

ORDINANCE 2009- 13

**AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY 22.2 ACRES OF
PROPERTY LOCATED NORTH OF THE COLORADO RIVER AND WEST OF THE 15 ROAD
ALIGNMENT
(PARCEL 1- 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 2009-13
EXHIBIT A
LEGAL DESCRIPTION
CITY OF FRUITA
WASTEWATER TREATMENT FACILITY PROPERTY ANNEXATION**

WWTF PARCEL 1 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 to the Point of Beginning;

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 North 27 degrees 36 minutes 51 seconds East, for a distance of 103.16 feet;
thence South 63 degrees 21 minutes 00 seconds East, for a distance of 409.62 feet;
thence South 26 degrees 39 minutes 00 seconds West, for a distance of 205.95 feet; thence South 49 degrees 39 minutes 35 seconds East, for a distance of 269.34 feet;
thence South 79 degrees 33 minutes 50 seconds East, for a distance of 210.77 feet;
thence North 63 degrees 07 minutes 35 seconds East, for a distance of 80.27 feet;
thence North 46 degrees 12 seconds 45 minutes East, for a distance of 94.86 feet;
thence North 28 degrees 16 minutes 07 seconds East, for a distance of 115.12 feet;
thence North 16 degrees 46 minutes 33 seconds East, for a distance of 124.17 feet;
thence South 00 degrees 07 minutes 00 seconds East, for a distance of 611.55 feet, to the point of beginning.

Said described area statistics:

Area: 971567.39 Sq. Ft.

Perimeter: 4963.23 feet

Contiguity with City Boundary: 1176.08 feet

ORDINANCE 2009-13
EXHIBIT B

