

RESOLUTION 2022- 9

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF MOFFAT  
FINDING SUBSTANTIAL COMPLIANCE AND INITIATING ANNEXATION PROCEEDINGS  
FOR THE POTCH ANNEXATION NO. 4**

**WHEREAS**, a written petition, together with four (4) prints of annexation maps, have been filed with the Town Clerk requesting the annexation of certain properties to be known as the Potch Annexation No. 4, as more particularly described below; and

**WHEREAS**, the Town Board of Trustees desires to initiate annexation proceedings for the Potch Annexation No. 4 in accordance with the Municipal Annexation Act, Section 31-12-101, et seq., Colorado Revised Statutes.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF MOFFAT** as follows:

- Section 1. That the Town Board of Trustees hereby makes and adopts the determinations and findings contained in the recitals set forth above.
- Section 2. That the Town Board of Trustees hereby accepts the annexation petition for the Potch Annexation No. 4, more particularly described as situate in the County of Saguache, State of Colorado, reference to which is incorporated herein as Exhibit A.
- Section 3. That the Board of Trustees hereby finds and determines that the annexation petition for the Potch Annexation No. 4 is in substantial compliance with the Municipal Annexation Act in that the petition contains the following:
  - 1) An allegation that it is desirable and necessary that such area be annexed to the municipality;
  - 2) An allegation that the requirements of the C.R. S. sections 31-12-104 and 31-12-105 exist or have been met;
  - 3) An allegation that the signer of the petition comprises more than one hundred percent of the landowners in the area and owns more than one hundred percent of the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality;
  - 4) The signature of such landowner;
  - 5) A request that the annexing municipality approve the annexation of the area proposed to be annexed;
  - 6) The mailing address of such signer;
  - 7) The legal description of the land owned by such signer;
  - 8) The date of signing of the petition ; and

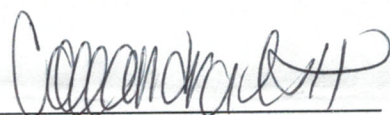
9) The affirmation of the signer that the signature therein is the signature of the person whose name it purports to be.

Section 4. That the Town Board of Trustees hereby finds and determines that the annexation map, four copies total, accompanying the annexation petition for the Potch Annexation No. 4 is in substantial compliance with the Municipal Annexation Act in that the map contains the following:

- 1) A written legal description of the boundaries of the area proposed to be annexed;
- 2) A map showing the boundary of the area proposed to be annexed;
- 3) Within the annexation boundary map, a showing of the location of the 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
- 4) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality, and no other municipality abuts the areas proposed to be annexed.

Section 5. That the Notice attached hereto as Exhibit "B" is hereby adopted as a part of this Resolution. Said Notice established the date, time, and place when a public hearing will be held regarding the passage of annexation and zoning ordinances pertaining to the above described property. The Town Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

Passed and adopted at a regular meeting of the Town Board of Trustees of the Town of Moffat, this 9<sup>th</sup> day of March, 2022.

  
\_\_\_\_\_  
Mayor, Cassandra L. Foxx


ATTEST:  
  
\_\_\_\_\_  
Town Clerk, Matt Litrenta

EXHIBIT "A"  
LEGAL DESCRIPTION

A tract of land situated in the Lots 4 and 5, Section 6, Township 43 North, Range 10 East, N.M.P.M., County of Saguache, State of Colorado.

Also known as: 17848 CO RD 59 Moffat, Colorado 81143

Containing approximately 59.96 acres

Exh. b. + B



TOWN OF MOFFAT | EST. 1911

PO Box 353  
Moffat, CO 81143  
719-256-4538

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that a Petition for Annexation of territory hereinafter described has been presented to the Town Board of Trustees of Moffat, Colorado and found to be in apparent compliance with the applicable provisions of law. The Town Board has adopted Resolution No. 9 setting a public hearing to be held at 7:00 P.M. on 04/20/22 at the Moffat Hall, 401 Lincoln Street, Moffat, Colorado, to determine if the proposed annexation complies with the applicable requirements of law.

Any person may appear at the hearing and present evidence upon any matter to be considered by the Town Board of Trustees.

Given this 8<sup>th</sup> day of March, 2022

**TOWN OF MOFFAT:**

Matt Litrenta, Town Clerk

Cassandra L. Foxx, Mayor