

**ORDINANCE 2012-12**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY REZONING APPROXIMATELY 0.66 ACRES OF PROPERTY LOCATED DIRECTLY EAST OF THE LITTLE SALT WASH AND NORTH OF HIGHWAY 6 & 50 FROM COMMUNITY RESIDENTIAL AND DOWNTOWN MIXED USE TO COMMUNITY SERVICES & RECREATIONAL AND APPROXIMATELY 1.7 ACRES LOCATED DIRECTLY WEST OF PABOR WAY FROM COMMUNITY RESIDENTIAL TO DOWNTOWN MIXED USE  
(Little Salt Wash Subdivision Rezone # 2012-8)**

**WHEREAS**, the subject property is shown and described in attached Exhibit A, and

**WHEREAS**, the City of Fruita, owner of the subject properties, submitted an application to rezone approximately 0.66 acres of land adjacent to the Little Salt Wash from Downtown Mixed Use (DMU) and Community Residential (CR) to Community Services & Recreational (CSR) as shown and described on attached Exhibit A, and rezone approximately 1.7 acres of land directly west of the west end of Pabor Way from CR to DMU as shown and described on attached Exhibit B, and

**WHEREAS**, at their May 8, 2012, public hearing, the Fruita Planning Commission recommended approval of the application to rezone the subject property as proposed, and

**WHEREAS**, public hearings was held by the City Council on May 15, 2012, and June 5, 2012, and

**WHEREAS**, the rezone request meets all approval criteria that must be considered pursuant to Section 17.13.060 of the Fruita Land Use Code (2009, as amended).

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO:**

**THAT** the Official Zoning Map adopted pursuant to Section 17.02.020 of the Fruita Land Use Code (2009, as amended) is hereby amended and that the subject properties shown and described on the attached Exhibits A & B are hereby rezoned from Downtown Mixed Use (DMU) and Community Residential(CR) on approximately 1.7 acres to Community Services & Recreational (CSR), and rezone approximately 0.66 acres of land directly west of the west end of Pabor Way from CR to DMU.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS  
5th DAY OF JUNE, 2012.**

ATTEST:

City of Fruita

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City Clerk

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Lori Buck, Mayor

**ORDINANCE 2012-12**  
**EXHIBIT A**  
**LOCATION MAP AND LEGAL DESCRIPTION**  
**FOR PROPERTY TO BE ZONED COMMUNITY SERVICES & RECREATIONAL**  
**Little Salt Wash Subdivision Rezone #2012-8**



Beginning at a point whence the north 1/16<sup>th</sup> corner of sections 17 & 18, T1N R2W, Ute Meridian, lies N 72° 23' 02.7" E a distance of 947.22';  
 thence bearing S 32° 59' 54.404" W a distance of 18.754' ;  
 thence along a curve to the RIGHT, having a radius of 1850.000' a delta angle of 00° 28' 05.15", and whose long chord bears N 56° 46' 3.019" W a distance of 15.114' ;  
 thence bearing N 56° 32' 0.442" W a distance of 356.576' ;  
 thence bearing N 63° 40' 38.000" E a distance of 88.308' ;  
 thence bearing N 33° 8' 44.000" E a distance of 16.150' ;  
 thence bearing N 10° 59' 4.000" W a distance of 12.800' ;  
 thence bearing N 42° 23' 4.000" W a distance of 26.980' ;  
 thence bearing N 26° 52' 25.429" W a distance of 10.551' ;  
 thence bearing N 89° 51' 26.682" E a distance of 500.081' ;  
 thence bearing S 0° 10' 34.617" E a distance of 159.744' ;  
 thence bearing S 89° 56' 49.132" W a distance of 20.000' ;  
 thence bearing N 0° 10' 34.617" W a distance of 139.713' ;  
 thence bearing S 89° 51' 26.682" W a distance of 140.453' ;  
 thence bearing S 89° 51' 26.682" W a distance of 161.302' ;  
 thence along a curve to the LEFT, having a radius of 90.000' a delta angle of 36° 11' 25.68", and whose long chord bears S 71° 45' 43.840" W a distance of 55.908' ;  
 thence bearing S 53° 40' 0.997" W a distance of 110.320' ;  
 thence along a curve to the LEFT, having a radius of 90.000' a delta angle of 46° 30' 48.81", and whose long chord bears S 33° 16' 36.039" E a distance of 71.073' ;  
 thence bearing S 56° 32' 0.442" E a distance of 81.279' ;  
 thence bearing S 50° 9' 43.731" E a distance of 33.794' ;  
 thence bearing S 57° 56' 24.838" E a distance of 33.500' ;  
 thence bearing S 57° 56' 24.838" E a distance of 71.000' to the point of beginning.

**ORDINANCE 2012-12**  
**EXHIBIT B**  
**LOCATION MAP AND LEGAL DESCRIPTION**  
**FOR PROPERTY TO BE ZONED DOWNTOWN MIXED USE**  
**Little Salt Wash Subdivision Rezone #2012-8**



Beginning at a point whence the north 1/16th corner of sections 17 & 18, T1N R2W, Ute Meridian, lies N 76° 15' 30.8" E a distance of 679.41' ;  
 thence bearing S 0° 10' 34.617" E a distance of 45.277' ;  
 thence bearing S 89° 51' 19.704" W a distance of 360.477' ;  
 thence bearing N 56° 32' 0.442" W a distance of 77.705' ;  
 thence along a curve to the RIGHT, having a radius of 90.000' a delta angle of 46° 30' 48.81", and whose long chord bears N 33° 16' 36.039" W a distance of 71.073' ;  
 thence bearing N 53° 40' 0.997" E a distance of 110.320' ;  
 thence along a curve to the RIGHT, having a radius of 90.000' a delta angle of 36° 11' 25.68", and whose long chord bears N 71° 45' 43.840" E a distance of 55.908' ;  
 thence bearing N 89° 51' 26.682" E a distance of 161.302' ;  
 thence bearing N 89° 51' 41.237" E a distance of 140.445' ;  
 thence bearing S 0° 10' 46.020" E a distance of 139.703' ;  
 thence bearing N 89° 56' 49.132" E a distance of 20.000' to the point of beginning.