RESOLUTION 2023-15

A RESOLUTION OF THE FRUITA CITY COUNCIL FINDING APPROXIMATELY 6.6 ACRES OF PROPERTY LOCATED AT 1824 J 2/10 ROAD ELIGIBLE TO BE ANNEXED INTO THE CITY OF FRUITA.

WHEREAS, the City of Fruita has received a petition to annex property which is described and shown on the attached Exhibit A, and

WHEREAS, the Planning Commission recommended approval of the annexation petition at their May 9, 2023 public meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO, THAT THE CITY COUNCIL FINDS AND DETERMINES:

THAT a properly constituted petition signed by 100% of the owners of the real property described and shown on Exhibit A has been submitted to the City of Fruita and an election is not required under C.R.S. 31-12-107, and

THAT the real property described on Exhibit A has at least 1/6 of its perimeter contiguous to existing city limits of the City of Fruita, and

THAT annexation of the property complies with all pertinent requirements of C.R.S. 31-12-104, 105 & 106 to be eligible for annexation, and

THAT all special districts encompassing the subject property were noticed as required under C.R.S. 31-12-108, and

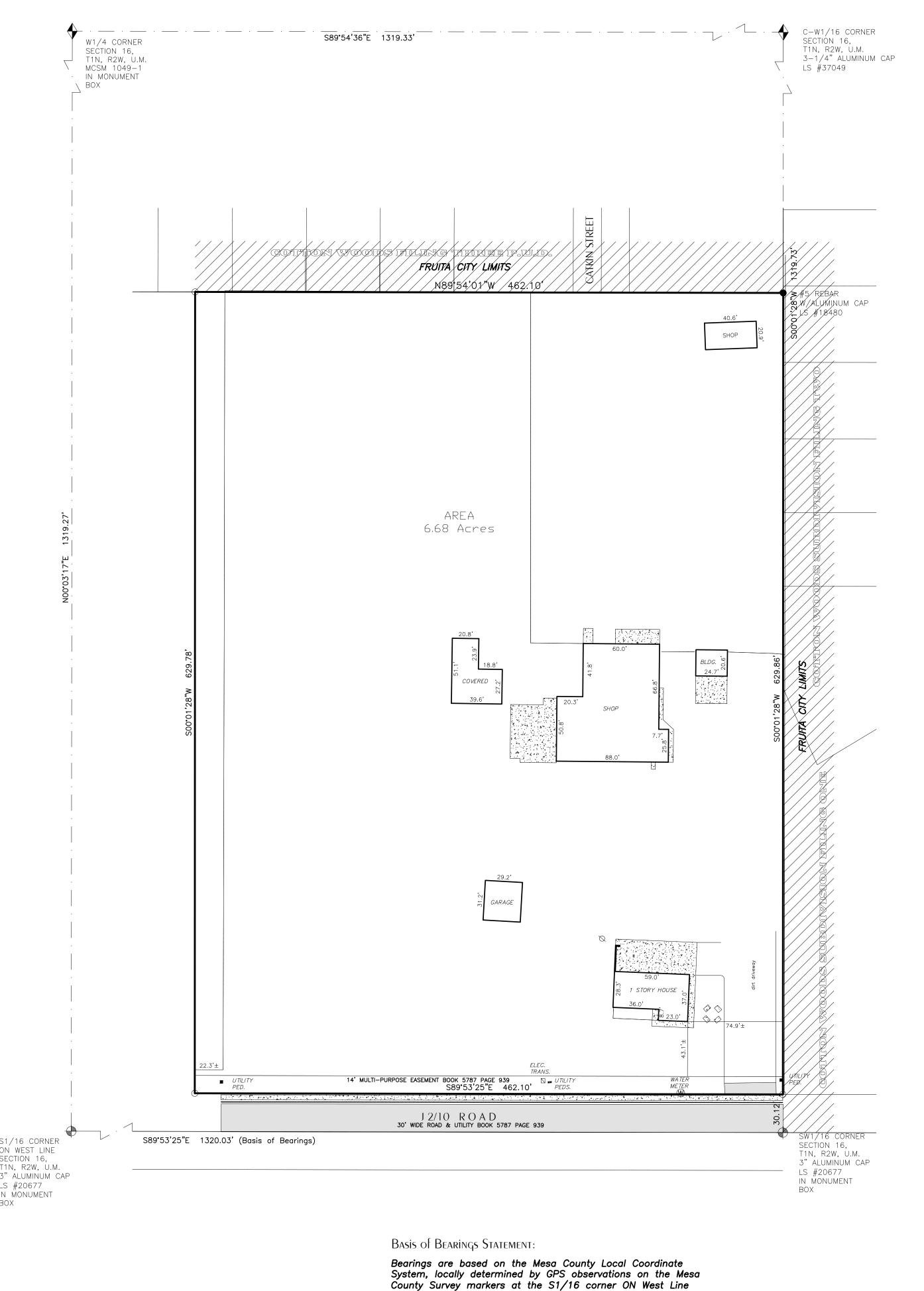
THAT a notice of the public hearing was properly advertised having appeared once per week for four consecutive weeks in a local publication, and

THAT the property shown and described on Exhibit A is eligible for annexation into the City of Fruita.

BE IT FURTHER RESOLVED BY THE FRUITA CITY COUNCIL, that based on the above findings, it is the intent of the City of Fruita to annex the real property described and shown in Exhibit A.

PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL THIS 6th DAY OF MAY, 2023.

ATTEST:	City of Fruita		
Margaret Sell, City Clerk	Joel Kincaid, Mayor		

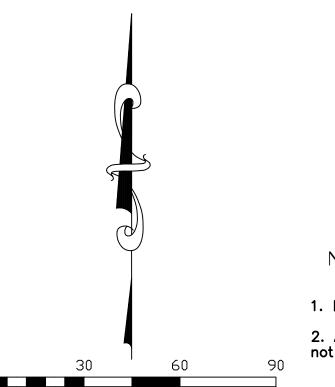


Section 16, T1N, R2W, Ute Meridian (a Mesa County Survey

U.M. (3" aluminum cap LS #20677 in monument box).

The measured bearing of this line is S89°53'25"E

Marker found in place) and the SW1/4 Section 16, T1N, R2W,



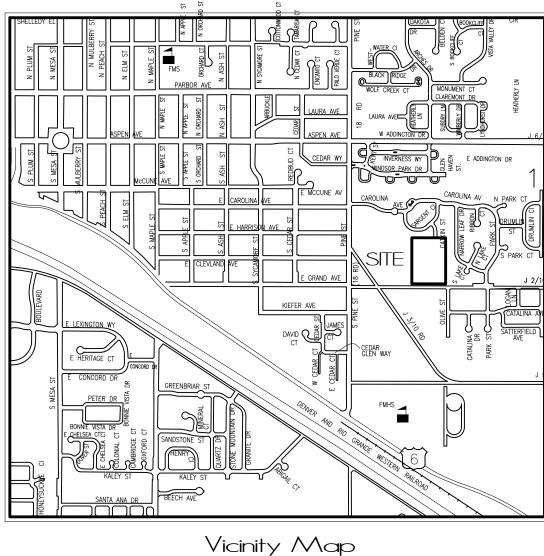
Per Colorado Statute number 38-51-106(I) all Lineal Units used on this plat are U.S. Survey

LEGEND

- FOUND MESA COUNTY SURVEY MARKER (A 3" Alloy Cap set in Concrete)
 FOUND SURVEY MONUMENT AS DESCRIBED
- SET NO.5 REBAR W/CAP L.S. 30111
- FOUND ALIQUOT CORNER AS DESCRIBED

Notes:

- 1. Deeds were provided by client.
- 2. A Title search was provided and relied upon. A Title Search was not performed by me.



(NOT TO SCALE)

LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP

I, Pete Hitchcock and Anthony Stolarczyk are the owners of hundred percent of the following described property, excluding any public streets and alleys, to wit:

The East 7 acres of the South half of the Northwest quarter of the Southwest quarter of Section 16, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, EXCEPT a strip of land 30 feet wide for roadway, utilities and all other public purposes the Southern line of which North line of the Southwest quarter of Sou Township 1 North, Range 2 West of the Ute Meridian, being part of the land described in Book 3066 and at Page 658 in the office of the County clerk and recorder of the County of Mesa, State of Colorado.

have by these presents laid out the same as shown hereon and designate the same as Hitchcock Annexation to the City of Fruita, County of Mesa, State of

EXECUTED this _____, 20____, Owner(s)

STATE OF COLORADO)

COUNTY OF The foregoing certification was acknowledged before me this ____ day

Witness my hand and official seal.

My commission expires:

Notary Public

TITLE CERTIFICATION

STATE OF COLORADO)

COUNTY OF MESA

_, does hereby certify that it has examined the title to all lands shown on this Map and that title to such lands is vested in free and clear of all liens, taxes, and encumbrances, except as follows:

EXECUTED	this	day	of		20
LALGGILD		 44,	01	;	

Title	Examiner		

CERTIFICATION

I, <u>DAVID MAX MORRIS</u>, 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 Map have been monumented on the ground.

EXECUTED this 18th day of July , 2022.



ANNEXATION PLAT					
SITUATED IN THE NW1/4 SW1/4 SECTION 16, T1N, R2W OF	THE UTE MERIDIAN				
FOR: Hitchcock & Stolarczyk Surveying Western Colorado Since 1979	SURVEYED BY: MSM				
ACAD ID: 1024 18	DRAWN BY: DMM				

SCALE: 1" = 50'

DATE: **7/18/2022**

81503-2232 (970) 241-2370 Fax: 241-7025

SYSTEMS, Inc.
2718 Sierra Vista Rd
Grand Junction, CO
SHEET NO SHEET NO.

2022-171.2

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.