

**CITY OF RIFLE, COLORADO
RESOLUTION NO. 5
SERIES OF 2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,
COLORADO, CONCERNING THE RIFLE REGIONAL WATER PURIFICATION
FACILITY EXPANSION PROPERTY ANNEXATION TO THE CITY OF RIFLE

WHEREAS the City of Rifle is the owner of certain real property in unincorporated Garfield County known as the Rifle Regional Water Purification Facility Expansion Property and described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter the "Property"); and

WHEREAS, C.R.S. Section 31-12-106(3) provides that when a municipality is the sole owner of a parcel of unincorporated land eligible for annexation as set forth in Sections 31-12-104(1)(a) and 31-12-105, C.R.S., the governing body may by ordinance annex said area to the municipality without notice and public hearing as provided in Sections 31-12-108 and 31-12-109, C.R.S.; and

WHEREAS, no Annexation Impact Report is required; and

WHEREAS, the City Council on March 2, 2016 and March 16, 2017 considered the proposed annexation and pursuant to C.R.S. Section 31-12-106(3), the City of Rifle annexed the Property to the City by Ordinance No. 7, Series of 2016.

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. City staff has prepared an Annexation Map which contains, among other things, the information required by C.R.S. Section 31-12-107(1)(d).
3. The requirements of C.R.S. Section 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.
4. The requirements of C.R.S. Section 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. Section 31-12-105(e).
5. No election is required under C.R.S. Sections 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.

6. 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.

7. The annexation to the City of the Property will not result in a change of county boundaries.

8. 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.

9. It is desirable and necessary that the Property described on Exhibit A be annexed to the City.

10. 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 2nd day of March, 2016.

CITY OF RIFLE, COLORADO

By



Mayor

ATTEST:



City Clerk



EXHIBIT A

A parcel of land lying in the SW1/4SW1/4 of Section 10, Township 6 South, Range 93 West of the 6th P.M., more particularly described as follows: Beginning at the southwest corner of said Section 10; thence North $0^{\circ}41'27''$ West 1009.21 feet to a point on the southerly right of way line of County Road No. 294; thence along said right of way line the following three courses: North $66^{\circ}53'40''$ East 28.84 feet; North $66^{\circ}31'33''$ East 264.71 feet; North $65^{\circ}37'50''$ East 53.00 feet; thence South $55^{\circ}10'00''$ East 210.00 feet; thence South $72^{\circ}50'00''$ East 125.00 feet; thence South $0^{\circ}00'00''$ East 140.00 feet; thence North $90^{\circ}00'00''$ East 130.00 feet; thence North $0^{\circ}00'00''$ East 150.00 feet; thence North $68^{\circ}42'00''$ East 75.50 feet; thence North $29^{\circ}22'00''$ West 298.81 feet to a point on the southerly right of way line of County Road No. 294; thence along said right of way line along a non-radial curve to the right having a central angle of $16^{\circ}01'20''$, a radius of 170.00 feet; an arc length of 47.54 feet and of which the chord bears North $81^{\circ}43'44''$ East 47.38 feet; thence continuing along said right of way North $89^{\circ}44'24''$ East 614.86 feet; thence South $0^{\circ}39'11''$ East 1289.77 feet along the east line of the SW1/4SW1/4 of Section 10 to the southeast corner of said SW1/4SW1/4 of Section 10; thence South $89^{\circ}37'31''$ West 1327.52 feet along the South line of the SW1/4SW1/4 of Section 10 to the POINT OF BEGINNING.