

TOWN OF MOFFAT, COLORADO
RESOLUTION NO. 2020-05

**A RESOLUTION MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED
POTCH ANNEXATION NO. 2 TO THE TOWN OF MOFFAT, COLORADO**

WHEREAS, the Board of Trustees of the Town of Moffat, Colorado, has found a petition for the annexation of the hereinafter described parcel of land to be in substantial compliance with the requirements of Section 31-12-107(a), Colorado Revised Statutes; and

WHEREAS, the Town Clerk has provided notice of public hearing on the proposed annexation by publication once per week for four successive weeks, and by registered mail to the Clerk of the Board of County Commissioners, the County Attorney, the school district and to any special district having territory in the area to be annexed; and

WHEREAS, the Town Board of Trustees on November 5th, November 19th, 2019, and January 21, 2020, completed a public hearing to determine if the proposed annexation complies with Article II, Section 30 of the Colorado Constitution and Sections 31-12-104 and 105, Colorado Revised Statutes, to establish eligibility for annexation.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Town of Moffat, Colorado, that:

1. The Town Board of Trustees hereby finds and concludes with regard to the annexation of the territory described in Exhibit A attached hereto and incorporated herein, and considered in the sequence as set forth in Exhibit A, that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the Town and, therefore, because of such contiguity, a community of interest exists between the territory proposed to be annexed and the Town; the territory proposed to be annexed is urban or will be urbanized in the near future, and that the territory proposed to be annexed is integrated or is capable of being integrated with the Town; and

2. The Town Board of Trustees finds and determines that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; that the annexation will not result in the detachment of area from a school district; that the annexation will not result in the extension of a municipal boundary more than three miles; that the Town has a plan for said three mile area; and that in establishing the boundaries of the area to be annexed the entire width of any street or alley is included within the area to be annexed.

3. An election is not required, and no additional terms or conditions are to be imposed upon the area to be annexed.

4. Based on the foregoing, the Board of Trustees finds that the proposed annexation complies with Sections 31-12-104 and 105, C.R.S., and the subject property is eligible for annexation to the Town of Moffat.

DONE and SIGNED this 4th day of February, 2020.

TOWN OF MOFFAT, COLORADO

Patricia Reigel
Patricia Reigel, Mayor

ATTEST



Sarah Van Horn Town Clerk



EXHIBIT A
(RESOLUTION NO. 2020-5)

Annexation Parcel 1

An Annexation Parcel of Land located in the Northwest 1/4 of Section 6, T. 43 N., R. 10 E., N.M.P.M., Saguache County, Colorado more particularly described as follows:
Oklahoma Land and Colonization Company Tract 35, Section 6, T. 43 N., R. 10 E., N.M.P.M.;
Said Parcel containing 5.008 Acres, more or less.