

ORDINANCE 2009-11

**AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY 7.37 ACRES OF
PROPERTY LOCATED WEST OF 15 ROAD BETWEEN HIGHWAY 6 & 50 AND THE COLORADO
RIVER
(WESTERN SLOPE INDUSTRIAL AND RAIL ANNEXATION – EAST SIDE)**

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 2009-21 finding that the real property described and shown on Exhibits 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 Exhibits 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 2009-11
EXHIBIT A
LEGAL DESCRIPTION
WESTERN SLOPE INDUSTRIAL AND RAIL PROPERTY ANNEXATION
EAST SIDE**

A tract of land situate in Section 11, Township 1 North, Range 3 West of the Ute Meridian, more particularly described as:

Commencing at the Northeast corner of said Section 11, Township 1 North, Range 3 West of the Ute Meridian, whence the E $\frac{1}{4}$ corner of said Section 11 bears South $00^{\circ}01'59''$ West, a distance of 2629.08 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence along the East line of said Section 11 South $00^{\circ}01'59''$ West, a distance of 1923.12 feet; thence $N89^{\circ}58'05''W$ a distance of 26.00 feet to a point on the East Line of Lot Wesfrac Subdivision Plat Book 18 at Page 192 of the Mesa County Clerk and Recorder's Office and the POINT OF BEGINNING; thence $S00^{\circ}01'59''W$ a distance of 2727.79 feet; thence $N47^{\circ}03'08''W$ a distance of 542.24 feet; thence $N44^{\circ}10'57''E$ a distance of 564.40 feet; thence $N00^{\circ}01'59''E$ a distance of 611.44 feet; thence $S89^{\circ}59'13''W$ a distance of 363.23 feet; thence $N00^{\circ}01'59''E$ a distance of

375.17 feet; thence $N71^{\circ}08'19''E$ a distance of 383.97 feet; thence $N00^{\circ}01'56''E$ a distance of 842.93 feet; thence $N89^{\circ}52'25''E$ a distance of 3.97 feet to the POINT OF BEGINNING.

Said tract of land contains 7.37 acres as described.

Above legal description written by:
Patrick W. Click
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ORDINANCE 2009-11
EXHIBIT B

