

ORDINANCE 2009-22

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 5)

WHEREAS, the property to be zoned has been recently annexed to the City of Fruita by Ordinance 2009-21, 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 5.6 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**

**CTIY OF FRUITA
WASTEWATER TREATMENT FACILITY PROPERTY ANNEXATION**

WWTF PARCEL 5 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;

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 to the point of beginning.

Thence North 41 degrees 40 minutes 17 seconds West, for a distance of 148.14 feet;

Thence North 48 degrees 11 minutes 15 seconds West, for a distance of 859.15 feet;

Thence North 11 degrees 48 minutes 58 seconds East, for a distance of 270.91 feet;

Thence North 32 degrees 55 minutes 25 seconds West, for a distance of 264.97 feet;

Thence South 89 degrees 09 minutes 42 seconds West, for a distance of 22.71 feet;

Thence South 00 degrees 50 minutes 33 seconds East, for a distance of 644.86 feet;

Thence along a curve to the right, having a delta angle of 01 degrees 52 minutes 51 seconds, a radius of 3969.70 feet, an arc length of 130.31 feet, a chord length of 130.30 feet, and a chord bearing of South 44 degrees 10 minutes 50 seconds East;

Thence South 32 degrees 26 minutes 20 seconds East, for a distance of 309.30 feet;

Thence South 73 degrees 38 minutes 18 seconds East, for a distance of 608.538 feet to the point of beginning.

Said described area statistics:

Area: 241905.36 Sq. Ft.

Perimeter: 3258.88 feet

Contiguity with City Boundary: 608.537 feet

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EXHIBIT B

