

ORDINANCE 2009-19

**AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY 28.5 ACRES OF
PROPERTY LOCATED NORTH OF THE COLORADO RIVER AND WEST OF THE 15 ROAD
ALIGNMENT
(PARCEL 4- 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 2009-19
EXHIBIT A
LEGAL DESCRIPTION
CITY OF FRUITA
WASTEWATER TREATMENT FACILITY PROPERTY ANNEXATION

WWTF PARCEL 4 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 South 69 degrees 33 minutes 17 seconds West, for a distance of 1015.56 feet;

thence South 45 degrees 30 minutes 57 seconds West, for a distance of 384.19 feet to the point of beginning.

Thence North 42 degrees 16 minutes 06 seconds West, for a distance of 1717.871 feet;

Thence North 63 degrees 05 minutes 21 seconds West, for a distance of 370.347 feet;

Thence North 57 degrees 47 minutes 49 seconds West, for a distance of 977.71 feet;

Thence North 63 degrees 51 minutes 48 seconds West, for a distance of 484.33 feet;

Thence North 31 degrees 42 minutes 25 seconds West, for a distance of 203.83 feet;

Thence North 20 degrees 12 minutes 02 seconds West, for a distance of 434.73 feet;

Thence North 73 degrees 38 minutes 18 seconds West, for a distance of 608.538 feet;

Thence South 40 degrees 59 minutes 10 seconds East, for a distance of 400.50 feet;

Thence along a curve to the left, having a delta angle of 21 degrees 29 minutes 41 seconds, a radius of 11359.20 feet, an arc length of 4261.46 feet, a chord length of 4236.51 feet, and a chord bearing of South 51 degrees 44 minutes 01 seconds East, to the point of beginning.

Said described area statistics:

Area: 1241048.53 Sq. Ft.

Perimeter: 9459.31 feet

Contiguity with City Boundary: 1717.871 feet

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EXHIBIT B

