

**ORDINANCE 2009-20**

**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 4)**

**WHEREAS**, the property to be zoned has been recently annexed to the City of Fruita by Ordinance 2009-19, 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 28.5 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

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H. Kenneth Henry, Mayor

ATTEST:

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City Clerk

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

