

RESOLUTION 2022-__10__

**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, reaffirmed and adopted at a regular meeting of the Town Board of Trustees of the Town of Moffat, this 26th day of April, 2022.

Mayor, Cassandra L. Foxx

ATTEST:

Town Clerk, Matt Litrenta

