

ORDINANCE 2018-03

AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY 40 FOOT WIDE RIGHT-OF-WAY LOCATED NORTH OF J ROAD ALONG THE 18 ¾ ROAD ALIGNMENT

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;
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 2017-49 finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 and 105, stating their intent to annex same and initiating the annexation procedures.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

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 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
_____ DAY OF _____, 2018.**

ATTEST:

City of Fruita

City Clerk

Lori Buck, Mayor

Exhibit A to Ordinance #2018-01



LEGAL DESCRIPTION:

That real property situated in Southwest Quarter of the Southeast Quarter of (SW $\frac{1}{4}$ SE $\frac{1}{4}$) Section 16, Township 1 North, Range 2 West, Ute Meridian, County of Mesa, State of Colorado. Said property being more particularly described as follows:

That right-of-way as shown on the plat of Frank D. Kiefer's Orchard Subdivision to the Town of Cleveland, County of Mesa, State of Colorado, as described in Reception 10399, and further described as follows:

Commencing at the Southeast corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16 whence the Southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ bears North 89°53'08" West, a distance of 1320.48 feet, with all bearings contained herein relative thereto; thence North 89°53'08" West, a distance of 20.00 feet; thence North 00°02'37" West, a distance of 30.00 feet to the POINT OF BEGINNING at the Southeast corner of Lot 3, said Frank D. Kiefer's Orchard Subdivision; thence North 00°02'37" West, a distance of 629.87 feet, along the East line of said Lot 3; thence South 89°53'27" East, a distance of 42.00 feet, to the East line of that 42.00 foot wide for Rich Road, as shown on the said plat of Frank D. Kiefer's Orchard Subdivision and the additional 2.00 foot right-of-way as dedicated on the Fruita Homefront Subdivision, as described on plat recorded in Reception 2249075, Mesa County records; thence South 00°02'37" East, a distance of 629.87 feet, along said East line of said 42.00 foot wide right-of-way; thence North 89°53'08" West, a distance of 42.00 feet to the POINT OF BEGINNING.

Said parcel containing an area of 0.61 Acres, as herein described.