

**ORDINANCE 2009-17**

**AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY 10.9 ACRES OF  
PROPERTY LOCATED NORTH OF THE COLORADO RIVER AND WEST OF THE 15 ROAD  
ALIGNMENT  
(PARCEL 3- WASTEWATER TREATMENT FACILITY)**

**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 2009-22 finding that the real property described and shown on Exhibit A and B 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:**

**Section 1:** The Fruita City Council, having reviewed a properly constituted petition of all the owners of real property in the area proposed for annexation, hereby annexes the property as described and shown in Exhibit A and B attached hereto, and the Fruita City limits are hereby modified to reflect said annexation.

**Section 2:** Conditions of said annexation include:

Zoning of said property shall be established by future public hearing which will be held within ninety days (90) of the effective day of this ordinance.

**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 2009-17**  
**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**CITY OF FRUITA**  
**WASTEWATER TREATMENT FACILITY PROPERTY ANNEXATION**

**WWTF PARCEL 3 ANNEXATION LEGAL DESCRIPTION AND STATISTICS**

BEING a parcel of land located in Section 11, Township 1 North, Range 3 West of the Ute Meridian, and being more particularly described as follows:

Commencing at the East Quarter corner of said Section 11, whence the Northeast corner of said Section 11 bears North 00 degrees 07 minutes 00 seconds West, a distance of 2629.24 feet, for a basis of bearings, with all bearings contained herein relative thereto;

thence South 00 degrees 07 minutes 00 Seconds East, a distance of 1307.50 feet to the 25' Witness Corner for the S1/16<sup>th</sup> corner of said Section 11;

thence North 26 degrees 40 minutes 25 seconds West, a distance of 66.97 feet;

thence South 44 degrees 02 minutes 01 seconds West, for a distance of 564.53 feet;

thence North 61 degrees 31 minutes 53 seconds West, for a distance to 541.72 feet;

thence North 85 degrees 19 minutes 06 seconds West, for a distance of 615.61 feet;

thence North 30 degrees 31 minutes 37 seconds East, for a distance of 1016.563 feet;

thence South 63 degrees 16 minutes 05 seconds West, for a distance of 1724.88 feet to the point of beginning;

thence North 83 degrees 03 minutes 01 seconds West, for a distance of 368.94 feet;

thence North 63 degrees 05 minutes 21 seconds West, for a distance of 1111.042 feet,

thence South 42 degrees 16 minutes 06 seconds East, for a distance of 1717.871 feet,

thence North 15 degrees 33 minutes 34 seconds East, for a distance of 751.262 feet to the point of beginning.

Said described area statistics:

Area: 476234.15 Sq. Ft.

Perimeter: 3949.12 feet

Contiguity with City Boundary: 751.26 feet

ORDINANCE 2009-17  
EXHIBIT B

