

ORDINANCE 2009-21

AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY 5.6 ACRES OF PROPERTY LOCATED NORTH OF THE COLORADO RIVER AND WEST OF THE 15 ROAD ALIGNMENT (PARCEL 5- 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 2009-21
EXHIBIT A**

**LEGAL DESCRIPTION
CITY OF FRUITA
WASTEWATER TREATMENT FACILITY PROPERTY ANNEXATION**

WWTF PARCEL 5 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 S1/16th 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 South 69 degrees 33 minutes 17 seconds West, for a distance of 1015.56 feet;

thence South 45 degrees 30 minutes 57 seconds West, for a distance of 384.19 feet;

Thence North 42 degrees 16 minutes 06 seconds West, for a distance of 1717.871 feet;

Thence North 63 degrees 05 minutes 21 seconds West, for a distance of 370.347 feet;

Thence North 57 degrees 47 minutes 49 seconds West, for a distance of 977.71 feet;

Thence North 63 degrees 51 minutes 48 seconds West, for a distance of 484.33 feet;

Thence North 31 degrees 42 minutes 25 seconds West, for a distance of 203.83 feet;

Thence North 20 degrees 12 minutes 02 seconds West, for a distance of 434.73 feet to the point of beginning.

Thence North 41 degrees 40 minutes 17 seconds West, for a distance of 148.14 feet;

Thence North 48 degrees 11 minutes 15 seconds West, for a distance of 859.15 feet;

Thence North 11 degrees 48 minutes 58 seconds East, for a distance of 270.91 feet;

Thence North 32 degrees 55 minutes 25 seconds West, for a distance of 264.97 feet;

Thence South 89 degrees 09 minutes 42 seconds West, for a distance of 22.71 feet;

Thence South 00 degrees 50 minutes 33 seconds East, for a distance of 644.86 feet;

Thence along a curve to the right, having a delta angle of 01 degrees 52 minutes 51 seconds, a radius of 3969.70 feet, an arc length of 130.31 feet, a chord length of 130.30 feet, and a chord bearing of South 44 degrees 10 minutes 50 seconds East;

Thence South 32 degrees 26 minutes 20 seconds East, for a distance of 309.30 feet;

Thence South 73 degrees 38 minutes 18 seconds East, for a distance of 608.538 feet to the point of beginning.

Said described area statistics:

Area: 241905.36 Sq. Ft.

Perimeter: 3258.88 feet

Contiguity with City Boundary: 608.537 feet

**ORDINANCE 2009-21
EXHIBIT B**

