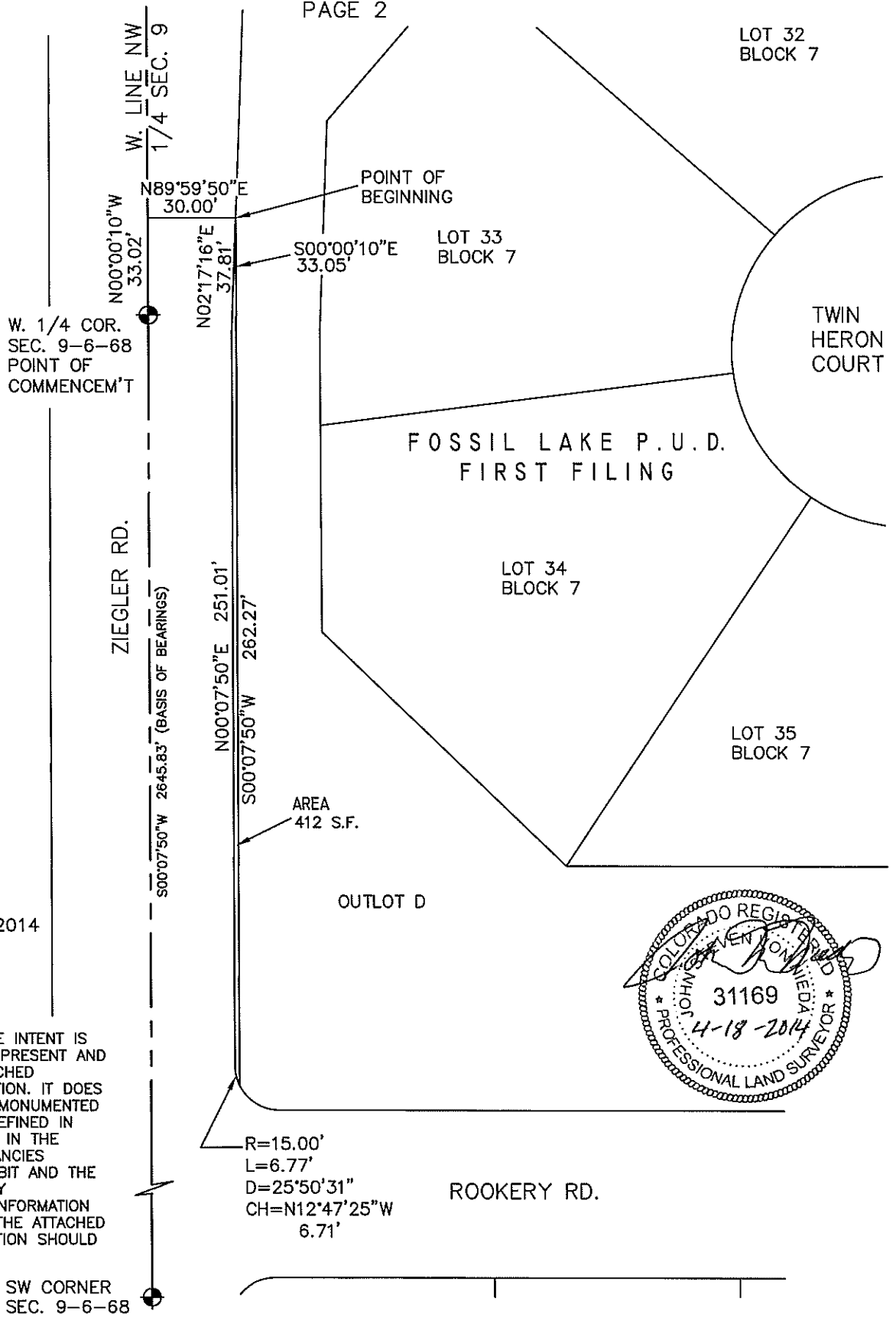
SW CORNER
SEC. 9-6-68

THIS EXHIBIT'S SOLE INTENT IS TO GRAPHICALLY REPRESENT AND AUGMENT THE ATTACHED PROPERTY DESCRIPTION. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY AS DEFINED IN C.R.S. 38-51-102. IN THE EVENT OF DISCREPANCIES BETWEEN THIS EXHIBIT AND THE ATTACHED PROPERTY DESCRIPTION, THE INFORMATION CONTAINED WITHIN THE ATTACHED PROPERTY DESCRIPTION SHOULD BE RELIED UPON.



FOSSIL CREEK RESERVOIR

EXHIBIT A
 PORTIONS OF ZIEGLER ROAD TO BE VACATED
 TRACT 1
 PAGE 2



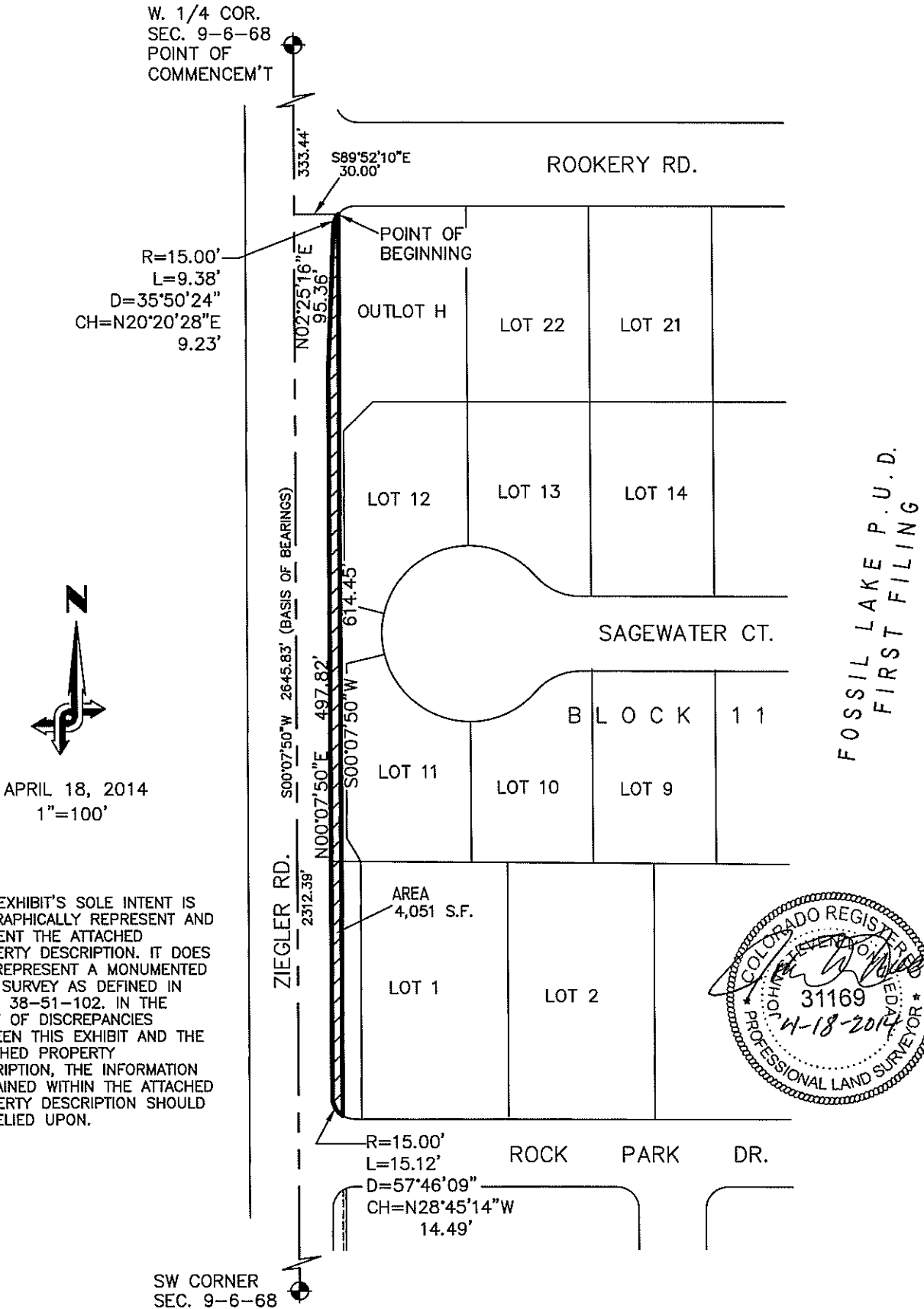
APRIL 18, 2014
 1"=50'



THIS EXHIBIT'S SOLE INTENT IS TO GRAPHICALLY REPRESENT AND AUGMENT THE ATTACHED PROPERTY DESCRIPTION. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY AS DEFINED IN C.R.S. 38-51-102. IN THE EVENT OF DISCREPANCIES BETWEEN THIS EXHIBIT AND THE ATTACHED PROPERTY DESCRIPTION, THE INFORMATION CONTAINED WITHIN THE ATTACHED PROPERTY DESCRIPTION SHOULD BE RELIED UPON.

SW CORNER SEC. 9-6-68

EXHIBIT A
 PORTIONS OF ZIEGLER ROAD TO BE VACATED
 TRACT 2
 PAGE 3




 APRIL 18, 2014
 1"=100'

THIS EXHIBIT'S SOLE INTENT IS TO GRAPHICALLY REPRESENT AND AUGMENT THE ATTACHED PROPERTY DESCRIPTION. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY AS DEFINED IN C.R.S. 38-51-102. IN THE EVENT OF DISCREPANCIES BETWEEN THIS EXHIBIT AND THE ATTACHED PROPERTY DESCRIPTION, THE INFORMATION CONTAINED WITHIN THE ATTACHED PROPERTY DESCRIPTION SHOULD BE RELIED UPON.

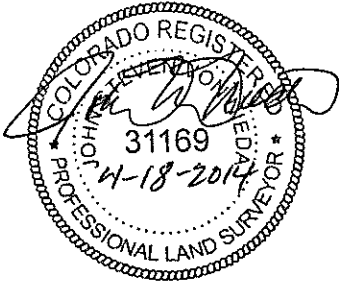


EXHIBIT A
 PORTIONS OF ZIEGLER ROAD TO BE VACATED
 TRACT 3
 PAGE 4

W. 1/4 COR.
 SEC. 9-6-68
 POINT OF
 COMMENCEM'T

LOT 1
 BLOCK 11

ROCK PARK DR.

R=15.00'
 L=15.12'
 D=57°46'09"
 CH=N29°00'54"E
 14.49'

S89°52'10"E
 30.00'

POINT OF
 BEGINNING

AREA
 658 S.F.

LOT 1
 BLOCK 12

OUTLOT K

FOSSIL LAKE P.U.D.
 FIRST FILING



APRIL 18, 2014
 1"=50'

THIS EXHIBIT'S SOLE INTENT IS TO GRAPHICALLY REPRESENT AND AUGMENT THE ATTACHED PROPERTY DESCRIPTION. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY AS DEFINED IN C.R.S. 38-51-102. IN THE EVENT OF DISCREPANCIES BETWEEN THIS EXHIBIT AND THE ATTACHED PROPERTY DESCRIPTION, THE INFORMATION CONTAINED WITHIN THE ATTACHED PROPERTY DESCRIPTION SHOULD BE RELIED UPON.

ZIEGLER RD.

N00°07'50"E 85.00'
 S00°07'50"W 97.69'

N89°52'10"W
 7.00'

LOT 2
 BLOCK 12

SW CORNER
 SEC. 9-6-68

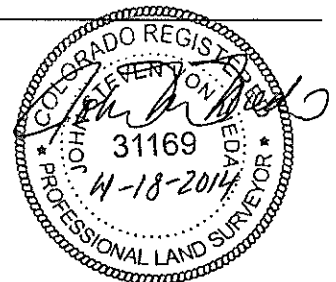
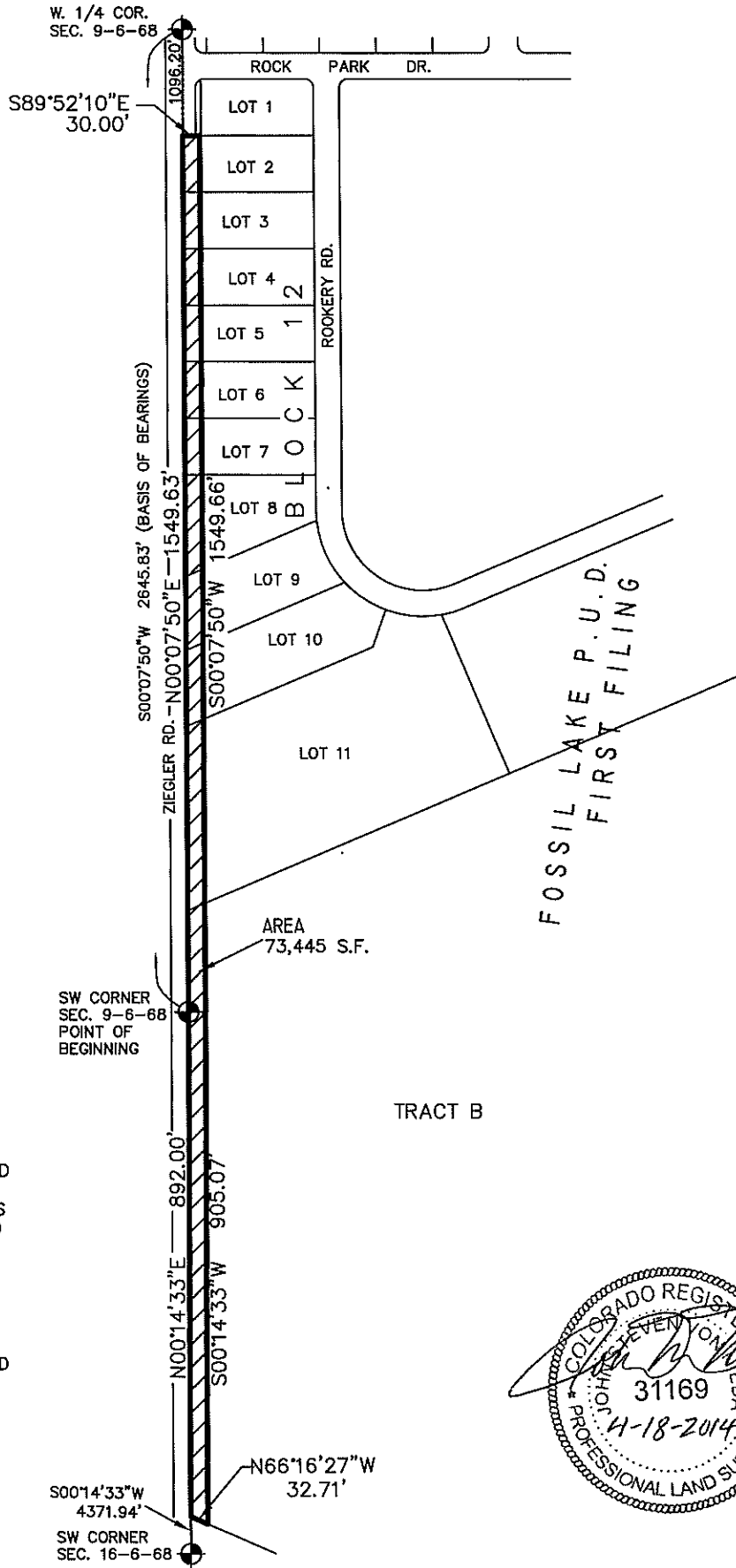


EXHIBIT A
 PORTIONS OF ZIEGLER ROAD TO BE VACATED – TRACT 4
 PAGE 5



APRIL 18, 2014
 1"=300'

THIS EXHIBIT'S SOLE INTENT IS TO GRAPHICALLY REPRESENT AND AUGMENT THE ATTACHED PROPERTY DESCRIPTION. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY AS DEFINED IN C.R.S. 38-51-102. IN THE EVENT OF DISCREPANCIES BETWEEN THIS EXHIBIT AND THE ATTACHED PROPERTY DESCRIPTION, THE INFORMATION CONTAINED WITHIN THE ATTACHED PROPERTY DESCRIPTION SHOULD BE RELIED UPON.



EXHIBIT B
DESCRIPTION OF PORTIONS OF VACATED ZIEGLER ROAD RIGHT OF WAY
TO BE RESERVED AS UTILITY AND DRAINAGE EASEMENTS

TRACTS OF LAND LOCATED IN THE WEST HALF OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE ROAD RIGHT OF WAY DEDICATED BY THE INSTRUMENT RECORDED FEBRUARY 17, 1882 IN BOOK R, PAGE 118 IN THE OFFICE OF THE LARIMER COUNTY CLERK AND RECORDER LYING WITHIN OUTLOTS D, H AND K OF FOSSIL LAKE PUD FIRST FILING, AND WITHIN LOT 1 BLOCK 11 OF FOSSIL LAKE PUD FIRST FILING. (BEING TRACTS 1, 2, AND 3 AS DESCRIBED ON EXHIBIT A OF THIS DOCUMENT)

ALSO:

THE WEST TWENTY (20) FEET OF LOTS 2 THROUGH 11 INCLUSIVE OF FOSSIL LAKE PUD FIRST FILING.

I HEREBY STATE THAT THE ABOVE DESCRIPTION WAS PREPARED BY ME AND IS TRUE AND CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF, AND OPINION.

JOHN STEVEN VON NIEDA, COLORADO P.L.S. 31169
FOR AND ON BEHALF OF THE CITY OF FORT COLLINS
P.O. BOX 580, FORT COLLINS, CO 80522

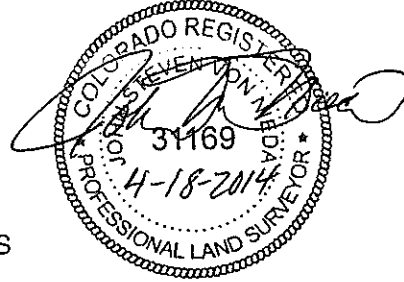
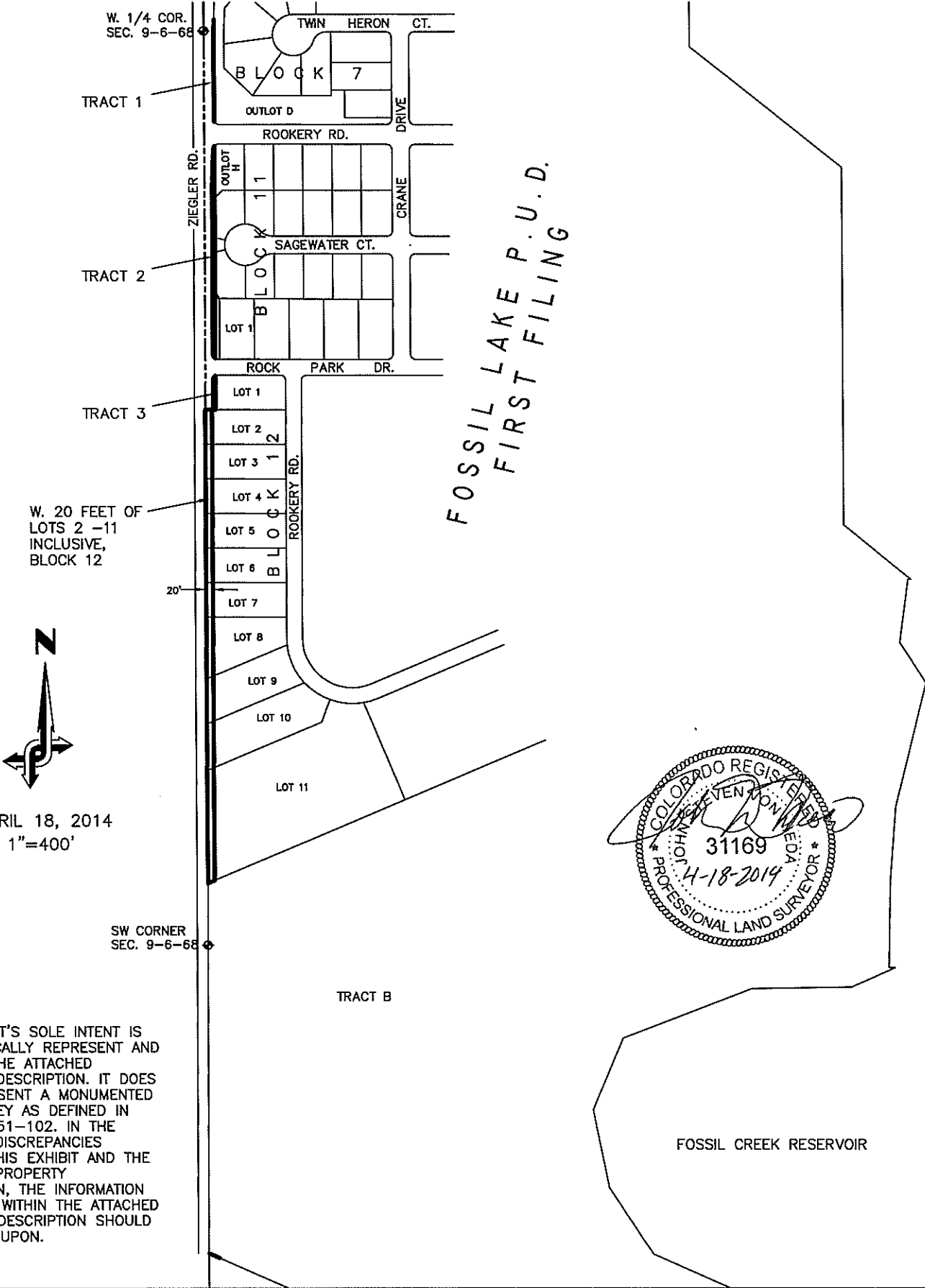


EXHIBIT B
 PORTIONS OF VACATED ZIEGLER ROAD TO BE RESERVED
 AS UTILITY AND DRAINAGE EASEMENTS



THIS EXHIBIT'S SOLE INTENT IS TO GRAPHICALLY REPRESENT AND AUGMENT THE ATTACHED PROPERTY DESCRIPTION. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY AS DEFINED IN C.R.S. 38-51-102. IN THE EVENT OF DISCREPANCIES BETWEEN THIS EXHIBIT AND THE ATTACHED PROPERTY DESCRIPTION, THE INFORMATION CONTAINED WITHIN THE ATTACHED PROPERTY DESCRIPTION SHOULD BE RELIED UPON.