

RESOLUTION 2022-082
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND
INITIATING ANNEXATION PROCEEDINGS FOR THE
PEAKVIEW ANNEXATION NO. 1

WHEREAS, a written petition, together with four prints of an annexation map, have been filed with the City Clerk requesting the annexation of certain property to be known as the Peakview Annexation No. 1, as more particularly described below; and

WHEREAS, the City Council desires to initiate annexation proceedings for the Peakview Annexation No. 1 in accordance with the Municipal Annexation Act, Colorado Revised Statutes ("C.R.S.") Section 31-12-101, et seq.

NOW, THEREFORE, BE IT RESOLVED 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 accepts the annexation petition for the Peakview Annexation No. 1, located generally northeast of the East Mulberry Street and Greenfields Court intersection and more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M. BEING MONUMENTED BY A 2-1/2" ALUMINUM CAP STAMPED "LS 23503" AT THE WEST END AND A 2-1/2" ALUMINUM CAP STAMPED "LS 22573" AT THE EAST END, SAID LINE BEING ASSUMED TO BEAR S89°11'21"E.

BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9;

THENCE ON THE NORTH LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9, S88°55'11"E A DISTANCE OF 42.00 FEET;

THENCE DEPARTING SAID NORTH LINE, THE FOLLOWING THIRTY-EIGHT (38) COURSES:

1. S00°14'19"W A DISTANCE OF 827.07 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 84.00 FEET, A CENTRAL ANGLE OF 11°15'25" AND AN ARC LENGTH OF 16.50 FEET, TO A POINT OF TANGENT;
3. S11°01'07"E A DISTANCE OF 41.76 FEET, TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 116.00 FEET, A CENTRAL ANGLE OF 11°15'25" AND AN ARC LENGTH OF 22.79 FEET, TO A POINT OF TANGENT;
5. S00°14'19"W A DISTANCE OF 75.11 FEET, TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 166.00 FEET, A CENTRAL ANGLE OF 06°41'42" AND AN ARC LENGTH OF 19.40 FEET, TO A POINT OF TANGENT;
7. S06°56'01"W A DISTANCE OF 85.38 FEET, TO A POINT OF CURVE;
8. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 134.00 FEET, A CENTRAL ANGLE OF 06°41'42" AND AN ARC LENGTH OF 15.66 FEET, TO A POINT OF TANGENT;
9. S00°14'19"W A DISTANCE OF 182.11 FEET, TO A POINT OF CURVE;
10. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 84.00 FEET, A CENTRAL ANGLE OF 09°54'53" AND AN ARC LENGTH OF 14.54 FEET, TO A POINT OF TANGENT;
11. S09°40'35"E A DISTANCE OF 52.35 FEET, TO A POINT OF CURVE;
12. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 116.00 FEET, A CENTRAL ANGLE OF 09°54'53" AND AN ARC LENGTH OF 20.07 FEET, TO A POINT OF TANGENT;
13. S00°14'19"W A DISTANCE OF 102.11 FEET, TO A POINT OF CURVE;
14. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 166.00 FEET, A CENTRAL ANGLE OF 06°23'15" AND AN ARC LENGTH OF 18.51 FEET, TO A POINT OF TANGENT;
15. S06°37'34"W A DISTANCE OF 78.77 FEET, TO A POINT OF CURVE;
16. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 134.00 FEET, A CENTRAL ANGLE OF 09°33'20" AND AN ARC LENGTH OF 22.35 FEET, TO A POINT OF REVERSE CURVE;
17. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,033.00 FEET, A CENTRAL ANGLE OF 09°59'32" AND AN ARC LENGTH OF 180.15 FEET, TO A POINT OF COMPOUND CURVE;
18. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 84.00 FEET, A CENTRAL ANGLE OF 11°47'15" AND AN ARC LENGTH OF 17.28 FEET, TO A POINT OF TANGENT;
19. S24°42'34"E A DISTANCE OF 43.84 FEET, TO A POINT OF NON-TANGENT CURVE;
20. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S64°54'15"W, HAVING A RADIUS OF 108.19 FEET, A CENTRAL ANGLE OF 10°37'19" AND AN ARC LENGTH OF 20.06 FEET, TO A POINT OF NON-TANGENT;
21. S14°51'36"E A DISTANCE OF 50.10 FEET;
22. S13°42'52"E A DISTANCE OF 50.01 FEET;
23. S14°51'36"E A DISTANCE OF 36.74 FEET;

24. S14°51'36"E A DISTANCE OF 47.62 FEET, TO A POINT OF CURVE;
25. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 03°07'00" AND AN ARC LENGTH OF 1.09 FEET, TO A POINT OF REVERSE CURVE;
26. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 129.00 FEET, A CENTRAL ANGLE OF 08°04'32" AND AN ARC LENGTH OF 18.18 FEET, TO A POINT OF TANGENT;
27. S19°49'08"E A DISTANCE OF 108.53 FEET, TO A POINT OF CURVE;
28. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 179.00 FEET, A CENTRAL ANGLE OF 01°22'20" AND AN ARC LENGTH OF 4.29 FEET, TO A POINT OF TANGENT;
29. S21°11'28"E A DISTANCE OF 91.99 FEET, TO A POINT OF CURVE;
30. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 49.00 FEET, A CENTRAL ANGLE OF 62°31'40" AND AN ARC LENGTH OF 53.47 FEET, TO A POINT OF REVERSE CURVE;
31. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 541.00 FEET, A CENTRAL ANGLE OF 05°46'51" AND AN ARC LENGTH OF 54.58 FEET, TO A POINT OF COMPOUND CURVE;
32. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 291.00 FEET, A CENTRAL ANGLE OF 09°27'22" AND AN ARC LENGTH OF 48.03 FEET, TO A POINT OF COMPOUND CURVE;
33. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 29.00 FEET, A CENTRAL ANGLE OF 17°32'15" AND AN ARC LENGTH OF 8.88 FEET, TO A POINT OF TANGENT;
34. S50°56'41"E A DISTANCE OF 28.81 FEET, TO A POINT OF CURVE;
35. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 09°31'31" AND AN ARC LENGTH OF 3.32 FEET, TO A POINT OF REVERSE CURVE;
36. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 283.00 FEET, A CENTRAL ANGLE OF 25°29'51" AND AN ARC LENGTH OF 125.94 FEET, TO A POINT OF TANGENT;
37. S34°58'22"E A DISTANCE OF 155.19 FEET, TO A POINT OF CURVE;
38. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 217.00 FEET, A CENTRAL ANGLE OF 48°41'45" AND AN ARC LENGTH OF 184.43 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST MULBERRY STREET AND A POINT OF NON-TANGENT;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, N89°11'21"W A DISTANCE OF 161.98 FEET, TO A POINT OF NON-TANGENT CURVE;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING SIXTEEN (16) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N41°03'41"E, HAVING A RADIUS OF 283.00 FEET, A CENTRAL ANGLE OF 13°57'58" AND AN ARC LENGTH OF 68.98 FEET, TO A POINT OF TANGENT;

2. N34°58'22"W A DISTANCE OF 155.19 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 217.00 FEET, A CENTRAL ANGLE OF 12°12'50" AND AN ARC LENGTH OF 46.26 FEET, TO A POINT OF COMPOUND CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 19°54'23" AND AN ARC LENGTH OF 6.95 FEET, TO A POINT OF TANGENT;
5. N67°05'34"W A DISTANCE OF 29.69 FEET, TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 29.00 FEET, A CENTRAL ANGLE OF 07°34'05" AND AN ARC LENGTH OF 3.83 FEET, TO A POINT OF REVERSE CURVE;
7. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 189.00 FEET, A CENTRAL ANGLE OF 15°18'19" AND AN ARC LENGTH OF 50.49 FEET, TO A POINT OF COMPOUND CURVE;
8. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 409.00 FEET, A CENTRAL ANGLE OF 17°14'40" AND AN ARC LENGTH OF 123.10 FEET, TO A POINT OF COMPOUND CURVE;
9. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 54.00 FEET, A CENTRAL ANGLE OF 43°02'58" AND AN ARC LENGTH OF 40.57 FEET, TO A POINT OF COMPOUND CURVE;
10. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 79.00 FEET, A CENTRAL ANGLE OF 50°07'19" AND AN ARC LENGTH OF 69.11 FEET, TO A POINT OF TANGENT;
11. S05°14'45"E A DISTANCE OF 94.32 FEET, TO A POINT OF CURVE;
12. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 10.00 FEET, A CENTRAL ANGLE OF 35°00'00" AND AN ARC LENGTH OF 6.11 FEET, TO A POINT OF NON-TANGENT REVERSE CURVE;
13. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S56°47'06"E, HAVING A RADIUS OF 10.12 FEET, A CENTRAL ANGLE OF 38°04'04" AND AN ARC LENGTH OF 6.73 FEET, TO A POINT OF NON-TANGENT REVERSE CURVE;
14. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S85°00'07"W, HAVING A RADIUS OF 517.00 FEET, A CENTRAL ANGLE OF 05°14'12" AND AN ARC LENGTH OF 47.25 FEET, TO A POINT OF TANGENT;
15. S00°14'19"W A DISTANCE OF 11.14 FEET, TO A POINT OF NON-TANGENT CURVE;
16. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N89°37'29"E, HAVING A RADIUS OF 30.51 FEET, A CENTRAL ANGLE OF 28°12'43" AND AN ARC LENGTH OF 15.02 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID EAST MULBERRY STREET AND A POINT OF NON-TANGENT;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, N89°11'21"W A DISTANCE OF 154.79 FEET, TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9;

THENCE ON SAID WEST LINE, N00°14'19"E A DISTANCE OF 2,604.37 FEET, TO THE POINT OF BEGINNING.

Section 3. That the City Council hereby finds and determines that the annexation petition for the Peakview Annexation No. 1 is in substantial compliance with the Municipal Annexation Act in that the annexation petition contains the following:

- (1) An allegation that it is desirable and necessary that such area be annexed to the municipality;
- (2) An allegation that the requirements of C.R.S. Sections 31-12-104 and 31-12-105 exist or have been met;
- (3) An allegation that the signers of the petition comprise more than fifty percent of the landowners in the area and own more than fifty percent of the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality;
- (4) The signatures of such landowners;
- (5) A request that the annexing municipality approve the annexation of the area proposed to be annexed;
- (6) The mailing address of each such signer;
- (7) The legal description of the land owned by such signer;
- (8) The date of signing of each signature; and
- (9) The affidavit of the circulator of such petition that each signature therein is the signature of the person whose name it purports to be.

Section 4. That the City Council hereby finds and determines that the annexation map, four copies total, accompanying the annexation petition for the Peakview Annexation No. 1 is in substantial compliance with the Municipal Annexation Act in that the map contains the following:

- (1) A written legal description of the boundaries of the area proposed to be annexed;
- (2) A map showing the boundary of the area proposed to be annexed;
- (3) Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks; and
- (4) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

Section 5. That the Notice attached hereto as Exhibit "A" is hereby adopted as a part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be

held regarding the passage of annexation and zoning ordinances pertaining to the above-described property. The City Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 16th day of August, A.D. 2022.

Mayor

ATTEST:

City Clerk