

RESOLUTION 2024-061
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND INITIATING ANNEXATION
PROCEEDINGS FOR THE I-25 & MULBERRY ANNEXATION

A. 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 I-25 & Mulberry Annexation, as more particularly described below.

B. The City Council desires to initiate annexation proceedings for the I-25 & Mulberry Annexation in accordance with the Municipal Annexation Act, Colorado Revised Statutes ("C.R.S.") Section 31-12-101, et seq.

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

Section 1. The City Council hereby accepts the annexation petition for the I-25 & Mulberry Annexation, located at the northeast corner of East Mulberry Street and Interstate 25 and more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; COUNTY OF LARIMER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEING MONUMENTED AT THE SOUTHWEST CORNER BY A 3" BRASS CAP STAMPED " LS23503 2007" IN A RANGE BOX, AND AT THE WEST QUARTER CORNER BY A 2"ALUMINUM CAP STAMPED " LS 5028 1998" ASSUMED TO BEAR N00°09'34"W.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10, THENCE N70°26'24"E A DISTANCE OF 648.39 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 25, AND THE POINT OF BEGINNING;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING SIX (6) COURSES:

1. N58°42'20"W A DISTANCE OF 212.59 FEET;
2. N38°22'59"W A DISTANCE OF 442.05 FEET;
3. N14°16'20"W A DISTANCE OF 206.20 FEET;
4. N00°13'50"W A DISTANCE OF 37.90 FEET;
5. N00°31'20"W A DISTANCE OF 940.70 FEET;

6. N03°19'40"E A DISTANCE OF 245.20 FEET, TO THE SOUTHWESTERLY CORNER OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 20050043464;

THENCE ON THE SOUTHERLY LINE OF SAID PROPERTY, S89°19'40"E A DISTANCE OF 1241.28 FEET, TO A POINT ON THE WESTERLY LINE OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 2002051529;

THENCE ON SAID WESTERLY LINE, S00°20'18"W A DISTANCE OF 1727.08 FEET, TO THE NORTHEASTERLY CORNER OF THAT PROPERTY RECORDED UNDER RECEPTION NO. 20120069518;

THENCE ON THE NORTHERLY AND WESTERLY LINES OF SAID PROPERTY, THE FOLLOWING FOUR (4) COURSES:

1. N69°41'20"W A DISTANCE OF 224.55 FEET;
2. N81°42'20"W A DISTANCE OF 504.90 FEET;
3. N58°42'20"W A DISTANCE OF 20.61 FEET;
4. S00°19'40"W A DISTANCE OF 300.00 FEET, TO THE POINT OF BEGINNING. CONTAINING A CALCULATED AREA OF 2,043,904 SQUARE FEET OR 46.9216 ACRES.

Section 2. The City Council hereby finds and determines that the annexation petition for the I-25 & Mulberry Annexation 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 3. The City Council hereby finds and determines that the annexation map, four copies total, accompanying the annexation petition for the I-25 & Mulberry Annexation 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 4. 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 on April 16, 2024.

Mayor

ATTEST:

Interim City Clerk

Effective Date: April 16, 2024
Approving Attorney: Brad Yatabe