

ORDINANCE 2009-09

AN ORDINANCE ANNEXING TO THE CITY OF FRUITA EXISTING PUBLIC RIGHT-OF-WAY FOR 15 ROAD SOUTH OF HIGHWAY 6 & 50

WHEREAS, the Fruita City Council finds that it is necessary to annex certain real property contiguous to the City of Fruita in order to:

1. Promote the public health, safety, and welfare of the community; and,
2. Insure efficient provision of municipal services and fair and equitable distribution of cost amongst those who use services provided by the community; and,
3. Provide for orderly growth of the community; and,

WHEREAS, the City Council adopted Resolution 2009-20 finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 & 105 stating their intent to annex same and initiating the annexation procedures:

THE CITY OF FRUITA HEREBY ORDAINS THAT:

The Fruita City Council hereby annexes the property as described and shown in Exhibit A attached hereto, and the Fruita City limits are hereby modified to reflect said annexation.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
15TH DAY OF September 2009.**

City of Fruita

H. Kenneth Henry, Mayor

ATTEST:

City Clerk

**ORDINANCE 2009-09
EXHIBIT A
LEGAL DESCRIPTION
CITY OF FRUITA
15 ROAD RIGHT OF WAY ANNEXATION**

A tract of land situate in the East Quarter of Section 11, Township 1 North, Range 3 West, of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the Northeast Corner of said Section 11 from whence the East Quarter Corner of said Section 11 bears $S0^{\circ}01'59''W$ a distance of 2629.18 feet; thence along the East line of said Section 11 $S0^{\circ}01'59''W$ a distance of 872.43 feet to a point on the Southern right of way line for the Union Pacific Railroad and the Point of Beginning; thence continuing along the East line of said Section 11 $S0^{\circ}01'59''W$ a distance of 119.83 feet to the Northeast corner of the road right of way dedicated for 15 Road by the Wesfrac Subdivision as recorded in Plat Book 18 at Page 192 of the Mesa County Clerk and Recorder's Office; thence $S0^{\circ}01'59''W$ a distance of 1636.79 feet to the East Quarter Corner of said Section 11; thence $S0^{\circ}01'59''W$ a distance of 2046.06 feet to the Southeast corner of 15 Road right of way dedicated by said Wesfrac Subdivision; thence $N47^{\circ}03'05''W$ a distance of 35.50 feet; thence $N0^{\circ}01'59''E$ a distance of 3675.84 feet to a point on the Southerly right of way for 15 Road as recorded in Book 959 at Page 474 of the Mesa County Clerk and Recorder's Office; thence along said Southern right of way $N56^{\circ}32'01''W$ a distance of 134.86 feet; thence along the Westerly right of way $N33^{\circ}27'59''E$ a distance of 100.00 feet to a point on the Southern right of way for said Union Pacific Railroad; thence along said Southern right of way $S56^{\circ}32'01''E$ a distance of 100.00 feet to the POINT OF BEGINNING.

Said tract of land contains 2.5 acres as described.

Above legal description written by:
Patrick W. Click
Colorado registered Professional Surveyor No. 37904
695 36 Road
Palisade, Colorado 81526

EXHIBIT A
CONTINUED

