

ORDINANCE NO. 171, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING A PORTION OF PUBLIC RIGHT-OF-WAY DEDICATED BY THE
REDWOOD VILLAGE PUD PHASE II PLAT

WHEREAS, the plat of the Redwood Village PUD Phase II project (the “Former Redwood Project”), recorded on August 17, 1984, at Larimer County Records Reception No. 581682, Book 2285 Page 1285, included dedication to the public a right-of-way for several local streets, including Bellflower Drive, Mullein Drive, Sundrop Circle, and Ginseng Circle; and

WHEREAS, after the Former Redwood Project plat was filed, the property was never developed, and the vested right for the development plan expired; and

WHEREAS, the undeveloped right-of-way dedicated in the Former Redwood Project plat is no longer compatible with the surrounding streets and neighborhoods and is not compliant with the Larimer County Urban Area Street Standards; and

WHEREAS, when the Northfield project developed the property directly to the east of the former Redwood project property, the Northfield project dedicated right-of-way and installed street stubs for two public streets, Steely Drive and Collamer Drive, to continue into the former Redwood project property, which streets differ from the streets in the Former Redwood Project plat; and

WHEREAS, under Land Use Code Section 3.6.3(F), any new development of the Former Redwood Project property is required to continue the street stubs dedicated by the Northfield project; and

WHEREAS, continuation of the street stubs dedicated by the Northfield project requires vacation of the existing right-of-way from the Former Redwood Project and dedication of new right-of-way to align with the new street stubs; and

WHEREAS, the Enclave at Redwood project intends to develop the Former Redwood Project property, and the Enclave at Redwood has requested that the City vacate the portion of the Former Redwood Project right-of-way described on Exhibit “A”, attached hereto and incorporated herein by this reference; and

WHEREAS, the Enclave at Redwood plat will dedicate new right-of-way to continue the street stubs from the Northfield property and provide other connections to the existing public street network; and

WHEREAS, in accordance with City Code Section 23-115(d), pertinent City staff, potentially affected utility companies, emergency service providers, and affected property owners in the vicinity of the right-of-way have been notified of the proposed right-of-way vacation, and no objection has been reported to the proposed vacation; and

WHEREAS, the City Engineer recommends approval of the right-of-way vacation; and

WHEREAS, in accordance with City Code Section 23-115(e), the Planning Development and Transportation Director recommends that the Former Redwood Project right-of-way be vacated, which will facilitate thoughtful and effective adjustments to the street network in this area; and

WHEREAS, the rights of the residents of Fort Collins will not be prejudiced or injured by the vacation of the portion of the Former Redwood Project right-of-way; and

WHEREAS, the portion of Former Redwood Project right-of-way is no longer necessary or desirable to retain for right-of-way purposes.

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

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby finds and determines that the portion of right-of-way dedicated via the Former Redwood Project plat, more particularly described on Exhibit "A", is no longer needed for right-of-way purposes and that it is in the public interest to vacate the same.

Section 3. That the portion of right-of-way dedicated via the Former Redwood Project plat is hereby vacated, abated, and abolished, provided that this vacation shall not take effect until this Ordinance is recorded with the Larimer County Clerk and Recorder.

Section 4. In accordance with City Code Section 23-115(f), title to that portion of the former Redwood project right-of-way vacated by this ordinance shall vest in accordance with Colorado Revised Statutes Section 43-2-302.

Introduced and considered favorably on first reading and ordered published this 5th day of December, 2023, and to be presented for final passage on the 19th day of December, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 19th day of December, 2023.

Mayor

ATTEST:

City Clerk