

**ORDINANCE 2014-01**

**AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY .455  
ACRES OF PROEPRTY LOCATED AT 989 17 ROAD (STATE HIGHWAY 340)  
(WESTCOTT 1 SERIAL ANNEXATION, PROJECT #2013-19)**

**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; and,
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 2013-35 finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 & 105, stating their intent to annex same, and initiating the annexation procedures.

**THE CITY OF FRUITA HEREBY ORDAINS:**

**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 attached hereto, and the Fruita City limits are hereby modified to reflect said annexation.

**Section 2:** A condition of this annexation requires dedication of a 14-foot multi-purpose easement along the property adjacent to Highway 340 and connection to the City's sanitary sewer service.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
THIS 21st DAY OF JANUARY, 2014**

ATTEST:

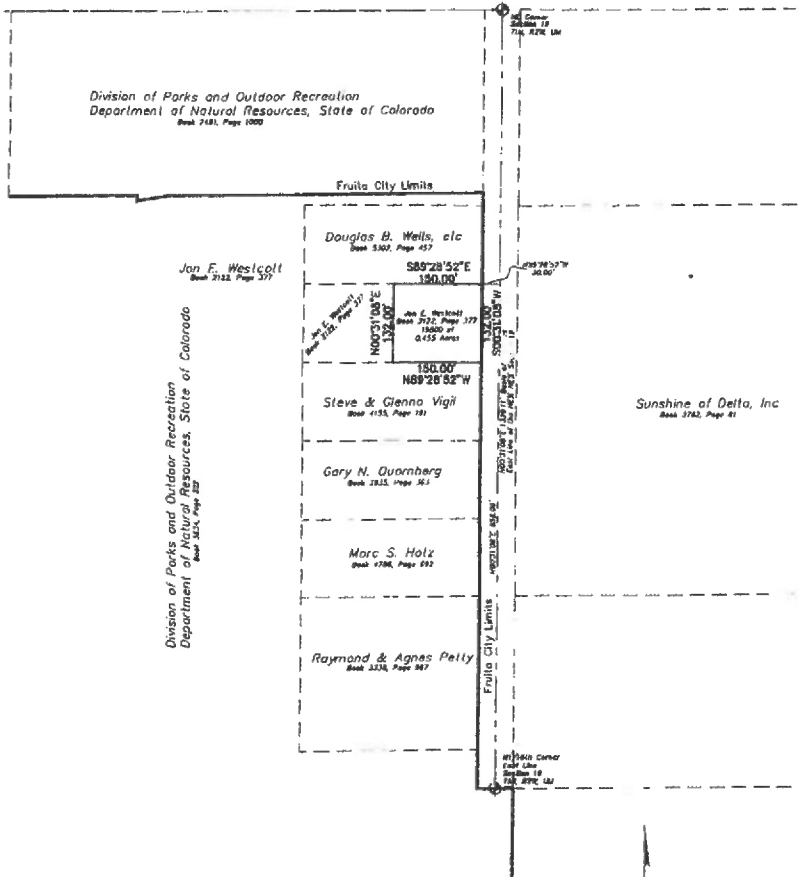
City of Fruita

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

\_\_\_\_\_  
Lori Buck, Mayor

**ORDINANCE 2014-01  
EXHIBIT A**

**WESTCOTT 1 SERIAL ANNEXATION MAP  
OF A PARCEL LOCATED IN  
NORTHEAST QUARTER SECTION 19  
T1N, R2W, UTE MERIDIAN  
MESA COUNTY, COLORADO**



**LEGAL DESCRIPTION AND DERIVATION OF OWNERSHIP**  
(Annexation Plat)

I, Jan E. Westcott, the owner of 100 percent of the following described property, excluding any public trusts and ways, to wit:

A parcel of land located in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) Section 19, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the Southeast corner of said NE1/4 NE1/4 of said Section 19, whence the Northeast corner of said NE1/4 NE1/4 of said Section 19 bears North 00°31'08" East, a distance of 1320.11 feet to a point of bearings, with all bearings mentioned herein relative thereto; thence North 00°31'08" East, a distance of 558.00 feet, along the East Line of the NE1/4 NE1/4 Section 19; thence North 89°28'52" West, a distance of 30.00 feet to the POINT OF BEGINNING; thence South 00°31'08" West, a distance of 132.00 feet; thence North 89°28'52" West, a distance of 150.00 feet; thence North 00°31'08" East, a distance of 132.00 feet; thence South 89°28'52" East, a distance of 150.00 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.455 Acres, as described.

have by these presents laid out and plotted the same as shown hereon and designate the same as **WESTCOTT 1 SERIAL** Annexation to the City of Fruita, County of Mesa, State of Colorado.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Owner(s) Jan E. Westcott

**NOTARY CERTIFICATION**

STATE OF COLORADO )  
COUNTY OF MESA ) ss.  
I, \_\_\_\_\_, County Clerk, do hereby certify that the foregoing certification was acknowledged before me \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
by \_\_\_\_\_  
Witness my hand and official seal.  
My commission expires: \_\_\_\_\_  
Notary Public \_\_\_\_\_

**CITY COUNCIL CERTIFICATE**  
(Annexation Plat)

The City Council of the City of Fruita, Colorado, by Resolution Number \_\_\_\_\_ duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ (found and determined that annexation of the property designated herein complies with the requirements established 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 \_\_\_\_\_ 20\_\_\_\_ did annex the property herein described to the City of Fruita, Colorado.

ATTEST: \_\_\_\_\_ Mayor  
City Clerk \_\_\_\_\_

**TITLE CERTIFICATE**  
(Annexation and Subdivision Plats)

I, \_\_\_\_\_, do hereby certify that I have examined the title to all lands shown on this Plat and that title to such lands is valid in accordance with the laws of the State of Colorado, free and clear of all liens, taxes, and encumbrances, except as follows:  
(SHOW EXCEPTIONS IN DETAIL)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**SURVEYOR'S CERTIFICATION**

I, Stanley K. Warner, a registered land surveyor licensed under the laws of the State of Colorado, do hereby certify that the hereon is correct to the best of my knowledge and belief, and that the same is in accordance with the starting boundaries of the City of Fruita, Colorado. The information shown hereon was created from information gathered from the Mesa County Clerk and Recorder records.

**ANNEXATION SUMMARY**

Westcott #1 Boundary = 564.00 linear feet  
Minimum Required Boundary = 564.00/8 = 54.00 linear feet  
132.00 linear feet of contiguity exceeding the minimum requirement

Area of Annexation = 0.455 Acres

**PLANNING COMMISSION CERTIFICATE**  
(Annexation and Major Subdivision Plats)

This Plat approved by the City of Fruita Planning Commission the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
Chairman \_\_\_\_\_

**CLERK AND RECORDER'S CERTIFICATE**  
(All Plats Submitted for Recording)

STATE OF COLORADO ) ss.  
COUNTY OF MESA )  
This Plat was filed for record in the office of the Mesa County Clerk and Recorder of \_\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_ in Plat Book No. \_\_\_\_\_ Page(s) No. \_\_\_\_\_ Reception No. \_\_\_\_\_  
Drawer \_\_\_\_\_ Fee \_\_\_\_\_  
Mesa County Clerk and Recorder \_\_\_\_\_  
Deputy \_\_\_\_\_

**DECLARATIONS**

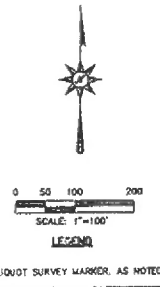
Declarations or Protective Comments are filed in Book \_\_\_\_\_ at Pages \_\_\_\_\_ through \_\_\_\_\_ on Document No. \_\_\_\_\_

**GENERAL NOTES**

Basis of bearings in the East Line of the NE1/4 NE1/4 Section 19 which bears North 00°31'08" East, a distance of 1320.11 feet, established by observation of the MCPCS control network, which is based on the NAD 83 datum for Meridian and NAD 83 datum for Vertical information. Both monuments on this line are Altimet Survey Markers, as shown on the face of this Plat.

Note: Flagged corners located during this survey that were within 0.25 feet of the calculated point were accepted as being "in position".

All units shown hereon in U.S. Survey feet.



	<b>WESTCOTT 1 SERIAL ANNEXATION MAP</b>	
	NORTHEAST QUARTER SECTION 19 T1N, R2W, UTE MERIDIAN MESA COUNTY, COLORADO	
High Desert Surveying, LLC 1873 Highway 50 Unit C Grand Junction, Colorado 81503 Telephone: 970-254-8848 Fax: 970-241-0451		DATE: September 2013
Stanley K. Warner LICENSED SURVEYOR - CIVIL ENGINEER P.C. No. 1178	SHEET NO. 13-71	SURVEYOR'S SIGNATURE DATE: _____

**ORDINANCE 2014-02**

**AN ORDINANCE ANNEXING TO THE CITY OF FRUITA APPROXIMATELY .455  
ACRES OF PROEPRTY LOCATED AT 989 17 ROAD (STATE HIGHWAY 340)  
(WESTCOTT 2 SERIAL ANNEXATION, PROJECT #2013-19)**

**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; and,
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 2013-36 finding that the real property described and shown on Exhibit A is eligible for annexation pursuant to C.R.S. 31-12-104 & 105, stating their intent to annex same, and initiating the annexation procedures.

**THE CITY OF FRUITA HEREBY ORDAINS:**

**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 attached hereto, and the Fruita City limits are hereby modified to reflect said annexation.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
THIS 21st DAY OF JANUARY, 2014**

ATTEST:

City of Fruita

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

\_\_\_\_\_  
Lori Buck, Mayor

ORDINANCE 2014-02  
EXHIBIT A

**WESTCOTT 2 SERIAL ANNEXATION MAP  
OF A PARCEL LOCATED IN  
NORTHEAST QUARTER SECTION 19  
T1N, R2W, UTE MERIDIAN  
MESA COUNTY, COLORADO**

**LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP  
(Annexation Plat)**

I, Jan E. Westcott, the owner of 100 percent of the following described property, excluding any public streets and ditches, to wit:

A parcel of land located in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) Section 19, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the Southeast corner of said NE1/4 NE1/4 of said Section 19, thence the Northeast corner of said NE1/4 NE1/4 of said Section 19 bears North 00°31'00" East, a distance of 1320.11 feet for a beam of bearings, with all bearings contained herein relative thereto; thence North 00°31'00" East, a distance of 658.00 feet, along the East Line of the NE1/4 NE1/4 Section 19; thence North 88°28'52" West, a distance of 30.00 feet; thence North 88°28'52" West, a distance of 150.00 feet; to the POINT OF BEGINNING; thence South 00°31'00" West, a distance of 132.00 feet; thence North 88°28'52" West, a distance of 150.00 feet; thence North 00°31'00" East, a distance of 132.00 feet; thence South 88°28'52" East, a distance of 150.00 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.455 Acres, as described.

Now by these presents laid out and plotted the same as shown hereon and designates the same as **WESTCOTT 2 SERIAL** Annexation to the City of Fruita, County of Mesa, State of Colorado.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Owner(s) Jan E. Westcott

**NOTARY CERTIFICATION**

State of Colorado )  
County of Mesa )

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

by \_\_\_\_\_

Witness my hand and official seal.

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

Notary Public: \_\_\_\_\_

**CITY COUNCIL CERTIFICATE  
(Annexation Plat)**

The City Council of the City of Fruita, Colorado, by Resolution Number \_\_\_\_\_ duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ 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 \_\_\_\_\_ 20\_\_\_\_ did annex the property herein described to the City of Fruita, Colorado.

ATTEST: Mayor \_\_\_\_\_

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

**TITLE CERTIFICATE  
(Annexation and Subdivision Plats)**

This 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:

[INSERT EXCEPTIONS IN DETAIL]

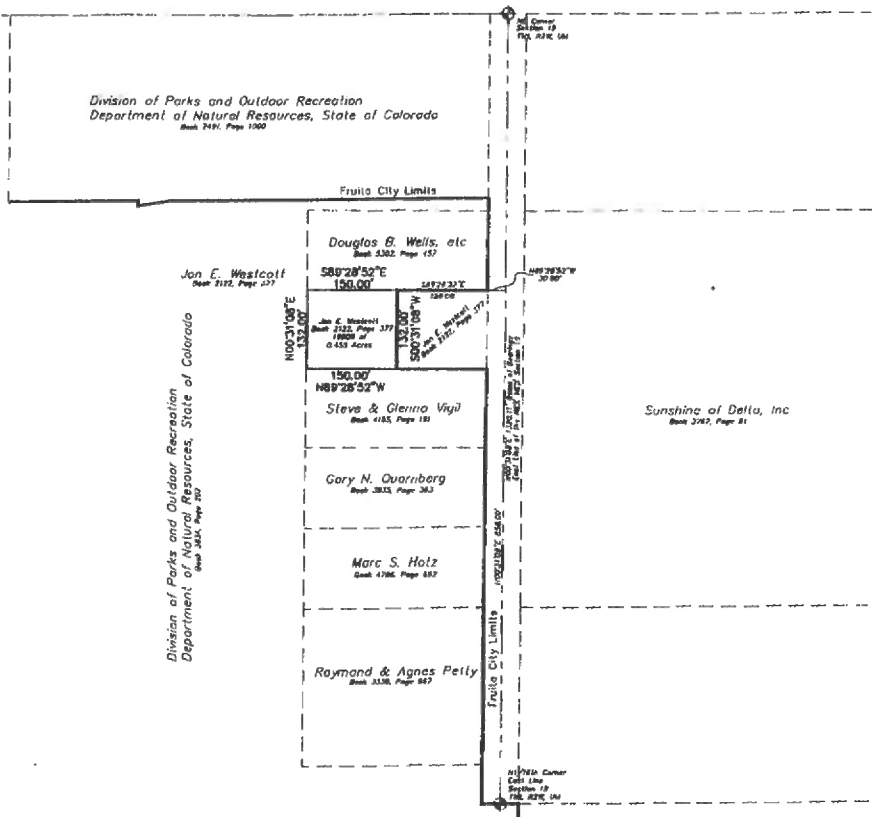
EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**SURVEYOR'S CERTIFICATION**

I, Stanley K. Warner, a registered land surveyor in the State of Colorado, do hereby certify that the information herein is correct to the best of my knowledge and belief, and no less than one-sixth (1/6) of the perimeter of the area as shown herein is contiguous with the existing boundaries of the City of Fruita, Colorado. The information shown hereon was created from information gathered from the Mesa County Clerk and Recorder records.

**ANNEXATION SUMMARY**

Westcott #2 Boundary = 564.00 linear feet  
Minimum Required Boundary = 504.00/5 = 94.00 linear feet  
132.00 linear feet of contiguity exceeding the minimum requirement  
Area of Annexation = 0.455 Acres



**GENERAL NOTES**

Beams of bearings to the East line of the NE1/4 NE1/4 Section 19 which bears North 00°31'00" East, a distance of 1320.11 feet, established by observation of the WCCPS control network, which is based on the MAD 83 datum for horizontal and MAVD 88 datum for vertical information. Both monuments on this line are Aliquot Survey Markers, as shown on the face of this plat.

Note: Property corners located during this survey that were within 0.25 feet of the calculated point were accepted as being "in position".

All units shown hereon in U.S. Survey feet.

NOTED: ALL OWNERS OR CO-OWNERS OF THE PROPERTY SHOWN ON THIS PLAT MUST SIGN AND FILE WITH THE COUNTY CLERK AND RECORDER. IF ANY CO-OWNER DOES NOT SIGN AND FILE WITH THE COUNTY CLERK AND RECORDER, THE PLAT WILL BE RECORDED AS A PRELIMINARY PLAT.



ALIIQUOT SURVEY MARKER, AS NOTED

Preliminary

	<b>WESTCOTT 2 SERIAL ANNEXATION MAP</b> NORTHEAST QUARTER SECTION 19 T1N, R2W, UTE MERIDIAN MESA COUNTY, COLORADO
	High Desert Surveying, LLC 1873 Highway 50, Unit C Grand Junction, Colorado 81503 Telephone: 970-294-2849 Fax 970-241-0451
Stanley K. Warner COLORADO LICENSE NO. 15372 - EXPIRES 12/31/18	PRINTED: 09/23/14 11:37 AM DATE: September 23, 2014 SURVEY: WESTCOTT 2 SERIAL ANNEXATION MAP SHEET 1 OF 1

**ORDINANCE 2014-03**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE  
CITY OF FRUITA AND ZONING NEWLY ANNEXED PROPERTY THEREIN  
TO RURAL RESIDENTIAL  
(WESTCOTT ANNEXATION, PROJECT #2013-19)**

**WHEREAS**, the subject property is shown and described in attached Exhibit A and was recently annexed to the City of Fruita by Ordinances 2014-01 and 2014-02, and

**WHEREAS**, newly annexed property must be zoned in accordance with applicable law, and

**WHEREAS**, the City received an application by Jon E. Westcott, the owner of the subject property, for a Rural Residential zone in conjunction with the annexation of the subject property, and

**WHEREAS**, at their December 10, 2013, public hearing, the Fruita Planning Commission recommended approval of the requested Rural Residential zone to the Fruita City Council, and

**WHEREAS**, public hearings was held by the City Council on December 17, 2013, and January 21, 2014, for the annexation and this zoning request, and

**WHEREAS**, the requested zone is consistent with the City's goals and policies including the City's Master Plan.

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

**THAT** the Official Zoning Map adopted pursuant to Section 17.07.020 of the Fruita Land Use Code (2009, as amended) is hereby amended and that the subject property shown and described on the attached Exhibit A, containing approximately .9 acres, is hereby rezoned to Rural Residential.

**THE CITY OF FRUITA HEREBY ORDAINS:**

**Section 1:** The Official Zoning Map for the City of Fruita, adopted pursuant to the Land Use Code, is hereby amended and the real property described and shown on the attached Exhibit A, containing approximately .9 acres is hereby given a Rural Residential zone.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL  
THIS 21st DAY OF JANUARY, 2014**

ATTEST:

City of Fruita

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

\_\_\_\_\_  
Lori Buck, Mayor

**ORDINANCE 2014-03**  
**EXHIBIT A**  
Page 1  
**LEGAL DESCRIPTIONS**

**WESTCOTT 1 SERIAL ANNEXATION**

A parcel of land located in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) Section 19, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the Southeast corner of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 19, whence the Northeast corner of said NE $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 19 bears North 00°31'08" East, a distance of 1320.11 feet for a basis of bearings, with all bearings contained herein relative thereto, thence North 00°31'08" East, a distance of 858.00 feet, along the East Line of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 19; thence North 89°28'52" West, a distance of 30.00 feet to the POINT OF BEGINNING; thence South 00°31'08" West, a distance of 132.00 feet; thence North 89°28'52" West, a distance of 150.00 feet; thence North 00°31'08" East, a distance of 132.00 feet; thence South 89°28'52" East, a distance of 150.00 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.455 Acres, as described.

**WESTCOTT 2 SERIAL ANNEXATION**

A parcel of land located in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) Section 19, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado and being more particularly described as follows:

Commencing at the Southeast corner of NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 19, whence the Northeast corner of said NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 19 bears North 00°31'08" East, a distance of 1320.11 feet for a basis of bearings, with all bearings contained herein relative thereto, thence North 00°31'08" East, a distance of 858.00 feet, along the East Line of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 19; thence North 89°28'52" West, a distance of 30.00 feet; thence North 89°28'52" West, a distance of 150.00 feet; to the POINT OF BEGINNING; thence South 00°31'08" West, a distance of 132.00 feet; thence North 89°28'52" West, a distance of 150.00 feet; thence North 00°31'08" East, a distance of 132.00 feet; thence South 89°28'52" East, a distance of 150.00 feet to the POINT OF BEGINNING.

Said parcel having an area of 0.455 Acres, as described.

Prepared by: Stanley K. Werner PLS 27279  
High Desert Surveying, LLC

**ORDINANCE 2014-03**  
**EXHIBIT A**  
Page 2  
**LOCATION MAP**

