

**CITY OF RIFLE, COLORADO  
RESOLUTION NO. 10  
SERIES OF 2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,  
COLORADO, CONCERNING THE GARFIELD COUNTY EMERGENCY  
COMMUNICATIONS AUTHORITY ANNEXATION TO THE CITY OF  
RIFLE.

WHEREAS, in February 2015, there was filed with the City of Rifle, Colorado (hereinafter "City") a Petition requesting that the City Council commence proceedings to annex to the City, as provided in C.R.S. §31-12-104, a certain unincorporated tract of land located in the County of Garfield, State of Colorado and described on Exhibit A, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the City Council by Resolution No. 6, Series of 2015, found that the Petition is in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S. §31-12-107(1), as amended, established a date, time, and place for a hearing upon the Petition, and directed the City Clerk to give notice of the hearing in accordance with C.R.S. §31-12-108(2); and

WHEREAS, notice of such hearing was published on March 12, 19, and 26, and April 2, 2015 in the *Citizen Telegram* newspaper; and

WHEREAS, the public hearing on the Petition was held on April 15, 2015 at a regularly scheduled meeting of the Rifle City Council, and at such hearing any person permitted to appear pursuant to C.R.S. §31-12-109(1) had the opportunity to appear and present evidence upon any matter determined by the City Council; and

WHEREAS, a radiation hazards reports on the Property has been submitted to the City as required by Rifle Municipal Code §16-2-50; and

WHEREAS, the City Council finds and determines that the hearing upon the Petition is now complete.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

FINDINGS OF FACT, DETERMINATIONS AND CONCLUSIONS

1. The City incorporates the foregoing recitals as findings and determinations by the City Council, and conclusively makes all of the Findings of Fact, Determinations and Conclusions contained herein.

2. For the Property, the City staff has determined, and the City Council so finds, that the landowners of one hundred percent (100%) of the Property to be annexed, excluding public

streets and alleys, signed and filed the Petition requesting the annexation to the City of the Property described in the Petition.

3. The Petition is accompanied by five (5) or more copies of the Annexation Map which contains, among other things, the information required by C.R.S. §31-12-107(1)(d).

4. For the Property, the requirements of C.R.S. §31-12-104, as amended, exist or have been met, including without limitation the following:

- a. Not less than one-sixth (1/6th) of the perimeter of the Property is contiguous with the City.
- b. A community of interest exists between the Property and the City.
- c. The Property is urban or will be urbanized in the near future.
- d. The Property is integrated with or is capable of being integrated with the City.
- e. No election for annexation of the area proposed to be annexed to the City has been held in the preceding twelve (12) months.

5. For the Property, the requirements of C.R.S. §31-12-105, as amended, exist or have been met, including without limitation the following:

- a. In establishing the boundaries of the area proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
  - (1) has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof unless such tracts or parcels are separated by a dedicated street, roadway, or other public way; or
  - (2) comprising twenty (20) acres or more (which together with buildings and improvements situated thereon having a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year preceding the proposed annexation) has been included without the written consent of the landowners.
- b. No annexation proceedings have been commenced for the annexation to a municipality other than the City of all or part of the Property.

- c. The annexation proposed in the Petition will not result in the detachment of area from any school district and the attachment of the same area to another school district.
  - d. The annexation proposed in the Petition will not have the effect of extending the municipal boundary of the City more than three (3) miles in any direction from any point on the current municipal boundary of the City.
  - e. The City has previously prepared and adopted a plan meeting the requirements of C.R.S. §31-12-105(e).
6. No election is required under C.R.S. §§31-12-112 and -107(2) for the Property, as no additional terms or conditions are to be imposed upon the owners of property not otherwise agreed to by such owners.
7. The signer of the Petition is the sole owner of one hundred percent (100%) of the area proposed to be annexed, exclusive of public streets and alleys.
8. The annexation to the City of the Property will not result in a change of county boundaries.
9. The names and mailing address of the signer of the Petition and dates of signing are included in the Petition, and the legal description of the land owned by such petitioner is attached to the Petition. No signature on the Petition is dated more than 180 days prior to the date of filing of the Petition for annexation with the City Clerk.
10. No area of the Property proposed to be annexed to the City is presently a part of any incorporated city, city and county, or town, and is not contiguous to any other incorporated city, city and county, or town.
11. It is desirable and necessary that the Property described on Exhibit A be annexed to the City.
12. On even date herewith, the City Council of the City of Rifle, Colorado, shall, by ordinance, annex the Property described on Exhibit A to the City of Rifle.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 15<sup>th</sup> day of April, 2015.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_  
Mayor

ATTEST:

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

**EXHIBIT A**

A parcel of land situate in the NE1/4 Section 16, Township 6 South, Range 93 West of the 6th P.M., County of Garfield, State of Colorado, all bearings relative to a bearing of S48°38'14"W between the northeast corner of the parcel of land described in Book 950, Page 241, an aluminum cap in place and the southwesterly corner of the parcel of land described in Book 1020, Page 104, an aluminum cap LS NO. 10732 witness corner, said parcel of land being more particularly described as follows:

Beginning at the northeast corner of the parcel of land described in Book 950, Page 241, an aluminum cap in place; thence along the east line of said parcel S00°00'00"E 225.00 feet to a point on the east line of that parcel of land as described in Book 1020, Page 104; thence along the east line of Book 1020, Page 104 S00°00'00"E 107.38 feet to a point on the south line of Book 1020, Page 104; thence departing the east line of Book 1020, Page 104 and along the south line of Book 1020, Page 104 N78°52'07"W 305.75 feet to a point on the west line of Book 1020, Page 104; thence departing said south line and along the west line of Book 1020, Page 104 N00°00'00"E 148.35 feet to a point on the south line of that parcel of land described in Book 1345, Page 558; thence departing the west line of Book 1020, Page 104 and along the south line of Book 1345, Page 558 N90°00'00"E 100.00 feet to a point on the east line of Book 1345, Page 558; thence along the east line Book 1345, Page 558 N00°00'00"E 125.00 feet to a point on the southerly right-of-way of East First Street; thence departing the east line of Book 1345, Page 558 and along said southerly right of way N90°00'00"E 200.00 feet to the true point of beginning, said parcel of land containing 1.799 acres more or less.