

ORDINANCE 2019-17

**AN ORDINANCE ANNEXING APPROXIMATELY 14.83 ACRES OF PROPERTY
LOCATED AT 1897 L 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. Ensure 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 2019-22 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. 50 feet of right-of-way along L Road be dedicated to the public for future improvements.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
16TH DAY OF JULY, 2019.**

ATTEST:

City of Fruita:

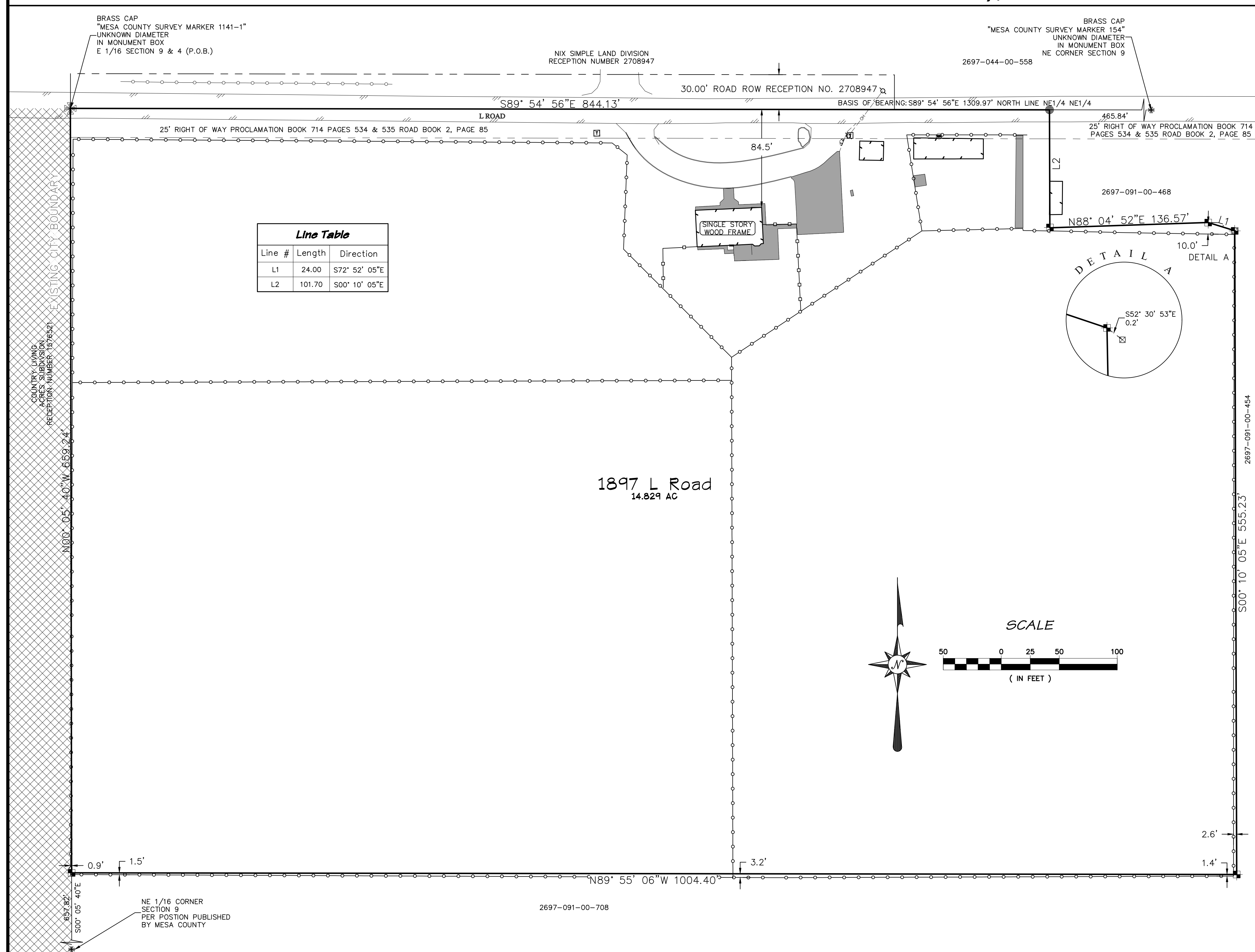
Margaret Sell, City Clerk

Lori Buck, Mayor Pro Tem

EXHIBIT A TO ORDINANCE 2019-17

BRADY ANNEXATION

Reception Number 1580728, Situated in
 North one-half of the northeast quarter of the northeast quarter Section 9, T.1N., R2W., Ute Meridian.
 Mesa County, Colorado



TITLE CERTIFICATE

Fidelity National Title Insurance company, does hereby certify that it has examined the title to all lands shown on this Plat and that title to such lands is vested in Douglas W. Brady and Geraldine Brady.

EXECUTED this ____ day of _____, 20____.

 Title Examiner

LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP

We, DOUGLAS W. BRADY and GERALDINE BRADY, the owners of 100 percent of the following described property, excluding any public streets and alleys, to wit:

A parcel of land as recorded at Reception Number 1580728 of the Mesa County Clerk and Recorders, situated in the North one-half of the northeast quarter of the northeast quarter of Section 9, Township 1 North, Range 2 West of the Ute Meridian, being more particularly described as follows:

Beginning at a brass cap of unknown diameter set in monument box marked MESA COUNTY SURVEY MARKER 1141-1, for the east sixteenth corner of said Section 9 and Section 4, whence a brass cap of unknown diameter set in a monument box marked MESA COUNTY SURVEY MARKER 154, for the northeast corner of said Section 9 bears South 89°54'56" East, with all bearing herein relative thereto,

thence bearing South 89°54'56" East along the north line of the northeast quarter of the northeast quarter of said Section 9 a distance of 844.13 feet ;
 thence bearing South 0°10'05" East a distance of 101.70 feet;
 thence bearing North 88°4'52" East a distance of 136.57 feet;
 thence bearing South 72°52'05" East a distance of 24.00 feet;
 thence bearing South 0°10'05" East a distance of 555.23 feet;
 thence bearing North 89°55'06" West a distance of 1004.40 feet to the west line of said northeast quarter of the northeast quarter;
 thence bearing North 0°5'40" West a distance of 659.24 feet to the Point of Beginning,

Said parcel containing an area of 14.829 Acres, more or less.

have by these presents laid out and platted the same as shown hereon and designate the same as BRADY ANNEXATION to the City of Fruita, County of Mesa, State of Colorado.

EXECUTED this ____ day of _____, 20____.

Owner _____
 Owner _____

STATE OF COLORADO)
) ss.
 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 COUNCIL CERTIFICATE

The City Council of the City of Fruita, Colorado, by Resolution Number _____, duly adopted on the ____ day of _____, 2019, found and determined that annexation of the property designated herein complies with the requirements contained in Article 12, Title 31, C.R.S., as amended, and that said property is eligible for annexation to the City of Fruita. The City Council of the City of Fruita, Colorado, by Ordinance Number _____, duly adopted on the ____ day of _____, 2018, did annex the property herein described to the City of Fruita, Colorado. ATTEST:

 Mayor City Clerk

CLERK AND RECORDER'S 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 _____.

and was recorded at Reception No. _____

Fees _____

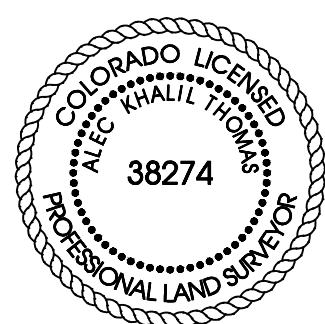
By: _____
 Clerk and Recorder
 Deputy

SURVEYOR'S CERTIFICATE

I, _____ a registered land surveyor licensed under the laws of the State of Colorado, do hereby certify that this survey was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief, and that no less than one-sixth (1/6) of the perimeter of the area as shown hereon is contiguous with the existing boundaries of the City of Fruita, Colorado. I further certify that the external boundaries of the property shown on this Plat have been monumented on the ground.

EXECUTED this ____ day of _____, 20____.

 Alec Thomas Registered Land Surveyor PLS 38274

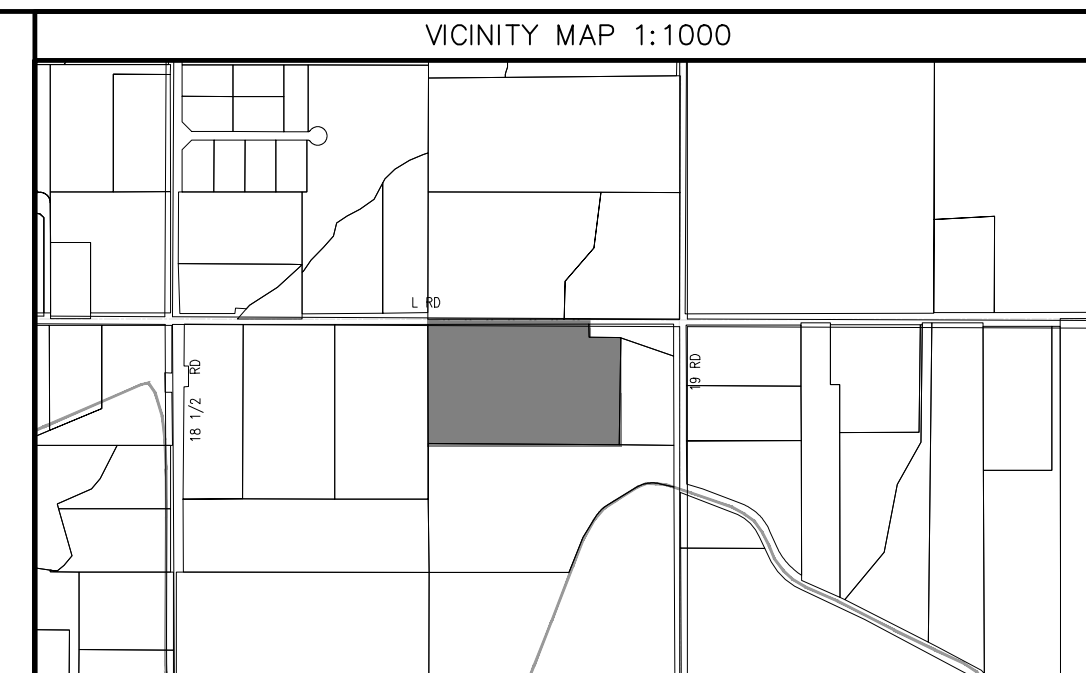


PLANNING COMMISSION CERTIFICATION

This plat approved by the City of Fruita Planning Commission the ____ day of _____, 20____.

 Chairman

VICINITY MAP 1:1000



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.

744 Horizon Court, Suite 110
 Grand Junction, CO 81506 Phone: 970.241.4722
 www.rccwest.com Fax: 970.241.8841

BRADY ANNEXATION

Situated in the
 North one-half of the northeast quarter of the northeast quarter
 Section 9, T.1N., R2W., Ute Meridian.
 Mesa County, Colorado

Sheet 1 of 1 Date: 02/20/2019 Job No. 1844-001
 Surveyed: TPJ Drawn: AKT Checked: TPJ

Drawing name: S:\PROJECTS\1844-Horiz-Brady\001 1844 L Road\Drawings\0219\0219-001 15P.dwg