

ORDINANCE 2009-18

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 3)

WHEREAS, the property to be zoned has been recently annexed to the City of Fruita by Ordinance 2009-17, 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 10.9 acres is hereby given Community Services and Recreation zoning designation.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 15TH 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 3 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 North 30 degrees 31 minutes 37 seconds East, for a distance of 1016.563 feet;
thence South 63 degrees 16 minutes 05 seconds West, for a distance of 1724.88 feet to the point of beginning;

thence North 83 degrees 03 minutes 01 seconds West, for a distance of 368.94 feet;
thence North 63 degrees 05 minutes 21 seconds West, for a distance of 1111.042 feet,
thence South 42 degrees 16 minutes 06 seconds East, for a distance of 1717.871 feet,
thence North 15 degrees 33 minutes 34 seconds East, for a distance of 751.262 feet to the point of beginning.

Said described area statistics:

Area: 476234.15 Sq. Ft.

Perimeter: 3949.12 feet

Contiguity with City Boundary: 751.26 feet

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EXHIBIT B