



## DEVELOPMENT SERVICES Current Planning

500 East Third Street, Suite 310 • Loveland, CO 80537  
(970) 962-2523 • Fax (970) 962-2945 • TDD (970) 962-2620  
[www.cityofloveland.org](http://www.cityofloveland.org)

### Planning Commission Staff Report

May 23, 2011

<b>Agenda #:</b>	# 1 - Regular Agenda
<b>Title:</b>	Motorplex Entry Addition
<b>Applicant:</b>	City of Loveland
<b>Request:</b>	annexation and zoning
<b>Legal Description:</b>	See Attachment 2
<b>Location:</b>	SE corner of Byrd Dr and Crossroads Blvd, extending along Crossroads Blvd and I-25 to the intersection of I-25 and CR # 30.
<b>Existing Zoning:</b>	unzoned/AP-Airport (LARCO)
<b>Staff Planner:</b>	Brian Burson

#### Summary of Analysis

This is a public hearing to consider an annexation and zoning for 80.93 acres. Planning Commission action on this application is both legislative and quasi-judicial. Planning Commission action is a recommendation to the City Council.

Staff believes that all key issues have been resolved, based on City codes, standards, policies, and the recommended terms of annexation. Due to the unique nature of the application, no neighborhood meeting was held. Since providing the public notice, two individuals have inquired and/or expressed concern to staff.

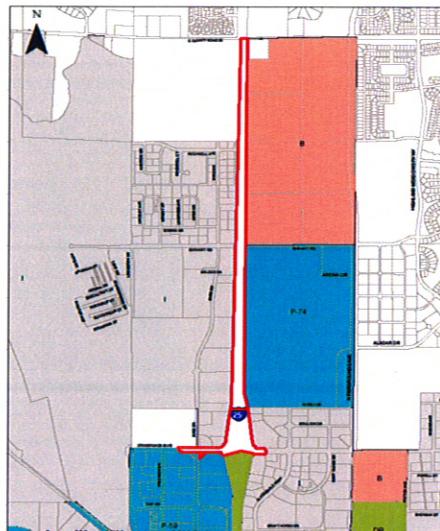
#### Staff Recommendation

**RECOMMENDATION OF APPROVAL** of the Motorplex Entry Addition, with a zoning of "Millennium Addition PUD (P#-8)" for the former Outlot B of the Myers Group Partnership # 949 2nd Subdivision and "DR-Developing Resources District" for the related rights-of-way, and subject to additional evidence presented at the public hearing.

#### Recommended Motion:

*"Move to make the findings listed in Section VI. of the staff report dated May 23, 2011, and recommend that City Council approve the Motorplex Entry Addition to the City of Loveland and zone Tract A of the Motorplex Entry Addition as "Millennium Addition PUD (P#-8)" and zone Tract B as "DR-Developing Resources District".*

#### Vicinity Map



## **I. PROJECT SUMMARY**

### **A. Process**

This is a public hearing to consider an annexation and zoning of a small parcel of property at the southeast corner of Crossroads Boulevard and Byrd Drive, along with the connecting rights-of-way for Crossroads Boulevard to the west; a short one-half section of Byrd Drive to the north; Crossroads Boulevard to the east, including the interchange with I-25; and I-25, extending northward to Larimer County Road # 30. Annexation of these rights-of-ways will assure that highway improvements made to the interchange of I-25 and Crossroads Boulevard can be made under the authority of the City of Loveland, and that they can be funded by the Centerra Metro District No. 1. It will also more clearly establish this interchange and connecting stretch of the I-25 corridor as part of the City's urbanizing area.

This annexation is a second step in the larger process to annex these rights-of-way. Since state statutes do not allow cities to annex only rights-of-way, it is necessary for the annexation to either begin, or end, with real property that is not dedicated right-of-way. In order to achieve this, the City has acquired ownership of Outlot B of the Myers Group Partnership #949 2nd Subdivision. This small parcel is landscaped open space at the southeast corner of Crossroads Boulevard and Bryd Drive, adjacent to the Co's BMW site. In order to use this parcel as the beginning point for the annexation, the City must first disconnect it from City limits. By subsequently re-annexing this parcel, it can then serve as the "anchor point" for the subsequent annexation of the connecting rights-of-way. Similar procedures have been employed for the Two Leaves Addition in 2005 and the Bentley Addition in 2008. City ownership of Outlot B, makes it easier to achieve this process in a timely manner that fully complies with state statute. The City Council action to disconnect Outlot B of the Myers Group Partnership # 949 2nd Subdivision was achieved on April 19, 2011 and May 3, 2011. At the time of the Planning Commission hearing for the annexation, the former Outlot B of the Myers Group Partnership # 949 2nd Subdivision will be legally disconnected from the City limits.

Since all the land to be annexed is either owned by the City or is existing public right-of-way, the neighborhood meeting was waived for this application. The primary purpose of the neighborhood meeting is to acquaint nearby property owners of proposed development, including the nature and extent of that development. This annexation will not change any of the uses or purposes of the land being annexed and will have no new impacts or effects on adjacent or nearby properties. The effect of annexation will be completely invisible to the awareness of neighborhood property owners. These same property owners have received written notice of the scheduled public hearings, and the City's offer to make all information available for their awareness.

The Planning Commission had no role in the disconnection process. Planning Commission's role will be to make a recommendation to the City Council for both the re-annexation/annexation and accompanying zoning. Since the action is only a recommendation, no appeal of the Planning Commission's action is possible. Under applicable state statutes, municipalities are under no obligation to annex property at any time; therefore, annexation is a legislative matter for the Planning Commission. However, when a municipality has adopted a comprehensive master

plan, the municipality is generally obligated to zone property in a manner that is reasonably consistent with that comprehensive plan. Therefore, consideration of the proposed zoning is a quasi-judicial matter for the Planning Commission.

#### B. General Description

Outlot B, Myers Group Partnership # 949 2nd Subdivision is located at the southeast corner of Crossroads Boulevard and Byrd Drive, adjacent to the Co's BMW site. Since the parcel has been disconnected from City limits, it can no longer be referred to as Outlot B of the Myers Group Partnership # 949 2nd Subdivision, and has been re-designated as Tract A of the annexation. The total land to be subsequently annexed consists of Tract A, consisting of the former Outlot B, Myers Group Partnership # 949 2nd Subdivision; and Tract B, consisting of all of the connecting rights-of-way of Crossroads Boulevard, Byrd Drive and I-25, extending to Larimer County Road #30. The total land area for the annexation/re-annexation will be 80.93 acres. The proposed zoning is based on existing and future purposes, as well as the adjacent uses and zoning currently in effect.

Tract A had previously been zoned as part of Millennium PUD, and upon re-annexation, will be rezoned again to that same zoning. This will assure ongoing compatibility and to re-establish the allowed uses and development standards that would apply. Most of the annexation is existing rights-of-way for Crossroads Boulevard, Byrd Drive and I-25. These rights-of-way will be zoned DR-Developing Resource District. The DR zone district has no uses by right, and the uses allowed by special review are typical of undeveloped agricultural land. It has often been used to originally annex and zone land when no proposed uses are known or foreseen. However the City has no specific zone for public rights of way, and this is the zoning normally assigned to rights-of-way when being annexed separately from any substantial amounts of adjacent land.

#### C. Neighborhood Response

The Municipal Code contains no requirement for a neighborhood meeting as part of an annexation and zoning application. Most annexation applications include a development or redevelopment proposal, making a neighborhood meeting appropriate as part of the City review. However, since this annexation does not include any development or redevelopment, and due to the unique nature of the application, no neighborhood meeting was held.

On May 5, 2011, letters of notice were mailed to all owners of property within 1,000 feet of the annexation boundary, and a public notice sign was posted at the southeast corner of Crossroads Drive and Byrd Drive at least 15 days prior to the date of the Planning Commission hearing. In addition, a public notice was published in the Reporter Herald on May 7, 2011. All notices indicated that the Planning Commission will hold a public hearing on May 23, 2011. These will allow property owners in the neighborhood to attend and offer testimony at the public hearing. Since establishment of the initial public notice, staff has received two calls for information by a neighborhood property owner; and, to date, no concern or opposition has been expressed to staff.

#### D. Key Issues

The action by the City to annex/re-annex land that was recently disconnected is allowed by state statutes. City staff has not identified any key issues.

#### II. ATTACHMENTS:

1. Vicinity Map
2. Legal description of proposed annexation
3. Sheet 2 of Myers Group Partnership # 949 2nd Subdivision (information purposes only)
4. Final site plan for Co's BMW (information purposes only)
5. Motorplex Entry Addition - annexation map

#### III. SITE DATA

ACREAGE OF SITE - GROSS .....	80.93 ACRES
ACREAGE OF SITE-NET .....	0.26 AC
ACREAGE OF RIGHT-OF-WAY .....	80.67 AC
EXISTING ZONING.....	NONE (LARCO)
PROPOSED ZONING .....	MILLENNIUM PUD & DR-DEVELOPING RESOURCES DISTRICT
MASTER PLAN DESIGNATION.....	CC-CORRIDOR COMMERCIAL & ROW
EXISTING USE.....	OPEN SPACE& ROW
PROPOSED USE .....	OPEN SPACE & ROW
ACREAGE OF OPEN SPACE PROPOSED.....	NA
EXISTING ADJACENT ZONING AND USE - NORTH .....	I-DEVELOPING INDUSTRIAL, AP-AIRPORT (LARCO)
EXISTING ADJACENT ZONING AND USE - EAST .....	MILLENNIUM PUD, LARIMER COUNTY FAIRGROUNDS PUD, I-DEVELOPING INDUSTRIAL, B-DEVELOPING BUSINESS
EXISTING ADJACENT ZONING AND USE - SOUTH.....	MILLENNIUM PUD, I-DEVELOPING INDUSTRIAL
EXISTING ADJACENT ZONING AND USE - WEST .....	MILLENNIUM PUD, I-DEVELOPING INDUSTRIAL, AP-AIRPORT (LARCO)
UTILITY SERVICE PROVIDER - SEWER.....	CITY OF LOVELAND
UTILITY SERVICE PROVIDER - ELECTRIC .....	CITY OF LOVELAND
UTILITY SERVICE PROVIDER - WATER.....	CITY OF LOVELAND
WATER RIGHTS PAID.....	NA

#### IV. BACKGROUND

10/7/86 - approval of Myer's Group Partnership # 949 Addition  
7/29/04 - approval of Myer's Group Partnership # 949 1st Subdivision  
2/7/05 - approval of Myer's Group Partnership # 949 2nd Subdivision  
6/13/06 - inclusion of Myer's Group Partnership # 949 in Millennium PUD

## V. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

- A. **Notification:** An affidavit was placed in the file by City staff certifying that on May 5, 2011 written notice was mailed to all record owners of surrounding property within 1,000 feet of the property; and a notice was posted in a prominent location on the perimeter of the project site. In addition, a notice was published in the Reporter Herald on May 7, 2011. All notices stated that the Planning Commission would hold a public hearing on May 23, 2011.
- B. **Neighborhood Response:** Due to the unique nature of this application, no neighborhood meeting was held. Since the mailing and posting of public notices, staff has received only two inquiries from neighborhood property owners; and, to date has received no concerns or objections from the neighborhood or general public concerning the application.

## VI. FINDINGS AND ANALYSIS

### A. *Annexation Policies and Eligibility*

- 1. *Loveland Comprehensive Master Plan, Section 4.2*
  - a. *Annexation ANX2.A:* Whether the annexation encourages a compact pattern of urban development.
  - b. *Annexation ANX2.B:* Whether the annexation would result in the creation of an enclave
  - c. *Annexation ANX5.B:* Whether the applicant has demonstrated that reasonable efforts have been made to assemble adjoining land parcels to allow for the preparation of a master plan for a larger area, rather than submit separate individual proposals.
  - d. *Annexation ANX1.C and 6:* Whether the annexation encourages infill development and ensures that land is immediately contiguous to other land in the City that is already receiving City services, discouraging leapfrog and scattered site development.
  - e. *Land Use Plan LU5:* Whether development of multi-use, high-quality employment districts, where campus-type settings are appropriate, will be located along appropriate transportation corridors such as I-25, US 34 and the south side of SH 402.
  - f. *Growth Management GM7:* Whether the land proposed for annexation is within the City of Loveland Growth Management Area.
  - g. *Regional Cooperation IGA3:* Whether urban development is concentrated in areas designated for such development.

**Current Planning:** This finding has limited application to this proposed annexation and zoning. All of the land to be annexed lies within the Growth Management Area of the City. Most of the land and rights-of-way to be annexed are adjacent to land already in the City and receiving urban level services. Tract A is not proposed for further development and will continue to be landscaped open space related to the adjacent existing land use. Annexation of the connecting rights-of-way will further identify that they are part of the urbanizing area of the City of Loveland.

2. ***Loveland Municipal Code, Section 17.04.020:*** *The annexation complies with the laws of the State of Colorado regarding annexation; and the property proposed for annexation is otherwise eligible to be annexed because there is at least one-sixth contiguity between the City and the area seeking annexation and there is no evidence that two or more of the following conditions have been met:*
  - a. Less than 50% of the adult residents of the area proposed to be annexed use some of the recreation, civic, social, religious, industrial or commercial facilities of the municipality and less than 25% of its adult residents are employed in the annexing municipality.*
  - b. One-half or more of the land proposed to be annexed is agricultural, and the landowners of such agricultural land have expressed an intention under oath to devote the land to agricultural use for at least five years.*
  - c. It is not physically practical to extend urban service which the municipality provides normally.*
  - d. The area proposed to be annexed is urban or will be urbanized in the near future and said area is able to be integrated with the City of Loveland.*
  - e. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, is divided into separate parts without the written consent of the landowners thereof unless such tracts or parcels are separated by a dedicated street, road or other public way.*
  - f. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising 20 acres or more and which, together with the buildings and improvements situated thereon has a valuation for assessment in excess of \$2000,000 for ad valorem tax purposes for the year next preceding the annexation, is included within the area proposed for annexation without the written consent of the landowner or landowners.*
  - g. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the area to be annexed.*
  - h. The annexation of the area proposed to be annexed will not result in the detachment of the area from any school district and the attachment of the same area to another school district.*
  - i. The annexation of the area proposed to be annexed would not have the effect of extending the boundary of the City of Loveland more than three miles in any direction from any point of such boundary in any one year.*
  - j. The annexation of the area proposed for annexation will not deny reasonable access to any landowner, owner of an easement or owner of a franchise adjoining a platted street or alley which is included in said area but which is not bounded on both sides by the City of Loveland.*

**Current Planning Division:** State statutes require that a minimum of 1/6th of the perimeter of land being annexed must be contiguous to land that is already within the City limits. The total perimeter of the land to be annexed is 27,035 feet. Of this perimeter, a total of 22,216 feet is contiguous to land already in the City. None of the land is available for residential purposes and

there are no residents of any of the property. The site is not agricultural, nor is there any indication from the owner that they intend to use it for agricultural uses in the next 5 years. There is no indication that it is not practical to provide urban level services to the site in the future. The only land that is not existing right-of-way is Tract A, and this is owned entirely by the City of Loveland. When the City wishes to annex land that it owns, there is no need for a petition. There is no indication that the land is being considered for annexation by any other jurisdiction. Annexation will not result in a change to the boundaries of any school district. Since the existing City limits are adjacent to the property, it will not extend the municipal boundary of Loveland by more than 3 miles in any direction. Annexation will not affect the access of any owner to any public street or alley.

#### ***B. City Utilities and Services***

- 1. Loveland Comprehensive Master Plan, Section 4.2***
  - a. Annexation ANX1.B: Whether the annexation minimizes the short and long term costs of providing community facilities and services for the benefit of the annexed area.***
  - b. Commercial and Industrial Land Use CLU1and ILU2: Whether the commercial or industrial development is located where proper sizing of facilities such as water, sewer, electric, communications and transportation has occurred or can be properly planned and implemented.***
- 2. Loveland Municipal Code***
  - a. Section 17.04.040:***
    - (i) Whether certain public facilities and/or community services are necessary and may be required as a part of the development of any territory annexed to the City in order that the public needs may be served by such facilities and services. Such facilities include, but are not limited to, parks and recreation areas, schools, police and fire station sites, and electric, water, wastewater and storm drainage facilities. Such services include, but are not limited to, fire and police protection, provision of water, and wastewater services.***
    - (ii) Whether the annexation and development pursuant to the proposed zoning will create any additional cost or burden on the existing residents of the City to provide such facilities and services in the area proposed for annexation.***
    - (iii) The annexation complies with the water rights requirements set forth in Title 19 of the Loveland Municipal Code.***

**Current Planning:** Since most of the land is existing right-of-way, the applicability of these findings is very limited. Tract A is landscaped open space, and as such is irrigated with treated water. No change is proposed as part of the re-annexation of the parcel.

**Fire:** Upon annexation the property will be served by Loveland Fire and Rescue and will be removed from the Loveland Rural Fire Protection District and no changes in service levels will be proposed.

**Water/Wastewater:** Only a portion of the subject annexation is situated within the City's current service area for both water and wastewater. Regarding water the affected service area is the southern half of Crossroads Boulevard to the centerline of Interstate Highway 25. Regarding

wastewater the affected service area is the southern half of Crossroads Boulevard. The Department finds that:

1. The annexation and zoning is consistent with the Department's Water and Wastewater master plan by being consistent with the 2005 Comprehensive Master Plan.
2. Public facilities are available to serve the development.

**Power:** An overhead 600 A. 3-phase power line is located on the west side of I-25 beginning approximately 1200 feet north of Crossroads Blvd. and continues north to Earhart Road. An underground 200 A. 3-phase power line is located on the east side of I-25, beginning on Crossroads Blvd. and continuing north approximately 4000 feet before it turns east into the Larimer County Fairgrounds. Power can be extended north to the south property line of the proposed annexation after the property has been successfully annexed to the City of Loveland.

Some of the proposed annexation currently lies within the Poudre Valley REA certified territory. Upon annexation to the City of Loveland, the City will provide electric service to the land, and will result in a five percent (5) surcharge on electrical energy as defined in 40-915-204, CRS, and the City of Loveland Municipal Code 13.12.180. This surcharge applies to any subsequent subdivisions of property annexed after January 31, 1987 within REA Certified service territory and expires ten years after effective date of the annexation proposed development currently lies within the Poudre Valley REA certified service territory.

**Stormwater:** Existing stormwater facilities are adequate to collect, detain, and release stormwater runoff in a manner that will eliminate off-site impacts.

#### **C. Transportation**

1. **Loveland Comprehensive Master Plan, Section 4.2**
  - Annexation ANX1.A:** Whether the annexation of land minimizes the length of vehicle trips generated by development of the land.
  - Commercial CLU1 and Industrial ILU1:** Whether the commercial or industrial development permitted in the PDP is located near transportation facilities that offer the required access to the development and does not exceed the desired capacity of a level of service C for the existing and future transportation network of the City.
2. **Loveland Municipal Code**
  - Section 17.04.040:** Whether all existing and proposed streets in the newly annexed property are, or will be, constructed in compliance with City street standards, unless the City determines that the existing streets will provide proper access during all seasons of the year to all lots and that curbs, gutters, sidewalks, bike lanes, and other structures in compliance with City standards are not necessary to protect public health, safety, and welfare.

**Transportation Engineering Division:** Annexing and zoning of property does not warrant compliance with the City's Adequate Community Facilities (ACF) ordinance. All future

development or land application would prompt the need for compliance with the City of Loveland 2030 Street Plan, the Larimer County Urban Area Street Standards and any updates to either in effect at the time of development application.

**D. Land Use**

**1. Loveland Comprehensive Master Plan, Sections 4.3 and 4.7**

*a. Land Use Plan: Whether the proposed zoning is consistent with the Loveland Comprehensive Master Plan Land Use Plan or a "major plan amendment" request is being processed concurrently with the annexation and zoning application.*

**Current Planning Division:** This finding is not applicable to this application.

*b. Community Design Objectives, Section 5.0: Whether the proposed zoning is consistent with the design elements set forth in the City of Loveland Community Design, including creating neighborhoods, ecological responsibility, streetscape, neighborhood aesthetics, pedestrian and bike ways, open spaces, historical preservation and maintenance.*

**Current Planning Division:** This finding is not applicable to this application.

**2. Loveland Municipal Code, Section 18.04.010**

*a. Whether the purposes set forth in Section 18.04.010 of the Loveland Municipal Code would be met if any of the uses permitted by right in the zone district were developed on the subject property.*

*b. Whether development of the subject property pursuant to any of the uses permitted by right under the zoning district would result in development that is compatible with existing land uses adjacent to and in close enough proximity to the subject property to be effected by development of it.*

**Current Planning Division** - The purposes set forth in Section 18.04.010 of the Loveland Municipal Code includes lessening of congestion on public streets, secure safety from fire and panic, and promoting general health and welfare. Bringing this ROW and interchange under City authority will give increased assurance that these will be fulfilled.

Tract A of the annexation had been previously annexed and zoned for the existing use and purpose. This use will not be altered by this action to re-annex and zone back to Millennium PUD.

**E. Environmental Impacts**

**1. Loveland Comprehensive Master Plan, Section 4.2**

*a. Annexation ANX3.A: Whether the annexation and PDP comply with the recommendations contained in the adopted Open Lands Plan and preserves open space or natural areas.*

*Annexation ANX3.B: Annexation will be allowed for the purpose of preserving or acquiring open space or natural areas.*

**Annexation ANX4.A and B:** If the planning staff and/or the City have determined that significant negative impacts on the environment may occur from development allowed under the PDP, an Environmental Impact Report, including a Wetlands Reconnaissance Report, has been prepared by a qualified specialist.

**Annexation ANX4.B:** Whether the annexation application includes a Phase I Environmental Report, prepared by a qualified specialist, ensuring that the land to be annexed does not contain hazardous or toxic substances that may pose a danger to the City or that reasonable mitigation measures can be taken in the event that such contamination exists.

**Annexation ANX4.D:** All development agreements must deal satisfactorily with any environmental impacts upon the property.

- b. **Residential RES9:** Applicable elements of the Open Space and Natural Areas Plan and Parks Master Plan shall be considered in evaluating residential development proposals. High value habitat that allows wildlife movements shall be protected and mitigation measures, such as buffer standards, shall be designated in areas such as the Big Thompson River Corridor, designated wetlands, and identified natural areas to offset or accommodate the impacts of development.

**Current Planning Division:** This finding is not applicable to this application.

**F. Fiscal Impacts, Section 4.2**

1. **Loveland Comprehensive Master Plan, Section 4.2 Annexation ANX1.F:** If required by the City, a cost/benefit analysis has been prepared detailing the economic impacts of the proposed development based upon a fiscal model acceptable to the City. City Council may make any appropriate findings as a result of said cost benefit analysis.

**Current Planning Division:** Applicability of this finding to this application is limited. No cost/benefit analysis was required for this application. The ability to have major highway/street improvements funded by the Centerra Metro District will be an economic benefit to the City.

**H. Miscellaneous**

1. **Loveland Comprehensive Master Plan, Section 4.2 Annexation ANX5:** The annexation is contingent upon a development agreement that clearly details the rights and obligations of the City and the land owner regarding the annexation and development of the land to be annexed.
2. **Loveland Municipal Code, Section 17.04.040.F:** Whether the annexation is in the best interest of the citizens of the City of Loveland.

**Current Planning Division:** This finding is not applicable to this application.

**I. Mineral Extraction**

**Colorado Revised Statutes:** The proposed location and the use of the land, and the conditions under which it will be developed, will not interfere with the present or

*future extraction of a commercial mineral deposit underlying the surface of the land, as defined by CRS 34-1-3021 (1) as amended.*

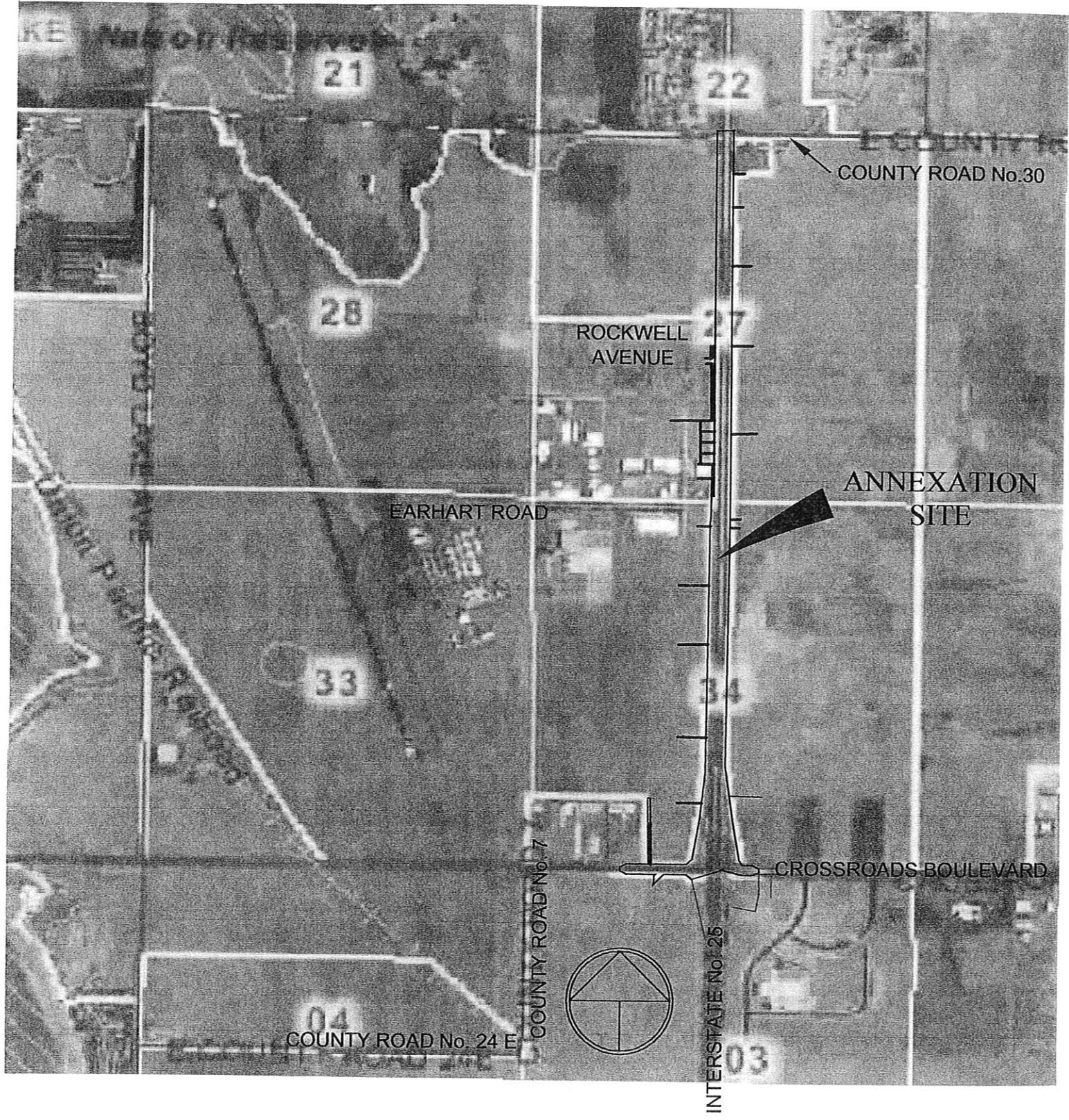
**Current Planning:** This finding is not applicable to this application.

## **VII. RECOMMENDED TERMS OF ANNEXATION**

City staff recommend the following term of annexation:

**Current Planning:**

1. Tract A shall be governed by all applicable provisions imposed or agreed to when originally annexed or subdivided by the City as part of Myers Group Partnership # 949 Addition and any pertinent subdivisions thereof; as well as by the Millennium Addition General Development Plan, as amended, and all applicable provisions of agreements pertaining thereto.



## VICINITY MAP

SCALE: 1" =  $\pm$  2,000'

ATTACHMENT 1





**NORTHERN  
ENGINEERING**

<b>ADDRESS:</b> 200 S. College Ave. Suite 100 Fort Collins, CO 80524	<b>PHONE:</b> 970.221.4158  <b>FAX:</b> 970.221.4159	<b>WEBSITE:</b> <a href="http://www.northernengineering.com">www.northernengineering.com</a>
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## **LEGAL DESCRIPTION**

A tract of land being a portion of Section 22, 34 and Section 27, Township 6 North, Range 68 West and a portion of Section 3, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the Center Section line of said Section 34 as bearing North 00°00'26" East and with all bearings contained herein relative thereto:

**BEGINNING** at the South Quarter corner of said Section 34; thence South 72°23'38" West, a distance of 469.20 feet to the West right-of-way line of Interstate 25; thence along said West right-of-way line, North 51°26'18" West, a distance of 108.50 feet to the South right-of-way line of Crossroads Boulevard; thence along said South right-of-way line, North 89°55'18" West, a distance of 337.12 feet to the East corner of Outlot B, Myers Group Partnership #949, 2nd Subdivision; thence along the South and West lot lines of said Outlot B the following 5 courses and distances: South 45°02'07" West, a distance of 218.27 feet; thence North 03°53'33" East, a distance of 70.36 feet; thence North 01°59'08" East, a distance of 4.03 feet; thence North 00°04'43" East, a distance of 60.22 feet; thence North 45°02'07" East, a distance of 28.26 feet to the South right-of-way line of Crossroads Boulevard; thence along said South right-of-way line, North 89°55'18" West, a distance of 433.44 feet; thence North 65°41'48" West, a distance of 109.70 feet; thence North 00°04'42" East, a distance of 60.00 feet to the North right-of-way line of Crossroads Boulevard; thence along said North right-of-way line the following 2 courses and distances: North 65°51'12" East, a distance of 109.70 feet; thence South 89°55'18" East, a distance of 326.73 feet to the West line of a right-of-way easement as described at Reception Number 2003-0098332, Larimer County Records; thence along said West and along the North and East lines of said right-of-way easement the following 3 courses and distances: North 00°37'47" West, a distance of 997.93 feet; thence South 89°55'19" East, a distance of 40.00 feet; thence South 00°37'47" East, a distance of 997.94 feet to the North right-of-way line of Crossroads Boulevard; thence along said North right-of-way line, South 89°55'19" East, a distance of 533.35 feet to the West right-of-way line of Interstate 25; thence along said West right-of-way line the following 8 courses and distances: North 46°51'41" East, a distance of 120.35 feet; thence North 10°04'11" East, a distance of 608.30 feet; thence North 06°53'11" East, a distance of 704.20 feet; thence North 00°36'41" East, a distance of 3,769.73 feet; thence North 06°55'12" East, a distance of 90.46 feet; thence North 00°00'03" West, a distance of 150.00 feet; thence North 01°23'34" East, a distance of 150.57 feet; thence North 89°26'16" East, a distance of 32.33 feet; thence North 00°00'03" West, a distance of 4,884.25 feet; thence, North 89°02'06" East, a distance of 250.65 feet to the East right-of-way line of Interstate 25; thence along said East right-of-way line the following 6 courses

and distances: South 00°00'59" East, a distance of 2,636.85 feet; thence South 00°00'48" East, a distance of 2,639.03 feet; thence South 00°35'54" West, a distance of 3,676.16 feet; thence South 08°09'08" East, a distance of 809.43 feet; thence South 09°46'48" East, a distance of 610.00 feet; thence South 34°30'18" East, a distance of 92.13 feet to the North right-of-way line of Crossroads Boulevard; thence along said North right-of-way line, South 89°55'18" East, a distance of 150.00 feet; thence South 65°41'31" East, a distance of 109.73 feet; thence South 00°04'41" West, a distance of 60.02 feet; thence South 65°51'11" West, a distance of 109.67 feet to the South right-of-way line of Crossroads Boulevard; thence along said South right-of-way line, North 89°55'19" West, a distance of 150.00 feet; thence North 76°38'29" West, a distance of 326.73 feet to the POINT OF BEGINNING.

The above described tract of land contains 80.934 acres, more or less and is subject to all easements and rights-of-way now on record or existing.

TOTAL PERIMETER TO ANNEX = 27,035 FEET

TOTAL BOUNDARY CONTIGUOUS TO CITY = 22,216 FEET

MINIMUM CONTIGUOUS PERIMETER FEET REQUIRED = 27,036/6.....4,506 FEET

February 28, 2011

LMS

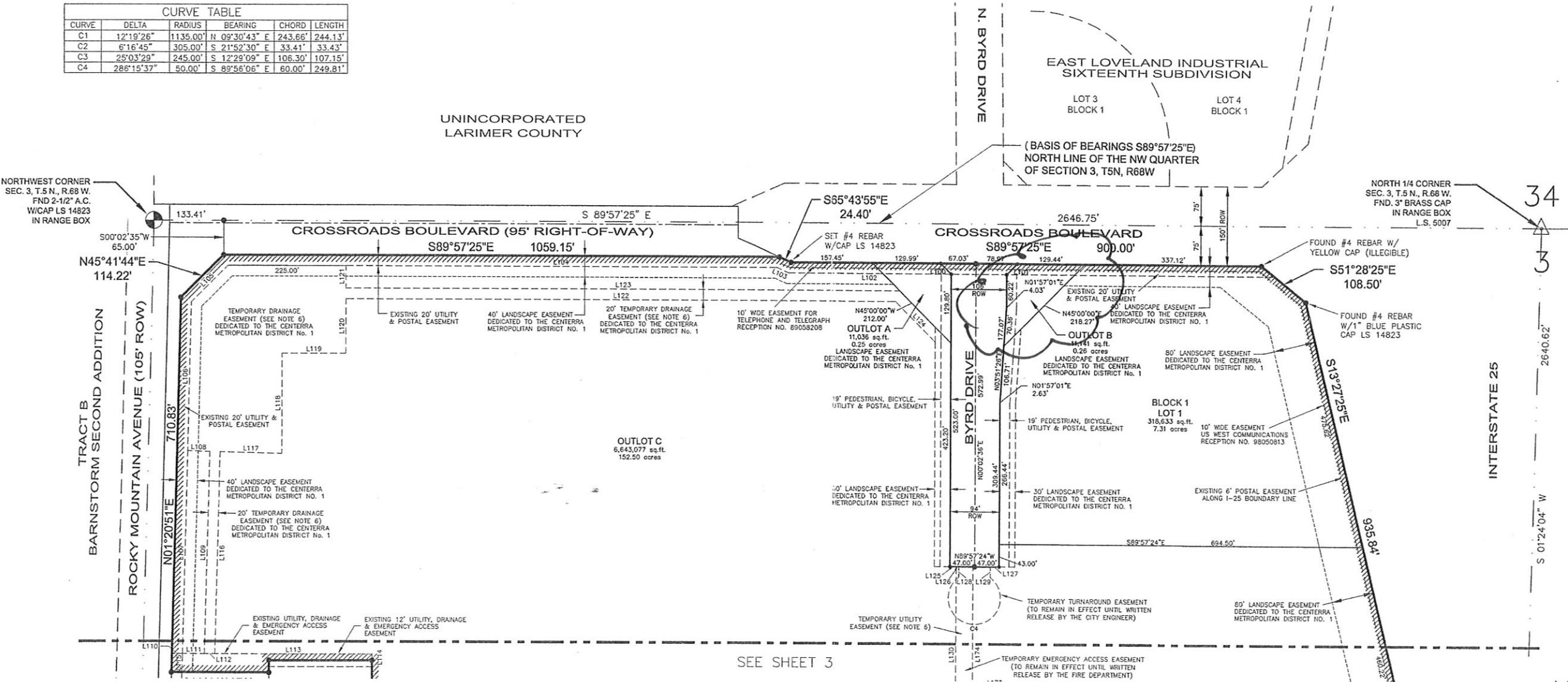
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MYERS GROUP PARTNERSHIP #949 SECOND SUBDIVISION  
BEING A SUBDIVISION OF OUTLOT B, MYERS GROUP PARTNERSHIP #949 FIRST SUBDIVISION  
CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO.

LINE TABLE								
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L100	28.31	N45°00'00"E	L125	12.00	S89°57'24"E	L150	46.50	N00°02'36"E
L101	28.26	N45°00'00"E	L126	5.00	S89°57'24"E	L151	320.55	S89°57'24"E
L102	311.76	S89°57'25"E	L127	17.00	S89°57'24"E	L152	66.50	N00°00'00"W
L103	24.40	S63°43'55"E	L128	19.99	S00°00'00"E	L153	10.00	S00°02'36"W
L104	821.71	S89°57'25"E	L129	20.01	S00°00'00"W	L154	20.51	S89°57'24"E
L105	97.92	N45°41'44"E	L130	239.89	N00°02'36"E	L155	44.50	N00°02'36"E
L106	283.00	N01°20'52"E	L131	48.50	S89°57'24"E	L156	299.99	S89°57'24"E
L107	384.14	N01°20'52"E	L132	20.00	N00°02'36"E	L157	44.50	S00°02'36"W
L108	42.00	N88°39'08"W	L133	48.50	N89°57'24"W	L158	32.00	S89°57'24"E
L109	383.18	N01°20'52"E	L134	129.62	N00°02'36"E	L159	44.50	N00°02'36"E
L110	20.01	S89°57'24"E	L135	48.50	S89°57'24"E	L160	233.53	S89°57'24"E
L111	42.01	S89°57'24"E	L136	20.00	N00°02'36"E	L161	23.01	S44°52'24"E
L112	20.01	S89°57'24"E	L137	48.50	N89°57'24"W	L162	154.49	N41°52'53"E
L113	300.21	S89°57'24"E	L138	219.88	N00°04'51"E	L163	116.17	S89°57'24"E
L114	12.00	S00°02'36"W	L139	13.36	S89°57'24"E	L164	20.00	N00°02'36"E
L115	35.06	N01°20'52"E	L140	20.00	N00°02'36"E	L165	110.63	S89°57'24"W
L116	382.73	S01°20'52"W	L141	13.50	N89°57'24"W	L166	85.50	N00°06'20"E
L117	118.00	N88°39'08"W	L142	210.50	S43°41'06"W	L167	86.65	S89°57'24"E
L118	190.47	S00°02'35"W	L143	151.32	S89°57'24"E	L168	20.00	N00°02'36"E
L119	121.51	N89°57'25"W	L144	22.75	S00°02'36"W	L169	86.63	S89°57'24"W
L120	103.00	S00°02'35"W	L145	20.00	S89°57'24"E	L170	228.01	N00°02'36"E
L121	42.00	S00°02'35"W	L146	22.75	N00°02'36"E	L171	86.50	S89°57'24"E
L122	1049.49	N89°57'25"W	L147	22.04	S89°57'24"E	L172	32.00	N00°02'36"E
L123	1057.77	S89°57'25"E	L148	46.50	S00°02'36"W	L173	86.50	S89°57'24"W
L124	107.73	N45°00'00"E	L149	20.00	S89°57'24"E	L174	227.89	N00°02'36"E

CURVE TABLE					
CURVE	DELTA	RADIUS	BEARING	CHORD	LENGTH
C1	12°19'26"	1135.00'	N 09°30'43" E	243.66'	244.13'
C2	6°16'45"	305.00'	S 21°52'30" E	33.41'	33.43'
C3	25°03'29"	245.00'	S 12°29'09" E	106.30'	107.15'
C4	286°15'37"	50.00'	S 89°56'06" E	60.00'	249.81'

UNINCORPORATED  
LARIMER COUNTY



SEE SHEET 3

---

**MYERS GROUP PARTNER**

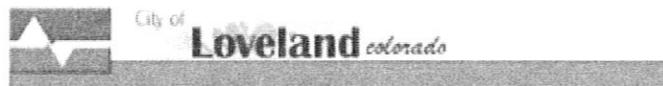
### ATTACHMENT 3

YERS GROUP PARTNERSHIP #949  
SECOND SUBDIVISION  
CITY OF LOVELAND, COLORADO

**NORTHERN  
ENGINEERING  
SERVICES, INC.**  
420 South Haven Street, Suite 222, Fort Collins, Colorado 80521  
Phone: (970) 221-4150, Fax: (970) 221-1159  
[www.northernenengineering.com](http://www.northernenengineering.com)

BDIVISION

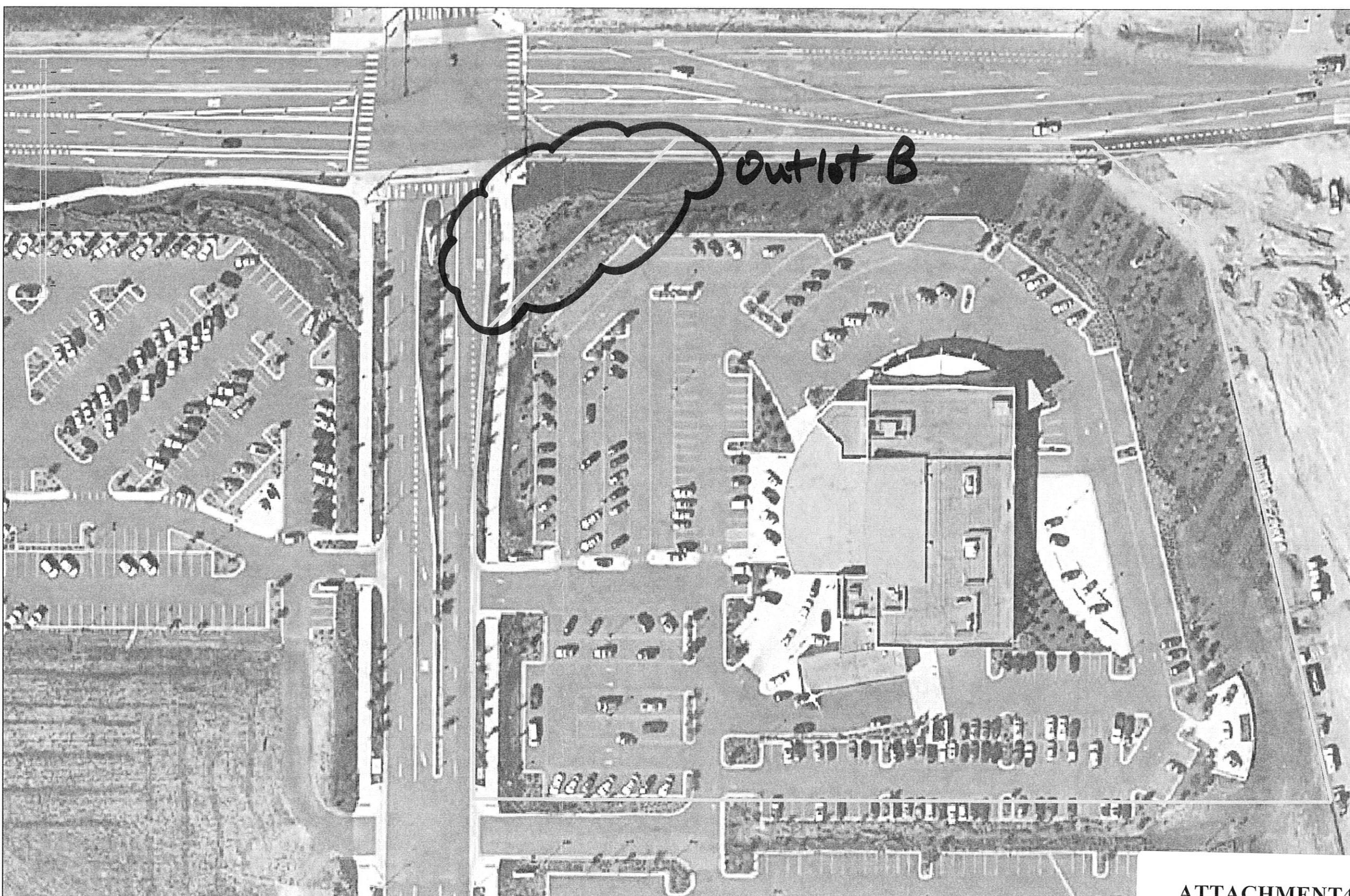
1/31/03  
DRAWN BY:  
. SMITH  
REVIEWED BY:  
G.D.G.  
SCALE:  
1" = 100'



## The Internal LOGIC System

**Find Address**[Click here for search tips](#)Street Number  
4150Street Name  
excluding N,S,E,W and AVE, DR, etc.  
BYRD

Use Auto Complete

 [City of Loveland, 2009](#)**ATTACHMENT4**

# MOTORPLEX ENTRY ADDITION

TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO BEING A PORTION OF SECTIONS 22, 27 AND 34, TOWNSHIP 6 NORTH, RANGE 68 WEST  
AND A PORTION OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6th PRINCIPAL MERIDIAN.

#### Mayor Certificate:

This map is approved by the City Council of the City of Loveland, Larimer County, Colorado  
by Ordinance No \_\_\_\_\_, passed on second reading on  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, for filing with the Clerk and Recorder of  
Larimer County.

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

#### Surveyor Certificate:

I, Gerald D. Gilliland, a registered Land Surveyor in the State of Colorado, do hereby certify that the annexation map shown herein is a reasonably accurate depiction of the parcel of land legally described herein and, to the extent described herein, is at least one sixth (1/6) of the peripheral boundary of said parcel is contiguous to the boundary of the City of Loveland, Colorado. The map was compiled using existing plats, deeds, legal descriptions, and other documents and is not based on a field survey nor should it be construed as a boundary survey.

Gerald D. Gilliland  
L.S. No. 14823

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of

\_\_\_\_\_, by Gerald D. Gilliland

Witness my hand and official seal

My commission expires \_\_\_\_\_

Notary Public

#### DESCRIPTION:

A tract of land being a portion of Section 22, 34 and Section 27, Township 6 North, Range 68 West and a portion of Section 3, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the Center Section line of said Section 34 as bearing North 09°00'26" East and with all bearings contained herein relative thereto:

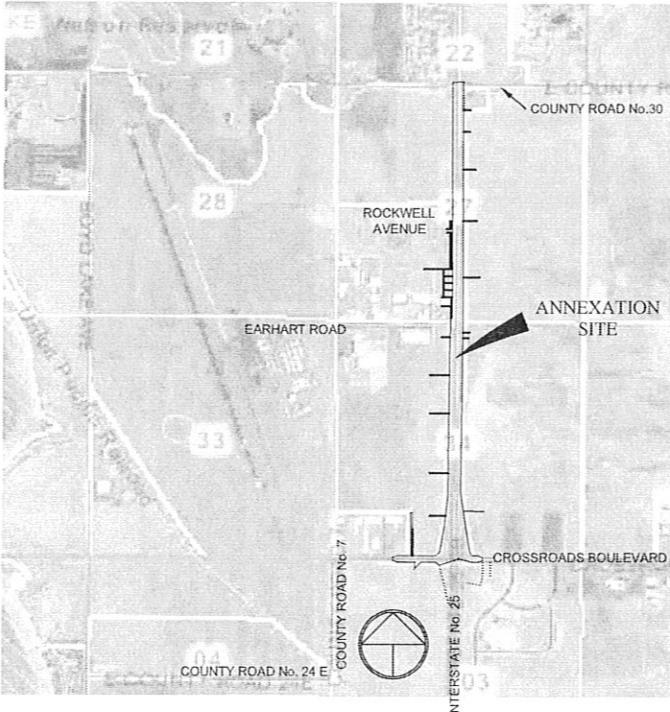
**BEGINNING** at the South Quarter corner of said Section 34; thence South 72°23'38" West, a distance of 469.20 feet to the West right-of-way line of Interstate 25; thence along said West right-of-way line, North 51°26'18" West, a distance of 108.50 feet to the South right-of-way line of Crossroads Boulevard; thence along said South right-of-way line, North 89°35'18" West, a distance of 337.12 feet to the East corner of Outlot B, Myers Group Partnership #949, 2nd Subdivision; thence along the South and West lot lines of said Outlot B the following 5 courses and distances: South 45°02'07" West, a distance of 218.27 feet; thence North 03°53'33" East, a distance of 70.36 feet; thence North 01°59'08" East, a distance of 4.03 feet; thence North 00°44'43" East, a distance of 60.22 feet; thence North 45°02'07" East, a distance of 28.26 feet to the South right-of-way line of Crossroads Boulevard; thence along said South right-of-way line, North 89°55'18" West, a distance of 433.44 feet; thence North 65°41'48" West, a distance of 109.70 feet; thence North 00°04'42" East, a distance of 60.00 feet to the North right-of-way line of Crossroads Boulevard; thence along said North right-of-way line the following 2 courses and distances: North 65°51'12" East, a distance of 109.70 feet; thence South 89°55'18" East, a distance of 326.73 feet to the West line of a right-of-way easement as described at Reception Number 2003-0098332, Larimer County Records; thence along said West and along the North and East lines of said right-of-way easement the following 3 courses and distances: North 00°37'47" West, a distance of 997.93 feet; thence South 00°37'47" East, a distance of 40.00 feet; thence South 00°37'47" East, a distance of 997.94 feet to the North right-of-way line of Crossroads Boulevard; thence along said North right-of-way line, South 89°55'19" East, a distance of 533.35 feet to the West right-of-way line of Interstate 25; thence along said West right-of-way line the following 8 courses and distances: North 46°51'41" East, a distance of 120.35 feet; thence North 10°04'11" East, a distance of 608.30 feet; thence North 06°53'11" East, a distance of 704.20 feet; thence North 00°36'41" East, a distance of 3,769.73 feet; thence North 06°55'12" East, a distance of 90.46 feet; thence North 00°00'03" West, a distance of 150.00 feet; thence North 01°23'34" East, a distance of 150.57 feet; thence North 89°26'16" East, a distance of 32.33 feet; thence North 00°00'03" West, a distance of 4,884.25 feet; thence North 89°26'06" East, a distance of 250.65 feet to the East right-of-way line of Interstate 25; thence along said East right-of-way line the following 6 courses and distances: South 00°00'59" East, a distance of 2,636.85 feet; thence South 00°00'48" East, a distance of 2,639.03 feet; thence South 00°35'54" West, a distance of 3,676.16 feet; thence South 08°09'08" East, a distance of 809.43 feet; thence South 09°46'48" East, a distance of 610.00 feet; thence South 34°30'18" East, a distance of 92.13 feet to the North right-of-way line of Crossroads Boulevard; thence along said North right-of-way line, South 89°55'18" East, a distance of 150.00 feet; thence South 65°41'31" East, a distance of 109.73 feet; thence South 00°04'41" West, a distance of 60.02 feet; thence South 65°51'11" West, a distance of 109.67 feet to the South right-of-way line of Crossroads Boulevard; thence along said South right-of-way line, North 89°55'19" West, a distance of 150.00 feet; thence North 76°38'29" West, a distance of 326.73 feet to the **POINT OF BEGINNING**.

The above described tract of land contains 80.934 acres, more or less and is subject to all easements and rights-of-way now on record or existing.

TOTAL PERIMETER TO ANNEX = 27,035 FEET

TOTAL BOUNDARY CONTIGUOUS TO CITY = 22,216 FEET

MINIMUM CONTIGUOUS PERIMETER FEET REQUIRED = 27,036.45,4,506 FEET



#### VICINITY MAP

SCALE: 1" = ± 2,000'

MOTORPLEX ENTRY ADDITION  
THE CITY OF LOVELAND  
LARIMER COUNTY, COLORADO

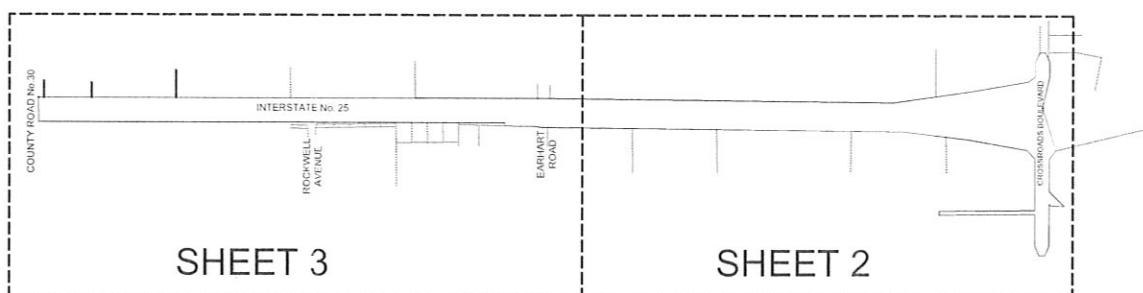
NOTICE:  
According to Colorado law you must commence any legal action based upon and discover such  
upon and defect in this survey within three years after you discover such  
defect. In no event may any action based upon and defect in this survey  
be commenced more than ten years after the date of the certificate shown  
herein.

SECTION: 3, 22, 27 & 34  
TOWNSHIP: SN & BN  
RANGE: 68 W of the 6th Pd

NORTHERN  
ENGINEERING  
NE

200 South College Avenue, Suite 100  
Fort Collins, Colorado 80524  
PHONE: 970-221-4158 FAX: 970-221-4159  
www.northernengineering.com

#### KEY MAP



ATTACHMENT 5

# MOTORPLEX ENTRY ADDITION

TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO BEING A PORTION OF SECTIONS 22, 27 AND 34, TOWNSHIP 6 NORTH, RANGE 68 WEST AND A PORTION OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6th PRINCIPAL MERIDIAN.

NOTICE:  
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey ever be commenced more than ten years after the date of the certificate shown herein.

SECTION: 3, 22, 27 & 34  
TOWNSHIP: 5N & BN  
RANGE: 68 W of the 6th Pd

**NORTHERN ENGINEERING**  
PHONE: 970-221-4158 FAX: 970-221-2459  
www.northernengineering.com

**NE**  
200 East College Avenue, Loveland, CO 80538  
For Curtis, Gifford, Gilliland

**MYERS GROUP PARTNERSHIP #949 ADDITION**  
TO THE CITY OF LOVELAND  
LARIMER COUNTY, COLORADO

Sheet 2  
Of 3 Sheets

## SECTION 34-6-68

### EAST LOVELAND INDUSTRIAL ADDITION

#### EAST LOVELAND INDUSTRIAL FOURTEENTH SUBDIVISION

LOT 1  
BLOCK 1

OWNER: COUNTY OF LARIMER

3676.16'

S00°35'54"W

TRACT B

INTERSTATE HIGHWAY No. 25

BASIS OF BEARINGS IS THE CENTER SECTION LINE OF SECTION 34-6-68  
AS BEARING N 00°00'26" E 5227.86'

809 43'

S08°09'08"E

704 20'

N06°53'11"E

704 30'

N10°04'11"E

608 30'

N48°51'41"E

120 35'

533 35'

S09°56'19"E

997 94'

S00°37'47"E

997 93'

N00°37'47"W

997 92'

S09°56'19"W

433 44'

S09°55'16"E

2446 75'

N00°42'07"W

218 27'

N00°42'07"E

60 00'

N65°51'12"E

109 70'

N00°44'40"E

109 70'

N45°02'07"E

60 00'

N65°41'48"W

109 70'

MYERS GROUP  
PARTNERSHIP #949  
3RD SUBDIVISION

BLOCK 2  
LOT 4

OUTLOT A, 2ND SUB

TRACT A

BYRD DRIVE

TRACT B

S09°56'19"E

326 73'

S09°55'16"E

433 44'

S09°55'16"E

2446 75'

N00°42'07"W

218 27'

N00°42'07"E

60 00'

N65°51'12"E

109 70'

N00°44'40"E

109 70'

N45°02'07"E

60 00'

N65°41'48"W

109 70'

MYERS GROUP  
PARTNERSHIP #949  
3RD SUBDIVISION

BLOCK 2  
LOT 4

OUTLOT A, 2ND SUB

TRACT A

BYRD DRIVE

TRACT B

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MYERS GROUP  
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MYERS GROUP  
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TRACT A

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218 27'

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109 70'

N00°44'40"E

109 70'

N45°02'07"E

60 00'

N65°41'48"W

109 70'

MYERS GROUP  
PARTNERSHIP #949  
3RD SUBDIVISION

BLOCK 2  
LOT 4

OUTLOT A, 2ND SUB

TRACT A

BYRD DRIVE

TRACT B

S09°56'19"E

326 73'

S09°55'16"E

433 44'

S09°55'16"E

2446 75'

N00°42'07"W

218 27'

N00°42'07"E

60 00'

N65°51'12"E

109 70'

N00°44'40"E

109 70'

N45°02'07"E

60 00'

N65°41'48"W

109 70'

MYERS GROUP  
PARTNERSHIP #949  
3RD SUBDIVISION

