

RESOLUTION NUMBER 2018-7

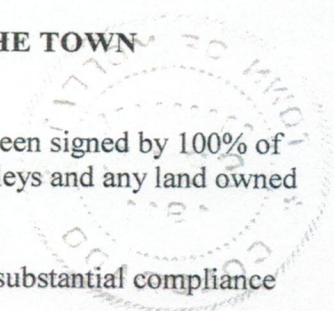
A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF POTCH LLC ANNEXATION PETITION FOR THE ANNEXATION OF A TRACT OF LAND LOCATED IN TOWNSHIP 43 NORTH, RANGE 10 EAST, NEW MEXICO PRINCIPAL MERIDIAN, SAGUACHE COUNTY, COLORADO; AND SETTING FORTH DETAILS IN REGARDS THERETO; AND SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER ELIGIBILITY OF SAID LAND FOR ANNEXATION

WHEREAS, the owners of 100% of the real property included in an area proposed to be annexed in Saguache County, Colorado (which area is described in exhibit 1 attached hereto and made a part hereof by reference), excluding public streets and alleys and any land owned by the Town of Moffat, have filed a petition for annexation of said area with the Town Clerk of the Town of Moffat, Colorado, requesting the Town to commence proceedings for the annexation of said area; and

WHEREAS, having received the petition for annexation, the Town Board is required under the *Municipal Annexation Act of 1965*, as amended, to determine whether said petition is in substantial compliance with C.R.S. Section 31-12-107 (1), and if so, to follow the procedure set forth in C.R.S. Sections 31-12-108 through 111;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF MOFFAT, COLORADO:

1. The Town Board hereby finds that the petition for annexation has been signed by 100% of the landowners in the area proposed to be annexed, excluding public streets and alleys and any land owned by the Town of Moffat.
2. The Town Board hereby finds that the petition for annexation is in substantial compliance with the requirements of C.R.S. Section 12-31-107 (1), as amended.
3. The Town Board hereby finds that it has the necessary jurisdiction to proceed with the annexation of said area.
4. The Town Board hereby determines that it shall hold a public hearing to determine if the proposed annexation complies with Sections 31-12-104 and 31-12-105, C.R.S., as amended, to establish whether or not said area is eligible for annexation under the *Municipal annexation act of 1965*, said hearing to be held at a special meeting of the Town Board on Monday, April 16th at 6:30 p.m., which date is not less than 30 nor more than 60 days from the date of this Resolution, in the Town Hall, 401 Lincoln Avenue, Moffat, Colorado.
5. The Town Clerk is hereby directed to give notice of said public hearing in accordance with the provisions of Section 31-12-108 (2), C.R.S., as amended.
6. This resolution shall take effect upon its adoption.



385481

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State of Colorado

Trish Gilbert, Saguache County Recorder

05-23-2018 10:04 AM Recording Fee \$23.00



**EXHIBIT 1: LEGAL DESCRIPTION OF PROPERTY PROPOSED FOR
ANNEXATION TO THE TOWN OF MOFFAT**

A parcel of land located in United States General Land Office Lot 6 in Section 6, Township 43 North and Range 10 East of the New Mexico Principal Meridian, Saguache County, Colorado.

More particularly described as:

Tracts 19, 20, 29, 30, 36, 45 and 46 of the Oklahoma Land and Colonization Company's Tracts, according to the plat filed for record July 13, 1910 in the records of the County Clerk and Recorder of Saguache County, Colorado.

AND

United States General Land Office Lots 9, 10, 11, and 12, LESS and EXCEPT that portion that lies South of the right of way for County Road U60 as presently located of Section 6, Township 43 North, Range 10 East of the New Mexico Principal Meridian, Saguache County, Colorado.

REVIEWED, CONSIDERED, APPROVED AND ADOPTED this 1st day of May, 2018.

Town of Moffat, Colorado

Patricia Riegel

Patricia Riegel, Mayor

Attest: (SEAL)

Sarah Van Horn

Sarah Van Horn, Town Clerk



1. The Town Board hereby finds that the petition for annexation has been properly filed and that the area proposed to be annexed, excluding public streets and public utilities, is within the boundaries of the Town of Moffat.
2. The Town Board hereby finds that the petition for annexation is in compliance with C.R.S. Section 31-12-107 (1), as amended.
3. The Town Board hereby finds that it has the necessary jurisdiction to proceed with the annexation of said area.
4. The Town Board hereby determines that it shall hold a public hearing to determine if the proposed annexation complies with Sections 31-12-104 and 31-12-105, C.R.S., as amended, to establish whether or not said area is eligible for annexation under the Municipal Annexation Act of 1967, said hearing to be held at a special meeting of the Town Board on Monday, April 16th at 6:30 p.m., which date is not less than 30 nor more than 60 days from the date of this Resolution, in the Town Hall, 401 Lincoln Avenue, Moffat, Colorado.
5. The Town Clerk is hereby directed to give notice of said public hearing in accordance with the provisions of Section 31-12-108 (2), C.R.S., as amended.
6. This resolution shall take effect upon its adoption.