

ORDINANCE 2011-15

AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY 8.59 ACRES OF PROPERTY LOCATED ON I ½ ROAD BETWEEN S. MESA STREET AND S. MAPLE STREET (PROJECT #2011-6, FITCH)

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 2011-35 finding that the real property described and shown on Exhibit A 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 attached hereto, and the Fruita City limits are hereby modified to reflect said annexation.

Section 2: Conditions of said annexation include:

1. 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.
2. The following agricultural land uses are to be considered legal non-conforming uses (grandfathered) subject to the requirements of the Land Use Code regarding legal non-conforming land uses:
 - Continued agricultural use of the property to grow crops is permitted.
 - A total of eight large and/or medium sized agricultural animals as part of the agricultural land use is permitted and in addition, up to eight ducks are permitted. It should be noted that the animals will not necessarily be used every year as part of the agricultural use.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 4th DAY OF OCTOBER, 2011**

ATTEST:

City of Fruita

City Clerk

H. Kenneth Henry, Mayor

ORDINANCE 2011-15
EXHIBIT A
LEGAL DESCRIPTION
FITCH ANNEXATION

Lot 2 of Bower Minor Subdivision.

