

**ORDINANCE 2009-14**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF FRUITA AND ZONING NEWLY ANNEXED PROPERTY THEREIN TO COMMUNITY SERVICES AND RECREATION FOR THE WASTEWATER TREATMENT FACILITY PROPERTY (PARCEL 1)**

**WHEREAS**, the property to be zoned has been recently annexed to the City of Fruita by Ordinance 2009-13, and

**WHEREAS**, newly annexed property must be zoned, and

**WHEREAS**, the City of Fruita submitted an application for annexation of property on January 29, 2009, with a request for a Community Services and Recreation zone, and

**WHEREAS**, the property is presently zoned Agriculture Forestry Transitional (AFT) in Mesa County and the Fruita Master Plan supports Community Services and Recreation (CSR) zoning for the property.

**THE CITY OF FRUITA HEREBY ORDAINS:**

**Section 1:** The Official Zoning Map for the City of Fruita, adopted pursuant to the Land Use Code, is hereby amended and the real property described and shown on the attached Exhibit A and B, containing approximately 22.2 acres is hereby given Community Services and Recreation zoning designation.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
THIS 15<sup>TH</sup> DAY OF SEPTEMBER, 2009**

City of Fruita

\_\_\_\_\_  
H. Kenneth Henry, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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**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 S1/16<sup>th</sup> 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

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EXHIBIT B

