

CITY OF RIFLE, COLORADO
RESOLUTION NO. 22
SERIES OF 2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,
COLORADO, FINDING THE RIFLE ANIMAL SHELTER ANNEXATION
PETITION TO BE IN SUBSTANTIAL COMPLIANCE WITH STATE STATUTES
AND SETTING A PUBLIC HEARING ON SAID PETITION.

WHEREAS, in August 2015, the Maurice and Eileen Brown filed with the City Clerk of the City of Rifle, Colorado, a petition and request that the City Council of the City of Rifle, Colorado, commence proceedings to annex to the City of Rifle a certain unincorporated tract of land located in the County of Garfield, State of Colorado, known as the Rifle Animal Shelter Annexation described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, the City planning staff advised the Council that after a review of the annexation Petition and map, staff determined that the Petition and map are in substantial compliance with the state statutes, as required by C.R.S. §31-12-107; and

WHEREAS, the Petition alleges as follows:

1. It is desirable and necessary that the territory described above be annexed to the City of Rifle, Colorado.
2. 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 1/6th of the perimeter of the area proposed to be annexed is contiguous with the City of Rifle, Colorado.
 - B. A community of interest exists between the area proposed to be annexed and the City of Rifle, Colorado.
 - C. The area proposed to be annexed is urban or will be urbanized in the near future.
 - D. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Rifle, Colorado.
3. 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.
 - (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 Rifle, Colorado, of all or part of the territory proposed to be annexed.
- 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 of Rifle more than three (3) miles in any direction from any point on the current municipal boundary of the City in any one year; and

WHEREAS, the City has or will have in place a plan meeting the requirements of C.R.S. §31-12-105(e) prior to the effective date of the proposed annexation; and

WHEREAS, no election for annexation of the area proposed to be annexed to the City of Rifle has been held in the preceding twelve (12) months; and

WHEREAS, the signer of the Petition is the owner of one hundred percent (100%) of the territory proposed to be annexed, exclusive of public streets and alleys; and

WHEREAS, the annexation to the City of Rifle, Colorado, of the area proposed to be annexed will not result in a change of county boundaries; and

WHEREAS, the name and mailing address of the signer of the Petition and date of signing are included in the Petition, and the legal descriptions of the land owned by 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; and

WHEREAS, the Petition is accompanied by four (4) or more copies of an Annexation Map containing, among other things, the following information:

- A. A written legal description of the boundaries of the area proposed to be annexed to

the City of Rifle, Colorado;

- B. The boundary of the area proposed to be annexed to the City of Rifle, Colorado;
- C. Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks; and
- D. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the City of Rifle, Colorado; and

WHEREAS, none of the area proposed to be annexed to the City of Rifle, Colorado, 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; and

WHEREAS, it appears that the Petition filed as aforesaid is in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S. §31-12-107(1), as amended.

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

1. The City incorporates the foregoing recitals as findings by the City Council.
2. 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.
3. The City Council of the City of Rifle, Colorado, will hold a hearing upon the Petition for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of C.R.S. §31-12-104 and §31-12-105, as amended, and is considered eligible for annexation. The hearing shall be held on **October 7, 2015**, commencing at the hour of 7 p.m. in the City Council Chambers, 202 Railroad Avenue, Rifle, Colorado.
4. Any person may appear at such hearing and present evidence upon any matter to be determined by the City Council of the City of Rifle, Colorado.
5. The City Clerk of the City of Rifle, Colorado shall give notice of the hearing to be held upon the Petition by causing notice thereof, in accordance with C.R.S. §31-12-108(2), as amended, to be published once a week for four (4) successive weeks in the *Citizen Telegram*, a newspaper of general circulation in the area proposed to be annexed, the first publication to occur at least thirty (30) days prior to the aforesaid hearing. In addition, a copy of the published notice, together with a copy of this resolution and petition as filed, shall be sent by registered mail by the City Clerk to the board of county commissioners and to the county attorney and to any special district

or school district having territory within the area to be annexed at least twenty-five (25) days prior to the hearing date.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 19th day of August, 2015.

CITY OF RIFLE, COLORADO

By _____
Mayor

ATTEST:

City Clerk

EXHIBIT A

A PARCEL OF LAND SITUATE IN THE E1/2 OF THE NE1/4 OF SECTION 8,
TOWNSHIP 6 SOUTH,
RANGE 93 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GARFIELD,
STATE OF COLORADO

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 8; THENCE
S16°27'54"W 2045.29 FEET TO THE TRUE POINT OF BEGINNING; THENCE
N88°15'15"W 707.71 FEET TO A POINT ON THE SOUTHERLY COUNTY ROAD
RIGHT-OF-WAY LINE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE
N15°17'01"E 156.40 FEET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY
LINE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF
586.60 FEET, AN ARC LENGTH OF 217.77 FEET, CHORD BEARS N26°06'26"E
216.52 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE
S58°18'56"E 84.48 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT
HAVING A RADIUS OF 75.01 FEET, AN ARC LENGTH OF 70.13 FEET, CHORD
BEARS S85°06'02"E 67.60 FEET; THENCE ALONG THE ARC OF A CURVE TO
THE RIGHT HAVING A RADIUS OF 300.00 FEET, AN ARC LENGTH OF 217.71
FEET, CHORD BEARS N89°18'06"E 212.97 FEET; THENCE S69°54'29"E 31.03
FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A
RADIUS OF 75.00 FEET, AN ARC LENGTH OF 96.75 FEET, CHORD BEARS
S32°57'04"E 90.18 FEET; THENCE S04°00'21"W 54.48 FEET; THENCE ALONG
THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, AN
ARC LENGTH OF 64.82 FEET, CHORD BEARS S20°45'08"E 62.82 FEET;
THENCE S45°30'37"E 171.08 FEET TO THE POINT OF BEGINNING. SAID
PARCEL OF LAND CONTAINING 3.969 ACRES, MORE OR LESS.