

ORDINANCE 2019-11

**AN ORDINANCE ANNEXING APPROXIMATELY 4.28 ACRES OF PROPERTY
LOCATED AT 1840 K 4/10 ROAD INTO THE CITY OF FRUITA**

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;
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 2019-09 finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 and 105, stating their intent to annex same and initiating the annexation procedures.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

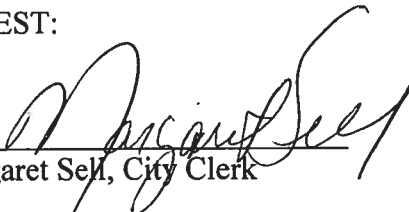
Section 1: The Fruita City Council, having reviewed a properly constituted petition of all the owners of real property in the area proposed for annexation, hereby annexes the property as described and shown in Exhibit A, and the Fruita City limits are hereby modified to reflect said annexation.

Section 2: Conditions of said annexation include:

1. The existing house shall be connected to public sewer service.
2. Construction of half street improvements along K 4/10 road and 18 ½ Rd.
3. Dedication of a 14-foot multi-purpose easement along K 4/10 road and 18 ½ Rd.
4. Dedication of an additional 5 feet of right-of-way along 18 ½ Rd.
5. 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
19TH DAY OF MARCH, 2019.**

ATTEST:


Margaret Sell, City Clerk

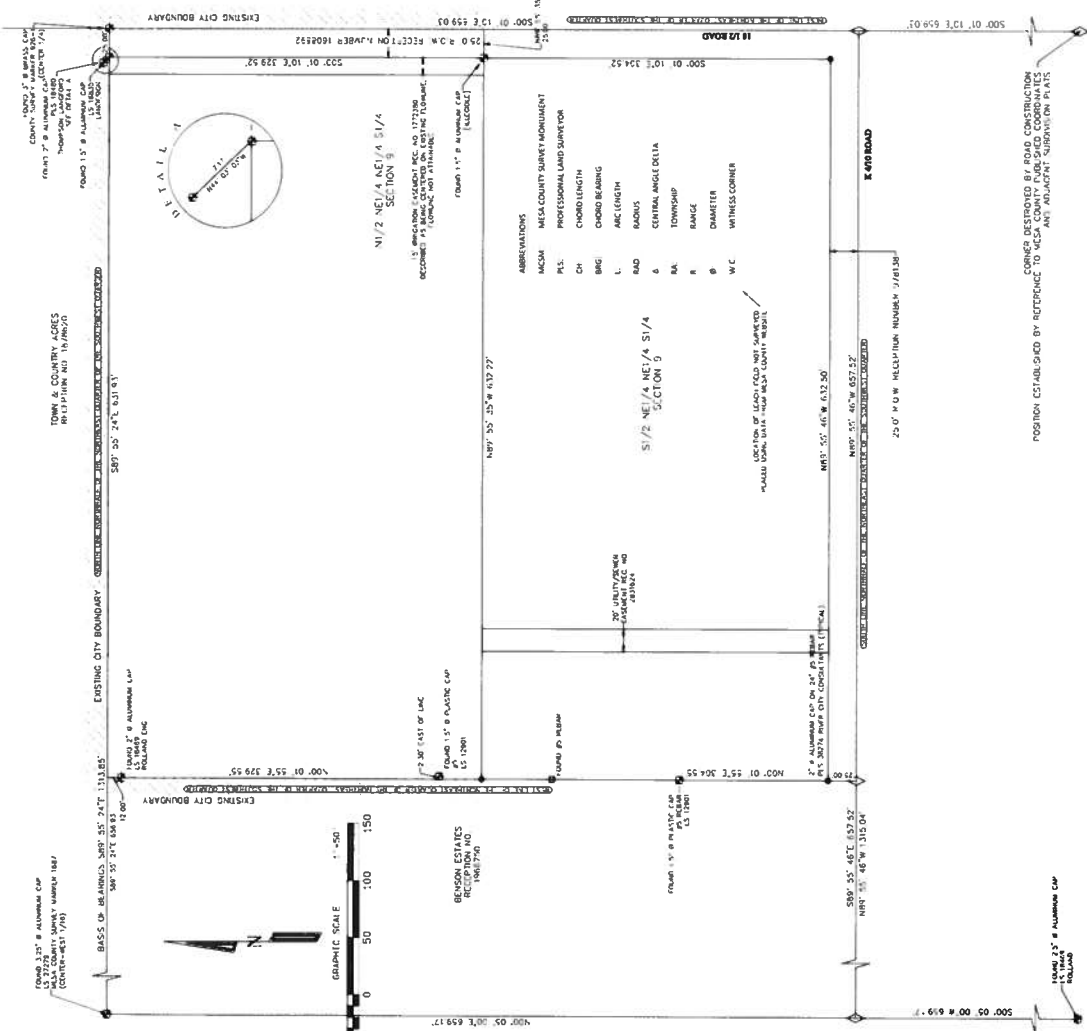
City of Fruita:


Lori Buck, Mayor Pro Tem

EXHIBIT A TO ORDINANCE 2019-10

OAK CREEK ESTATES NORTH HALF ANNEXATION

South one-half of the northeast quarter of the northeast quarter Section 9, T.1N., R.2W., Ute Meridian, Mesa County, Colorado



TITLE CERTIFICATE

Land Title Guarantors Co. does hereby certify that it has examined the title to all tracts shown on this plat, and that the same are as shown hereon, except as to matters of record and of public streets, and as to matters of record, except as to matters of record.

EXECUTED this _____ day of _____, 20____ at _____, Colorado.

LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP

We, Paula Gullies and Tonya Briers, the owners of 100 percent of the following described property, including any public streets and easels, to wit:

PROPERTY DESCRIPTION: per Reception Number 2442236

The N 1/2 NE 1/4 NE 1/4 of Section 9, Township 1 North, Range 2 West of the Ute Meridian;

County of Mesa, State of Colorado

have by these presents had set out and platted the same as shown hereon and designate the same as OAK CREEK ESTATES NORTH HALF ANNEXATION to the City of Fruita, County of Mesa, State of Colorado.

EXECUTED this _____ day of _____, 20____ at _____, Colorado.

Owner: _____

Owner: _____

STATE OF COLORADO }
COUNTY OF _____ }

The foregoing certification was acknowledged before me this _____ day of _____, 20____, by _____

Witness my hand and official seal.

My commission expires: _____

Notary Public: _____

City Clerk: _____

CLERK AND RECORDER CERTIFICATE

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado, at _____ o'clock _____ M., on this _____ day of _____, 20____, and was recorded at Reception No. _____ Fees: _____

By: _____ Deputy Clerk and Recorder

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Deputy Clerk and Recorder

Deputy Clerk and Recorder

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OAK CREEK ESTATES NORTH HALF ANNEXATION

South one-half of the northeast quarter of the northeast quarter of the southwest quarter Section 9, T.1N., R.2W., Ute Meridian, Mesa County, Colorado

Sheet 1 of 1 Date: 07/02/2019 Job No: 170-002

Drawn: ANL Checked: NST

City of Fruita, Colorado



Legal lines of Measurement are U.S. Survey Feet

TRANSVERSE MERCATOR PROJECTION

NAD 83

LATITUDE: 39°06'22.7755"W (NAD83)

LONGITUDE: 108°32'01.4346"W (NAD83)

HEIGHTING: 500000 FT

SCALE FACTOR: 1.0003181798

PROJECT/SCALE FACTOR HEIGHT: 464871 (NAVD83)

GRID 17A

BASES OF BEARING:

The bearings hereon are based on grid north of the above described projection, referenced by observed positions of the center-west seventh corner of Section 9, T.1N., R.2W., Ute Meridian and the center quarter corner of said Section 9 being S 89°55'41.4" as shown hereon.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.