

**ORDINANCE NO. 25-2018**

**AN ORDINANCE APPROVING THE ANNEXATION OF THE 2018 COUNTY OF ALAMOSA PETITION FOR THE ANNEXATION OF A TRACT OF LAND CONTAINING APPROXIMATELY 59.97 TOTAL ACRES LOCATED IN THE NW¼ OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 10 EAST, NEW MEXICO PRINCIPAL MERIDIAN, ALAMOSA COUNTY, COLORADO.**

**WHEREAS**, the petition filed by the owners of 100% of the real property included in an area proposed to be annexed, being generally an approximately 60 acre parcel in the N½NW¼ of Section 22, T37N, R10E, NMPM, lying south of Airport Road and east of County Road 109 S north of Lakewood (which area is described in exhibit A attached hereto and made a part hereof by reference), excluding public streets and alleys and any land owned by the City of Alamosa, was previously found by the Alamosa City Council to be in substantial compliance with Section C.R.S. § 31-12-107(1) (Resolution No. 12-2018, June 27, 2018); and

**WHEREAS**, all applicable requirements of the *Code of Ordinances of the City of Alamosa, Colorado*, have been fulfilled; and

**WHEREAS**, the property is eligible for annexation in accordance with the *Municipal Annexation Act of 1965*, as amended, as found by Resolution No. 12-2018 after duly noticed public hearing; and

**WHEREAS**, the Alamosa City Council finds it in the best interests of the citizens of Alamosa that the proposed property be annexed, consistent with the terms and conditions of the annexation agreement dated August 1, 2018, hereby approved by the City, with direction to the City Manager to execute the annexation agreement on behalf of the City;

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the City Council of the City of Alamosa, Colorado:

**Section 1.** That the property described in the attached Exhibit A is hereby annexed to the City of Alamosa, Colorado, which property has no street address applicable to the property as a whole.

**Section 2.** The zoning for said property is hereby determined and established to be: "I" (Industrial).

**Section 3.** That, in annexing said property to the City of Alamosa, Colorado, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets, or any other services or utilities in connection with the property hereby annexed except as may be expressly provided by the ordinances of the City of Alamosa, Colorado, and that the owners of such

annexed property shall be responsible for the cost of extension of such services and utilities.

**Section 4. General Repealer.** All acts, orders, ordinances, resolutions, or portions thereof in conflict herewith, are hereby repealed to the extent of such conflict.

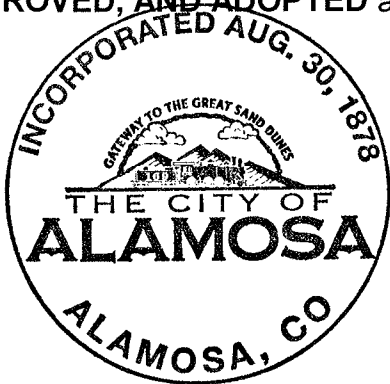
**Section 5. Recording and Authentication.** This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City Book of Ordinances kept for that purposes, and published according to law.

**Section 6. Publication and Effective Date.** This ordinance shall take effect ten (10) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

**Section 7. Declaration of Public Interest.** This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

**INTRODUCED, READ AND ORDERED** published the 18<sup>th</sup> day of July, 2018, and a public hearing hereon fixed for the 1<sup>st</sup> day of August, 2018 at 7:00 p.m., or as soon thereafter as the matter may be heard.

**APPROVED, AND ADOPTED** after public hearing this 1st day of August, 2018.



CITY OF ALAMOSA

By: Ty Coleman  
Ty Coleman, Mayor

ATTEST:

Holly C. Martinez  
Holly C. Martinez, City Clerk

## EXHIBIT A

### ORDINANCE NO. 18-2018

#### LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED INTO THE CITY OF ALAMOSA

##### (1) TRACT 1 DESCRIPTION

A tract of land located in the Southeast Quarter (SE¼) of Section 32 and the Southwest Quarter (SW¼) of Section 33, Township 38 North, Range 10 East, New Mexico Principal Meridian, Alamosa County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at a point on the southerly limits of the Alamosa Flood Protection Easement as filed in the office of the Alamosa County Clerk and Recorder at Reception No. 0144, from which the Southwest Sixteenth Corner of Section 33, monumented by a No. 6 Rebar with a 3¼" Aluminum Cap set by PLS. 5442, bears S 76°41'33" E a distance of 660.46 feet; thence N 75°24'12" W, along the north boundary of River Trece Subdivision as filed in the office of the Alamosa County Clerk and Recorder at Reception No. 264769, a distance 255.97 feet, to the Southeast corner of the Schiffer Annexation as per the plat filed in the office of the Alamosa County Clerk and Recorder at Reception No. 292242, thence N 11°46'35" W a distance of 55.82 feet to the northeast corner of said annexation; thence N 75°25'13" W along the north boundary of said Annexation a distance 322.43 feet; thence along the arc of a curve to the right (Curve Data: Radius = 2423.52 feet; Central Angle = 4°27'34"; Chord Bearing = N 73°10'03" W; Chord Length = 188.57 feet) a distance 188.62 feet; N 00°00'00" W along the west boundary of the tract herein described a distance of 294.24 feet to a point on the southerly boundary line for said Alamosa Flood Protection easement; thence along the southerly limits of the Alamosa Flood Protection Easement for the following three (3) courses:

1. thence along the arc of a curve to the right (Curve Data: Radius = 2246.83 feet; Central Angle = 20°00'28"; Chord Bearing = S 55°13'41" E; Chord Length = 780.61 feet) a distance 784.59 feet;
2. thence S 45°08'032" E a distance of 62.81 feet;
3. thence S 47°51'02" E a distance of 88.90 feet to the Point of Beginning, containing 2.17 acres, more or less. This parcel is subject to any and all existing easements of what-so-ever nature.

##### TRACT 2 DESCRIPTION

A tract of land located in the Southeast Quarter (SE¼) of Section 32 , Township 38 North, Range 10 East, New Mexico Principal Meridian, Alamosa County, Colorado, being more particularly described by metes and bounds as follows:

Beginning at the Southwest corner of the River Trece Two as filed in the office of the Alamosa County Clerk and Recorder at Reception No. 289875, from which the Southeast Corner of Section 32, monumented by a 2½" Brass Cap and pipe set by PLS. 5442. thence S 89°47'24" W

along the south line of the Southeast Quarter of said Section a distance of 258.60 feet; thence along the westerly boundary of the parcel herein described for the following nine (9) courses;

1. thence N 00°12'44"W a distance of 110.65 feet;
2. thence S 89°47'16" W a distance of 43.63 feet;
3. thence N 00°12'44"W a distance of 268.92 feet;
4. thence N 00°55'07" E a distance of 60.06 feet;
5. thence N 00°02'20"E a distance of 332.25 feet;
6. thence along the arc of a curve to the right (Curve Data: Radius = 1250.00 feet; Central Angle = 36°55'35"; Chord Bearing = N 18°30'08" E; Chord Length = 791.74 feet) a distance 805.61 feet;
7. thence N 53°28'25" W a distance of 339.03 feet;
8. thence S 74°41'38" W a distance of 784.82 feet;
9. thence N 00°02'20" E a distance of 492.56 feet to the northwest corner of the tract herein described; thence N 74°44'38" E a distance of 777.51 feet to a point on the southwesterly line of the proposed Chefas Riparian Park; thence along said Riparian Park for the following five (5) courses;
  1. thence S 04°33'00" E a distance of 129.46 feet;
  2. thence S 40°17'22" E a distance of 262.30 feet;
  3. thence S 56°48'09" E a distance of 477.79 feet;
  4. thence N 33°49'08" E a distance of 312.60 feet;
  - . thence S 56°10'52" E a distance of 50.00 feet to a point on the northerly boundary of River Trece Two; thence along the westerly boundary of said River Trece Two for the following three (3) courses;
    1. thence S 33°49'08" W a distance of 959.86 feet;
    2. thence S 09°41'13" W a distance of 298.34 feet;
    3. thence S 00°54'26" W a distance of 807.59 feet to the Point of Beginning, containing 26.47 acres, more or less.