

ORDINANCE 2021-03

**AN ORDINANCE ANNEXING APPROXIMATELY 4.57 ACRES OF PROPERTY
LOCATED AT 1848 J 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 a Resolution 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. Sanitary sewer service will need be extended to the subject property as acceptable by the City of Fruita.
2. Dedicate a 14-foot multi-purpose easement along Wildcat Avenue (J Road).
3. 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
5TH DAY OF JANUARY 2021.**

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

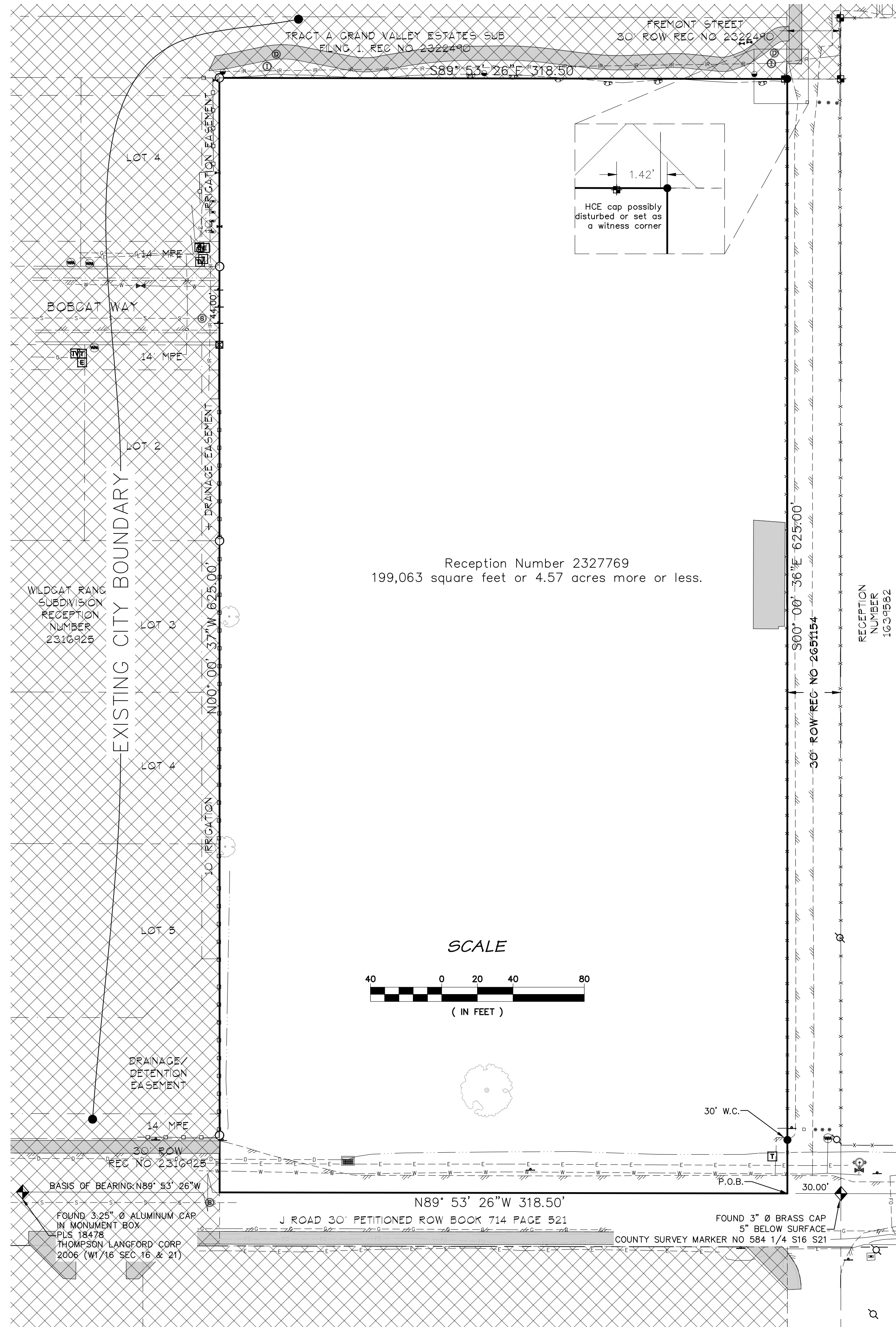
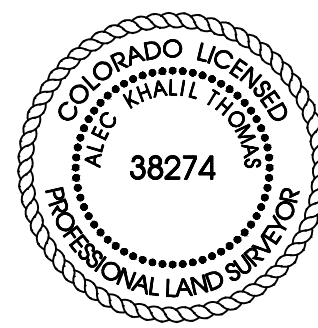
My commission expires _____

SURVEYOR'S CERTIFICATE

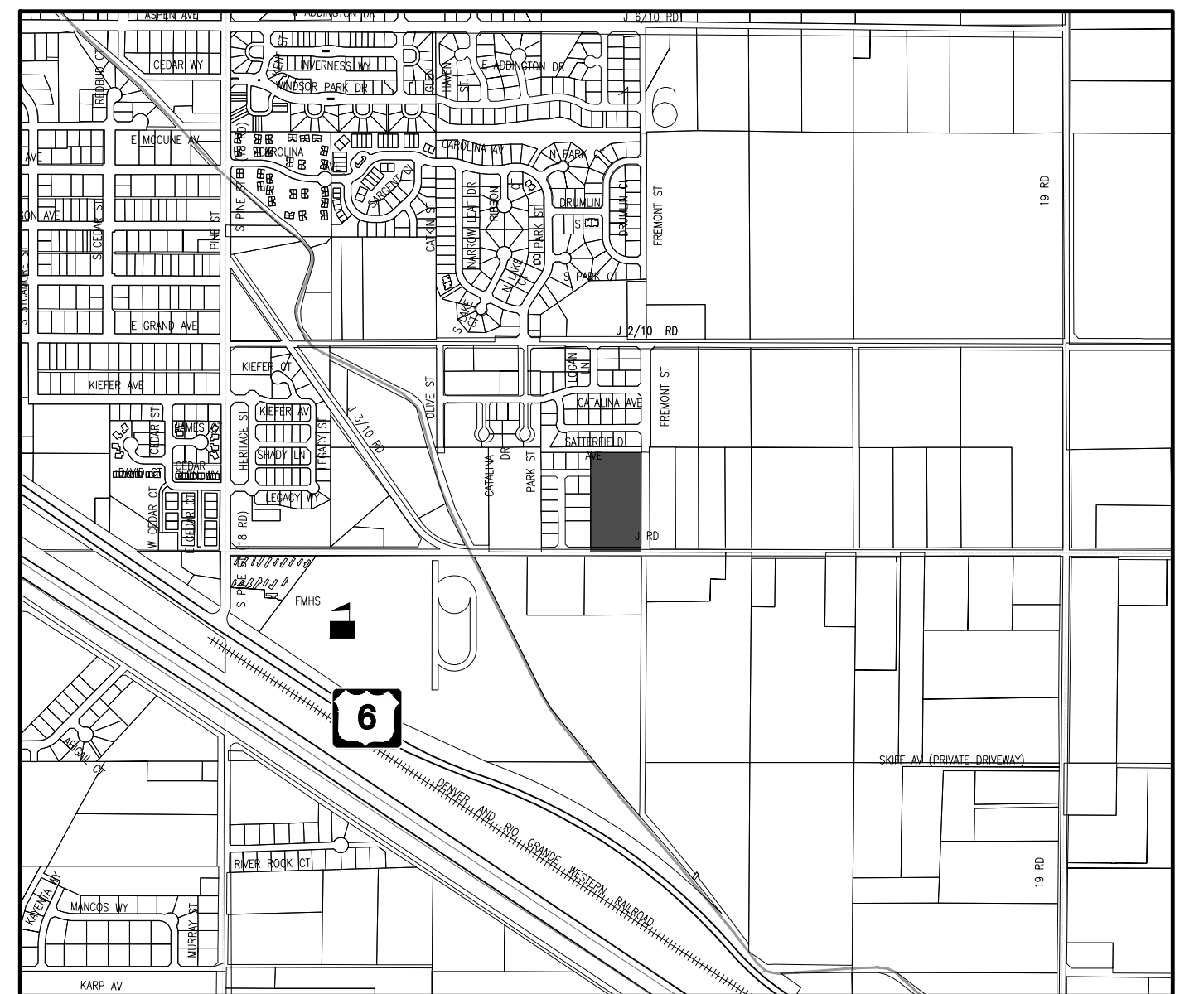
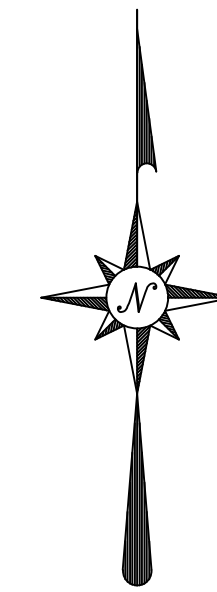
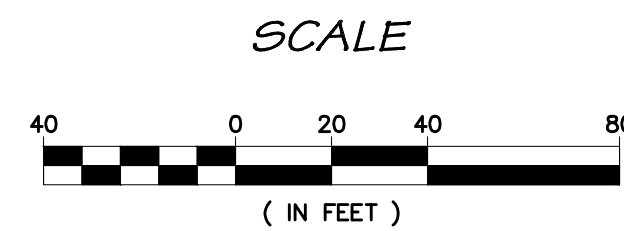
I, _____, a registered land surveyor licensed under the laws of the State of Colorado, do hereby certify that this survey was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief, and that no less than one-sixth (1/6) of the perimeter of the 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.



VICINITY MAP 1:1000

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

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



215 Pitkin Avenue, Unit 201
Grand Junction, CO 81501
Phone: 970.241.4722
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		