

ORDINANCE NO. 070, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING A PORTION OF IMPALA CIRCLE RIGHT-OF-WAY

WHEREAS, the plat of the Impala Subdivision included dedication to the public of right-of-way for Impala Circle; and

WHEREAS, Housing Catalyst Development Services, LLC, has requested that the City vacate the Impala Circle right-of-way; and

WHEREAS, pertinent City staff, potentially affected utility companies, and affected property owners in the vicinity of the right-of-way have been contacted and no objection has been reported to the proposed vacation; and

WHEREAS, the City Engineer and the Director of Community Development and Neighborhood Services recommend that the right-of-way be vacated; and

WHEREAS, portions of the right-of-way area, once vacated, shall be dedicated to the City, upon recording of the subdivision plat for “Impala Redevelopment,” as public access and emergency access easements to provide continued access for neighboring properties; and

WHEREAS, the rights of the residents of Fort Collins will not be prejudiced or injured by the vacation of said street right-of-way; and

WHEREAS, said right-of-way is no longer necessary or desirable to retain for street 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 street right-of-way for Impala Circle, more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (the “Specified Street”) 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 Specified Street is hereby vacated, abated and abolished, provided, that:

- 1) This vacation shall not take effect until this Ordinance is recorded with the Larimer County Clerk and Recorder.
- 2) This Ordinance shall be recorded concurrently with the subdivision plat for the development known as “Impala Redevelopment.”

3) If this Ordinance is not recorded by December 31, 2023, then this Ordinance shall become null and void and of no force and effect.

Introduced and considered favorably on first reading and ordered published this 2nd day of May, 2023, and to be presented for final passage on the 16th day of May, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 16th day of May, 2023.

Mayor

ATTEST:

City Clerk