

RESOLUTION 2025-002
OF THE COUNCIL OF THE CITY OF FORT COLLINS
FINDING SUBSTANTIAL COMPLIANCE AND INITIATING
ANNEXATION PROCEEDINGS FOR THE HERITAGE
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 Heritage Annexation, as more particularly described below.

B. On November 19, 2024, the City Council adopted Resolution 2024-136 initiating this annexation. However, this Resolution herein is necessary due to a Notice publication error. Colorado Revised Statutes (“C.R.S.”) Section 31-12-108 includes certain timeframes during which an annexation petition must be addressed, namely, a hearing must be held not less than thirty days and not more than sixty days after the effective date of the Resolution setting the hearing. The published Notice indicated that the City Council was hearing this annexation on January 7, 2024, not 2025. There were not four consecutive weeks during which to publish a new, correct Notice before the January 7, 2025, Council meeting, and the January 21, 2025, Council meeting was outside of the sixty days.

C. The City Council desires to initiate annexation proceedings for the Heritage Annexation in accordance with the Municipal Annexation Act, 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 Heritage Annexation, located northeast of the intersection of International Boulevard and Mexico Way and more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A PARCEL OF LAND BEING A PORTION OF THE WEST 1/2 OF SECTION 8, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 8 AND CONSIDERING THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 8 AS BEARING OF N 89°08'54” W AND HAVING ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE N 89°08'54” W A DISTANCE OF 636.52 FEET ALONG SAID SOUTH LINE;

THENCE N 00°51'06" E A DISTANCE OF 56.57 FEET TO THE SOUTHWEST CORNER OF LOT 3 OF THE INDUSTRIAL BUSINESS PARK INTERNATIONAL P.U.D RECORDED AT RECEPTION NO. 423677 (1981) OF THE LARIMER COUNTY RECORDS, SAID POINT BEING THE **POINT OF BEGINNING**;
THENCE S 89°41'35" E A DISTANCE OF 282.29 FEET ALONG THE SOUTH LINE SAID LOT 3 TO A POINT ON THE BOUNDARY LINE OF THE SAID INDUSTRIAL BUSINESS PARK INTERNATIONAL P.U.D;
THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING 7 COURSES:
N 00°24'08" E A DISTANCE OF 170.35 FEET;
N 41°35'52" W A DISTANCE OF 270.00 FEET;
N 65°35'35" W A DISTANCE OF 283.06 FEET;
N 80°23'05" W A DISTANCE OF 255.00 FEET;
N 65°09'53" W A DISTANCE OF 192.96 FEET;
N 08°05'13" E A DISTANCE OF 46.10 FEET;
N 89°36'46" W A DISTANCE OF 12.10 FEET TO A POINT ON THE BOUNDARY LINE OF THE INDUSTRIAL BUSINESS PARK INTERNATIONAL P.U.D. AMENDED PLAT, RECORDED AT RECEPTION NO. 20190043996 OF THE LARIMER COUNTY RECORDS;
THENCE N 89°36'46" W A DISTANCE OF 791.94 FEET ALONG SAID BOUNDARY LINE;
THENCE N 89°36'46" W A DISTANCE OF 72.00 FEET CONTINUING ALONG SAID BOUNDARY LINE TO THE EAST LINE OF LOT 1A, LOT CONSOLIDATION OF LOTS 1 & 2, BLOCK 1 OF THE SAID INDUSTRIAL BUSINESS PARK INTERNATIONAL P.U.D. AMENDED PLAT;
THENCE S 00°49'21" W A DISTANCE OF 175.11 FEET ALONG SAID EAST LINE;
THENCE S 00°49'21" W A DISTANCE OF 100.00 FEET TO A POINT ON THE EAST LINE OF LOT3, BLOCK 1 OF THE SAID INDUSTRIAL BUSINESS PARK INTERNATIONAL P.U.D. AMENDED PLAT;
THENCE S 00°49'01" W A DISTANCE OF 564.16 FEET ALONG SAID EAST LINE;
THENCE CONTINUING ALONG SAID EAST LINE 86.67 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET, A DELTA ANGLE OF 124°09'00" AND A CHORD THAT BEARS S 62°53'31" W A DISTANCE OF 70.68 FEET TO A POINT ON THE BOUNDARY LINE OF THE SAID INDUSTRIAL BUSINESS PARK INTERNATIONAL P.U.D. AMENDED PLAT;
THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING 3 COURSES:
S 55°01'59" E A DISTANCE OF 137.05 FEET;
S 89°10'59" E A DISTANCE OF 84.49 FEET;
S 89°10'59" E A DISTANCE OF 545.55 FEET;
THENCE S 89°10'59" E A DISTANCE OF 140.00 FEET TO THE BOUNDARY OF THE AMENDED PLAT OF LOTS 11 AND 12, AMENDED PLAT OF ENVELOPE "A" INDUSTRIAL BUSINESS PARK INTERNATIONAL P.U.D. RECORDED AT RECEPTION NO. 19950040821 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG SAID BOUNDARY LINE 62.83 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET, A DELTA ANGLE OF 90° AND A CHORD THAT BEARS N 44°10'56" W A DISTANCE OF 56.57 FEET; THENCE N 00°49'04" E A DISTANCE OF 384.74 FEET CONTINUING ALONG SAID BOUNDARY LINE TO THE BOUNDARY LINE OF THE AMENDED PLAT OF ENVELOPE A INDUSTRIAL BUSINESS PARK INTERNATIONAL P.U.D. RECEPTION NO. 562057 (1984) OF THE LARIMER COUNTY RECORDS; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING 5 COURSES:
N 00°49'04" E A DISTANCE OF 90.47 FEET;
35.63 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 241.54 FEET, A DELTA ANGLE OF 8°27'09" AND A CHORD THAT BEARS N 05°02'39" E A DISTANCE OF 35.60 FEET;
91.74 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 105°07'55" AND A CHORD THAT BEARS N 61°50'10" E A DISTANCE OF 79.41 FEET;
S 65°35'52" E A DISTANCE OF 523.36 FEET;
111.98 FEET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 115.69 FEET, A DELTA ANGLE OF 55°27'28" AND A CHORD THAT BEARS S 37°52'08" E A DISTANCE OF 107.66 FEET; THENCE N 79°52'41" E A DISTANCE OF 60.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 1,081,947 SQ.FT. (24.838 ACRES) MORE OR LESS.

Section 2. The City Council hereby finds and determines that the annexation petition for the Heritage 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) A request that the annexing municipality approve the annexation of the area proposed to be annexed;
- (5) The signatures of such landowners;

- (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 Heritage 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.

Section 5. This Resolution supersedes Resolution 2024-136, which is hereby declared null and void and of no further effect.

Passed and adopted on January 7, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: January 7, 2025
Approving Attorney: Heather N. Jarvis