

**RESOLUTION 2020-42**

**A RESOLUTION OF THE FRUITA CITY COUNCIL SETTING A HEARING DATE FOR DECEMBER 15, 2020 TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 4.57 ACRES OF PROPERTY LOCATED AT 1848 J ROAD TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES.**

**WHEREAS**, the City of Fruita has received a petition for annexation of property into the city limits of Fruita which is signed by 100% of the property owners of the property requested to be annexed, and

**WHEREAS**, the property to be annexed is described and shown on attached Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL** to hold a public hearing on December 15, 2020 at 7:00 p.m., to determine if the real property described and shown on Exhibit A complies with Colorado Revised Statutes 31-12-104, 105 and 106 and is eligible for annexation and to consider the adoption of a Resolution to initiate procedures to annex said real property to the City of Fruita.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
THIS 20<sup>th</sup> DAY OF OCTOBER 2020**

ATTEST:

City of Fruita

\_\_\_\_\_  
Margaret Sell, City Clerk

\_\_\_\_\_  
Joel Kincaid, Mayor

# Exhibit A

## Grand Valley Estates Annexation

SE 1/4 SW 1/4, SECTION 16, TOWNSHIP 1 NORTH, RANGE 2 WEST, CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO

### TITLE CERTIFICATE

\_\_\_\_\_ 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 \_\_\_\_\_ free and clear of all liens, taxes, and encumbrances, except as follows:

NA

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Title Examiner

### LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP

We, GRAND VALLEY ESTATES DEVELOPMENT CO LLC, the owners of 100 percent of the following described property, excluding any public streets and alleys, to wit:

#### PROPERTY DESCRIPTION:

A parcel of land as described at Reception Number 2327769 of the records in the office of the Mesa County Clerk and Recorder, situated in the southeast quarter of the southwest quarter of Section 16, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, said property being more particularly described as follows:

Commencing at a 3" brass cap marked COUNTY SURVEY MARKER NO. 584 for the south quarter corner of said section, whence a 3.25" aluminum cap marked PLS 18478, THOMPSON LANGFORD CORP for the west one-sixteenth corner on the south line of said Section 16 bears North 89°53'26" West with all bearings herein relative thereto, thence bearing North 89°53'26" West a distance of 30.00 feet to the Point of Beginning, thence North 89°53'26" West, a distance of 318.50 feet; thence North 00°00'37" West, a distance of 625.00 feet; thence South 89°53'26" East, a distance of 318.50 feet; thence South 00°00'36" East, a distance of 625.00 feet to the Point of Beginning, said parcel containing 199,063 square feet or 4.57 acres more or less.

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

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

STATE OF COLORADO )  
COUNTY OF MESA ) ss

This plat was acknowledged before me by \_\_\_\_\_

on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ My commission expires: \_\_\_\_\_

Witness my hand and seal \_\_\_\_\_ Notary Public

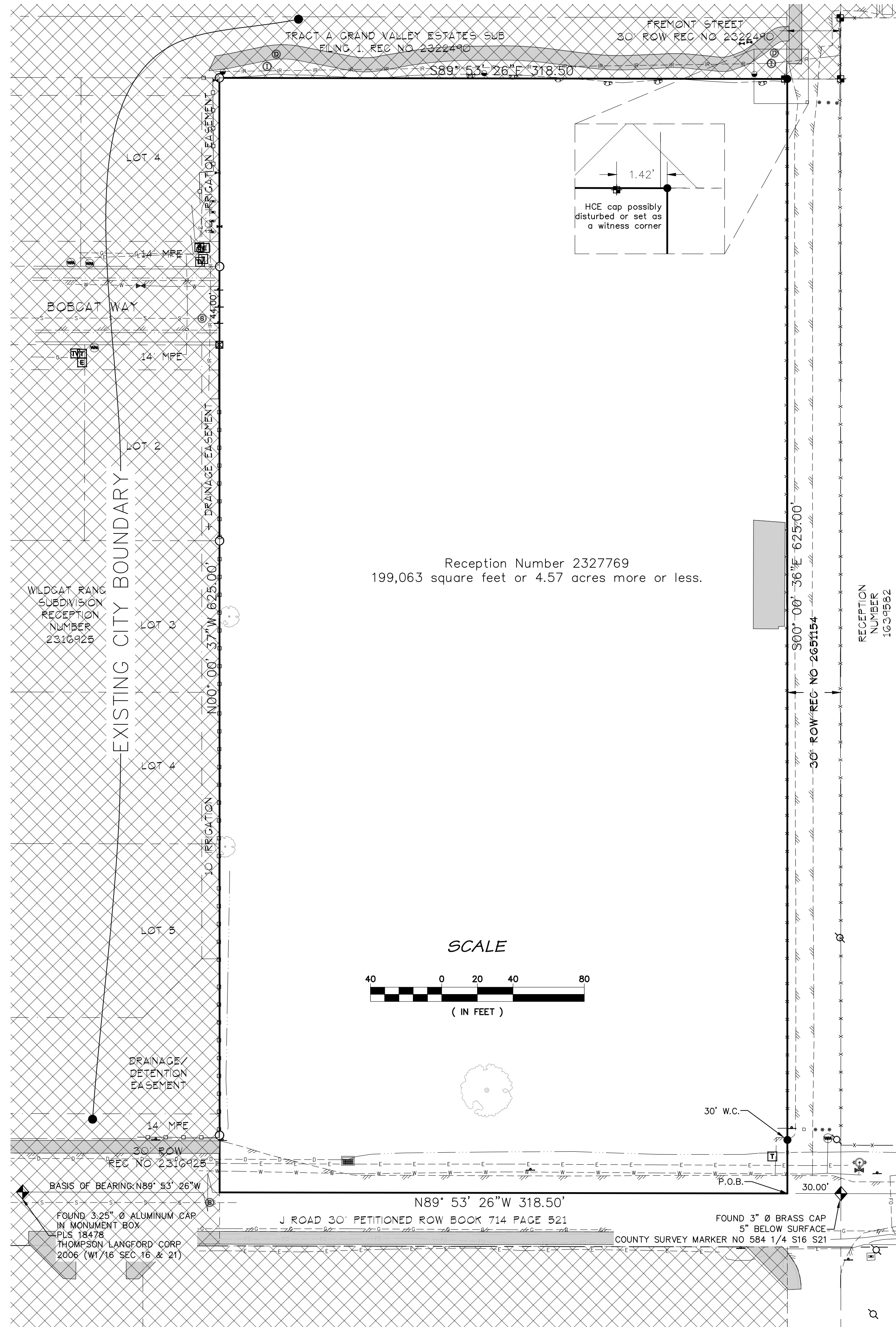
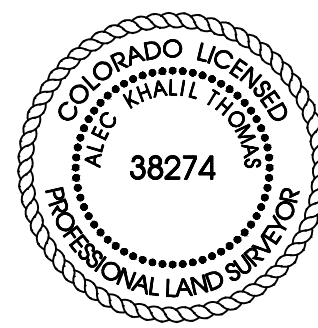
My commission expires \_\_\_\_\_

### 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



Reception Number 2327769  
199,063 square feet or 4.57 acres more or less.

RECEPTION  
NUMBER  
1631552

### PLANNING COMMISSION CERTIFICATION

This plat approved by the City of Fruita Planning Commission the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chairman

### CITY COUNCIL CERTIFICATE

The City Council of the City of Fruita, Colorado, by Resolution Number \_\_\_\_\_, duly adopted on the \_\_\_\_ day of \_\_\_\_\_,

2020, 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 \_\_\_\_\_, 2020, did annex the property herein described to the City of Fruita, Colorado. ATTEST:

\_\_\_\_\_  
Mayor

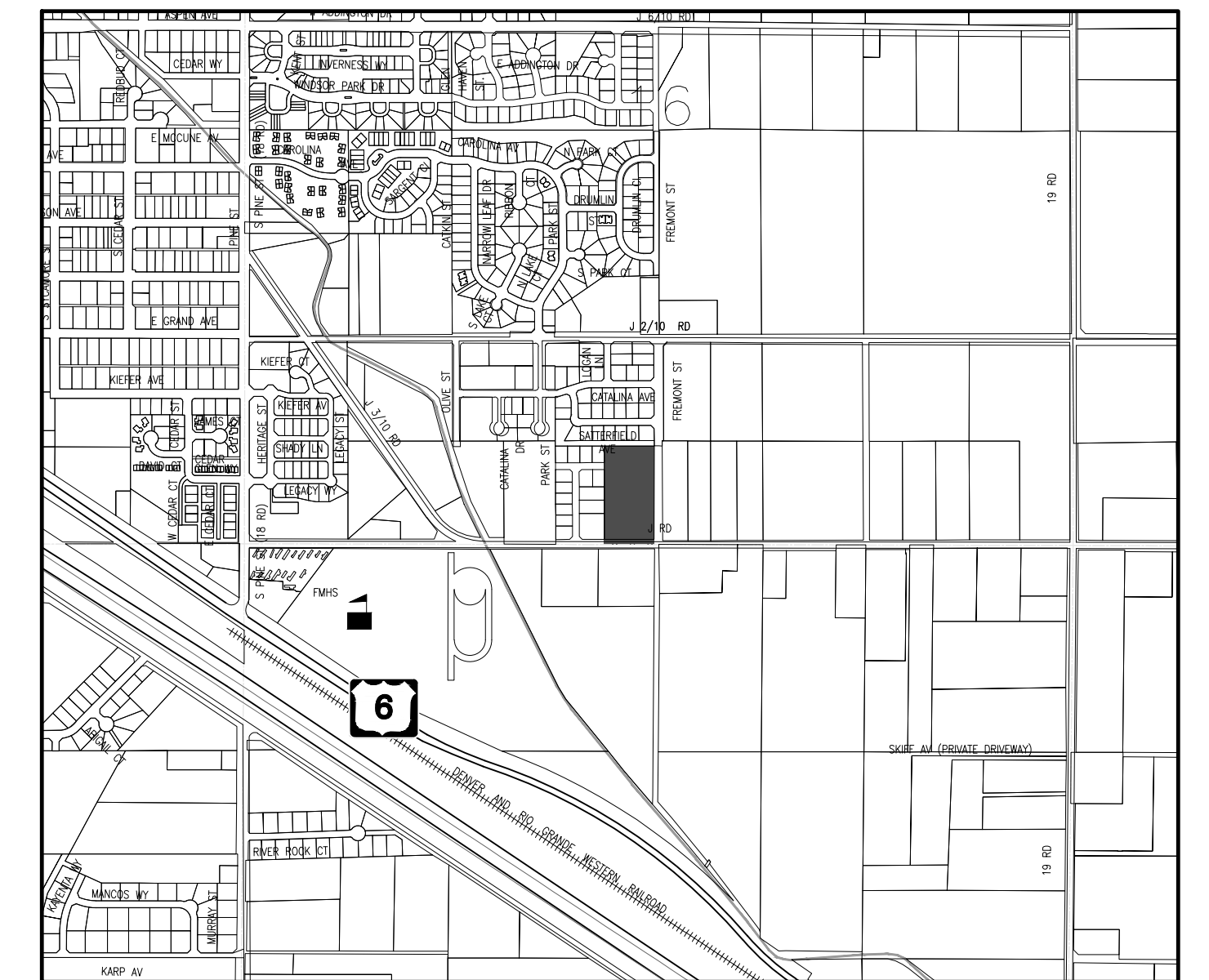
\_\_\_\_\_  
City Clerk

### 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



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.

### Grand Valley Estates Annexation

SE 1/4 SW 1/4, SECTION 16, TOWNSHIP 1 NORTH, RANGE 2 WEST, CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO



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Fax: 970.241.8841  
www.rcwest.com

Sheet 1 of 1	Date: 9/1/20	Job No. 1129-005
Surveyed: SLG	Drawn: AKT	Checked: TPJ
Drawing name: S:\PROJECTS\2014\005 Grand Valley Estates FRUITA\DWG\1129-005 ANNEXATION.ACT.dwg		