

#### PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT JUNE 14, 2022

**Application #: 2022-18** 

**Project Name:** Latigo Annexation

Application: Annexation

Property Owner: JLM Development LLC
Representative: APEX Consulting Engineers

Location: 1834 J Road

Zone: Currently zoned Agricultural, Forestry and Transitional (AFT-

County zoning)

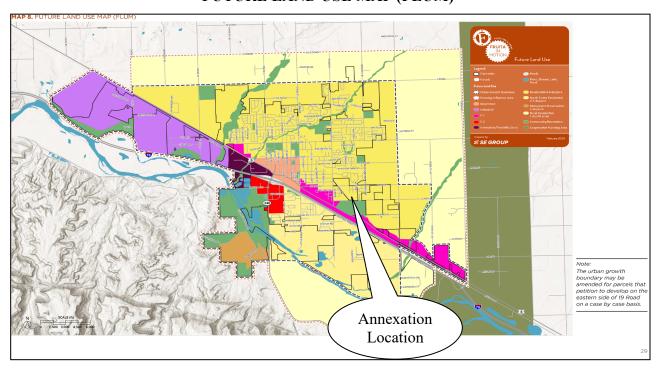
Request: This is a request for approval of the annexation of approximately 5

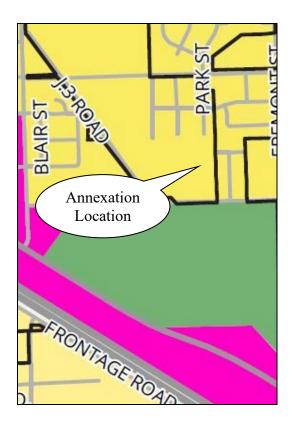
acres into the Fruita City Limits.

#### **PROJECT DESCRIPTION:**

The property owner of 1834 J Road, JLM Development LLC, applied to annex the property. The subject property is approximately 5 acres and is located north of Fruita Monument High School and west of the Wildcat Ranch Subdivision. The property currently has a vacant mobile home and what appears to be a vacant dwelling unit/out building on it.

#### **FUTURE LAND USE MAP (FLUM)**



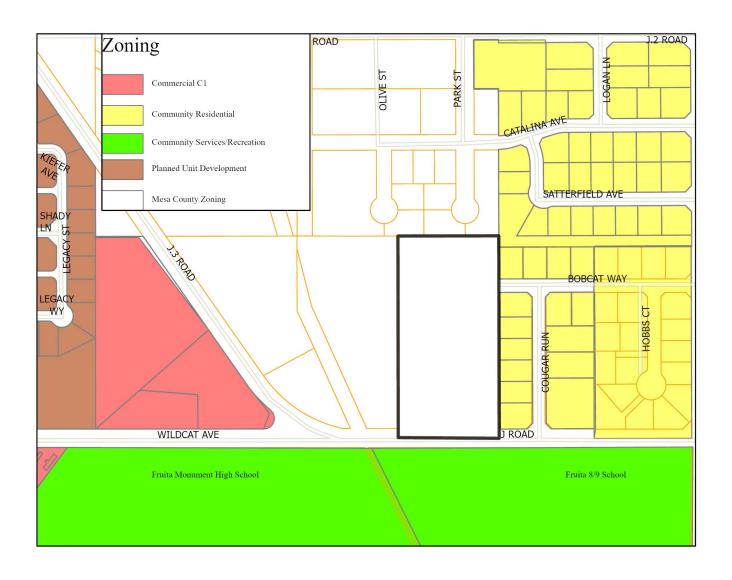




### **SURROUNDING LAND USES AND ZONING:**

Surrounding land uses are primarily single family detached residential with Fruita High School and the Fruita 8/9 School directly to the south. The map below identifies the various zones in this area.

#### LOCATION AND ZONING MAP



#### 2020 AERIAL PHOTOGRAPH



#### **REVIEW OF APPLICABLE LAND USE CODE REQUIREMENTS:**

#### **ANNEXATION**

Section 17.17.050 (A) - If the subject property is located within the city's Urban Growth Boundary (UGB) as defined by the Fruita Community Plan, annexation may be approved only after considering the following criteria:

1. The annexation meets the requirements of the applicable State Statutes;

This annexation request meets the requirements of state laws. The property has the required 1/6<sup>th</sup> contiguity with existing city limits which is required per Section 31-12-104 of the Colorado Revised Statutes (CRS).

The city limits border this property on the east side by 659.74 feet according to the annexation map submitted with the application. This meets the 1/6<sup>th</sup> contiguity requirement, and the annexation petition has been signed by the property owner.

Additionally, the Fruita Comprehensive Plan supports this area to be incorporated within the city limits. This criterion <u>has been met</u>.

## 2. The area is or can be efficiently served by city utilities and capital investments, including water, sewer, parks, drainage systems and streets;

Annexation of the subject property will not trigger an extension of city utility services. Review of adequate and appropriate city utilities will be evaluated at the time this property develops. The subject property is surrounded by either urban or rural development, however, not all the urban utilities are available to the subject property. The project narrative states that irrigation shares are in the process of being obtained in accordance with city standards. Prior to annexation, the city will require a headgate report and water shares documentation to ensure the subject property can be efficiently served with irrigation water. It should also be noted that irrigation water shares are evaluated at the time the property develops. This criterion can be met.

#### 3. The area is contiguous with existing urban development;

The subject property is contiguous to the city limits with the Wildcat Ranch Subdivision to the east, Fruita Monument High School and Fruita 8/9 School to the south. Additionally, the Fruita Comprehensive Plan supports residential development in this area. This criterion <u>has been met</u>.

## 4. The area is or can be efficiently served by police and other municipal services;

The subject property is within the service area for the Fruita Police Department, the Lower Valley Fire District. Since the subject property is already being served by these services, this criterion has been met.

## 5. The development is consistent with community goals, principles, and policies as expressed in the Fruita Comprehensive Plan;

Annexation within the Comprehensive Plan states that the city should, "Approve annexation of parcels within the UGB (Urban Growth Boundary) at the desired densities as described in the FLUM (Future Land Use Map). Annexation should help ensure that new development at the edge of the city is consistent with the goals and policies of this plan."

Additionally, the city should "Ensure that new development pays its own way and does not burden the existing community with additional capital or operating costs. Ensure that new annexations at the city's edge share appropriately in the costs of connecting all utility, park, drainage, pedestrian, and road systems."

Furthermore, the city should "Avoid 'leapfrog' developments that leave discontinuous street and utility systems. Consider annexation proposals on the basis of the logical and cost-effective extension of utilities, pedestrian connections, parks, drainage, and road systems. Also consider the fiscal burden of the annexation in terms of major capital investments that would be needed by the City (wastewater, roads)."

A goal of the Comprehensive Plan is to prioritize infill development and in this case meets this intended goa although the property is not being developed at this time. Annexation will ensure that at the time of development, the city standards and criteria will need to be met.

Annexation of the property appears to be consistent with the Fruita Comprehensive Plan. These approval criteria are intended to implement the goals and policies of the Fruita Comprehensive Plan regarding annexations. It appears that the approval criteria either have been met or can be met, therefore, this annexation is consistent with the Fruita Comprehensive Plan.

#### 6. The annexation is supported by local residents and landowners;

The Fruita Comprehensive Plan (Fruita In Motion: Plan Like A Local) was adopted by the Fruita City Council on February 4, 2020 (Resolution 2020-09). Fruita in Motion: Plan like a Local speaks to the community's significant role in the planning process. Residents helped shape every element of the plan, from sharing what they valued about Fruita and identifying issues for the plan to address, to reviewing drafts, and providing feedback on goals and policies. The process reached a large swath of the community, through traditional outreach (open houses, an advisory committee) and meeting people where they are, with booths at farmers markets, the art stroll, and other city events and the draft plan tour, where City staff met with HOAs and other local groups to share the plan and hear input from the community.

With regards to the subject property, 53 landowners were noticed of this annexation application. The number of property owners noticed of this application is set forth with the legal notice requirements contained in the Land Use Code. Staff <u>has not received written public comments</u> regarding this application.

The annexation is supported by the landowner and the landowner has signed the annexation petition. This is in accordance with C.R.S 31-12-107.

This criterion has been met.

## 7. Water and ditch rights can be provided, as applicable, in accordance with city policies;

The project narrative states, "The property doesn't currently have irrigation shares, though has an agreement with an entity to purchase shares that will be unneeded do to their land use application at a nearby property. The required shares are expected to be secured by May 20, 2022." The submittal also included a copy of a water shares document for 7 shares. The 7 shares should be adequate to meet the city requirement of 1-1.5 shares per irrigated acre. The applicant will need to verify the 7 shares are allocated to the subject property.

This application was sent to Grand Valley Irrigation Company (GVIC) for review and no review comments have been received at this time.

Additionally, this application was sent to Ute Water and review comments indicate no objections.

This criterion can be met.

### 8. The area will have a logical social and economic association with the city, and;

Annexation of the subject property will not provide much with respect to an economic association with the city at this time. However, growth and development within the city's UGB is planned and does make sense with respect to city services being extended. Annexation and future development of the subject property will insure that development pressures within the UGB are controlled by the Fruita Land Use Code and are provided urban level services. This criterion can be met.

## 9. The area meets or can meet the existing infrastructure standards set forth by the city.

Staff recommends approval of the annexation petition with the condition that there will be dedication of additional right of way and multi-purpose easements as follows:

- 1. J Road to have a total of 30 feet from the section line as dedicated right-of-way.
- 2. Dedication of a 14-foot multipurpose easement adjacent to all the right of way adjoining the subject property.

This criterion can be met.

Based on this information, the annexation of the subject property meets or can meet the approval criteria that must be considered for annexations. It should be noted that there is an existing mobile home on the property. This mobile home would require a Conditional Use Permit in the Community Residential zone (expected zoning type for the property) and annexation would make this mobile home legal non-conforming. Staff expects this mobile home to be removed from the property upon annexation.

#### **REVIEW COMMENTS:**

No reviewer expressed any issues with the proposed annexation.

#### **PUBLIC COMMENTS:**

No written public comments have been received by Staff at this time.

#### **LEGAL NOTICE (17.07.040 (E)):**

Legal Notice (minimum of 15 days prior to Planning Commission)					
May 27, 2022 (18 days prior)	Post Cards [17.07.040 (E)(1)(d)]				
May 27, 2022 (18 days prior)	Sign Posting [17.07.040 (E)(1)(c)]				
May 27, 2022 (18 days prior)	Legal Ad [17.07.040 (E)(1)(a)]				

#### NOTICE OF PUBLIC HEARING

The Fruita Planning Commission will hold a public hearing **Tuesday**, **June 14**, **2022** at **6:00 p.m**. This meeting may be held in person subject to public health orders or by City Council direction. Details on how to access this meeting will be found at www.fruita.org. If the meeting is held in person, the virtual link will remain open for public participation. The following item will be presented at the public hearings. The Planning Commission will formulate a recommendation, which will be forwarded to the Fruita City Council. If the item listed below is acted on by the Planning Commission, the Fruita City Council will hold a public hearing on this same item on **Tuesday**, **August 16**, **2022** at **7:00 p.m**. Please check <a href="https://www.fruita.org">www.fruita.org</a> for more details. If you have an interest on the item please call 858-0786 or come to the Planning & Development Department office located at 325 E. Aspen Avenue to review the information in the file. Your appearance at both hearings is encouraged to ensure your concerns are accurately represented or you can write a letter outlining your concerns and submit it to the Planning & Development Department.

Application # 2022-18
Application Name Latigo
Application Type Annexation
Location 1834 J Road

Current Zone: Mesa County Zoning AFT

Description This is a request to annex approximately 5.0 acres into the city limits.

Physically disadvantaged persons who wish to obtain information or need assistance in attending the Public Hearing, may call (970) 858-0786,

the hearing impaired may call Relay Colorado at 1-800-659-2656, or visit our website: www.fruita.org





#### **STAFF RECOMMENDATION:**

Staff recommends <u>approval</u> of the annexation petition with the condition that there will be dedication of additional right of way on J Road and a 14-ft multipurpose easement adjacent to the right of way.

#### SUGGESTED PLANNING COMMISSION MOTION:

Mr. Chair, I move that we recommend <u>approval</u> to City Council, of application #2022-18, the Latigo Annexation with the condition that all review comments and issues

identified in the Staff Report be adequately addressed or included with the Annexation Ordinance.

### **ANNEXATION SCHEDULE:**

Latigo Annexation Schedule					
Date	Action				
June 7, 2022	Resolution to set a hearing date to determine eligibility				
	Published in Daily Sentinel (Once a week for 4				
	consecutive weeks)				
	* June 10, 2022				
	* June 17, 2022				
	* June 24, 2022				
	* July 1, 2022				
June 14, 2022	Planning Commission considers Annexation & Zone				
July 19, 2022	Resolution to find the property eligible for Annexation				
July 19, 2022	1st Reading of an Ordinance to Annex				
	1st Reading of an Ordinance to Zone				
August 16, 2022	2nd Reading of an Ordinance to Annex				
	2nd Reading of an Ordinance to Zone				
Legal Notice (minimum of 15 days prior to Planning Commission)					
May 27, 2022	Post Cards				
May 27, 2022	Sign Posting				
May 27, 2022	Legal Ad				

### ANNEXATION IMPACT REPORT

### CITY OF FRUITA MAY 20, 2022

**Application #: 2022-18** 

**Project Name:** Latigo Annexation

Application: Annexation

Property Owner: JLM Development LLC Representative: APEX Consulting Engineers

Location: 1834 J Road

Zone: Currently zoned Agricultural, Forestry and Transitional (AFT-

County zoning)

Request: This is a request for approval of the annexation of approximately 5 acres

into the Fruita City Limits.

Section 17.17.040 of the Fruita Land Use Code states that any annexation not requiring an election shall be accompanied by an annexation impact report which contains the following elements.

## A. Plans of the municipality for extending to or otherwise providing for municipal services;

The Future Land Use Map (FLUM) within The Fruita In Motion: Plan Like A Local Comprehensive Plan shows the subject property within the City's Urban Growth Boundary. The Urban Growth Boundary was developed with the anticipation of providing the necessary municipal services. With that said, the city <u>does</u> have plans to provide municipal services to this area.

Historically, the City of Fruita has not forced the extension of municipal services. The city has been proactive in planning for future extensions of the city limits with regards to providing municipal services to the areas designated in the Urban Growth Boundary. This includes the municipal services provided by the City of Fruita (sanitary sewer and police).

#### B. The City of Fruita's anticipated financing of the extension of services;

The City of Fruita will <u>not</u> be financing the extension of services (water, sewer, gas, etc.) to the subject property at this time.

#### C. The special districts included in the territory to be annexed;

No special districts are included within the territory to be annexed. Below are the agencies or entities that have taxing authority over the territory to be annexed. These agencies will be notified of the annexation application.

- 1. Lower Valley Fire Protection District.
- 2. Mesa County School District 51.
- 3. Grand Valley Irrigation Company.
- 4. Grand Valley Mosquito Control District.
- 5. Mesa County Public Library District.
- 6. Grand Valley Drainage District.
- 7. Colorado River Water District.
- 8. Library District.
- 9. Mesa County Social Services.

# D. The effect of annexation on the public school district system including the estimated number of students generated and capital construction required to educate each student;

The school district boundaries for the recently constructed Monument Ridge Elementary School, Fruita Middle School, Fruita 8/9, and Fruita Monument High School already include the subject property. This implies that no new impacts on the school system would be generated from this annexation application. The impacts to the school district system will be evaluated by the Mesa County Valley School District when this property develops. The School District has been made aware of this annexation.

#### E. Traffic/pedestrian/bicycle impacts;

Traffic, pedestrian and bicycle impacts should not change with the annexation of the subject property. Traffic, pedestrian and bicycle impacts will remain the same.

#### F. Wastewater, water, drainage, and irrigation impacts, and;

Impacts on these facilities shouldn't change with the annexation itself. When the property develops, necessary regulations from review agencies will be reviewed with a land development application.

## G. Other relevant information as required by the Community Development Department.

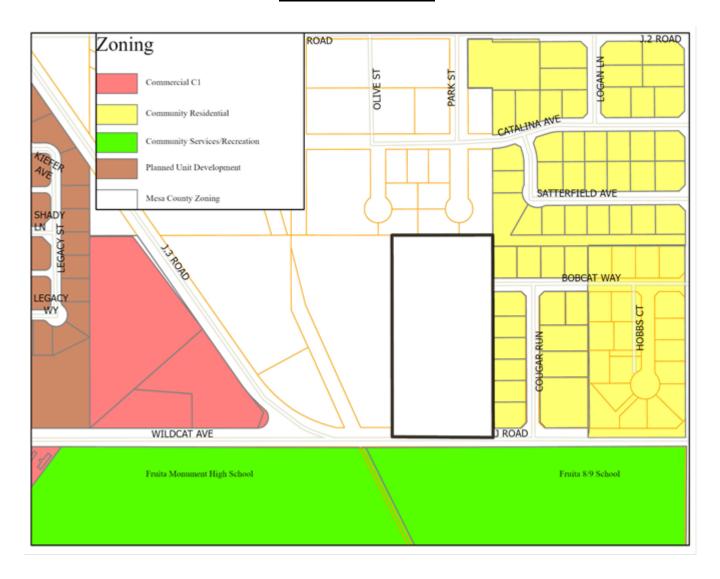
#### **Review Agencies:**

- 1. Xcel Energy
- 2. Grand Valley Power Company
- 3. Charter Communications
- 4. Century Link
- 5. Ute Water

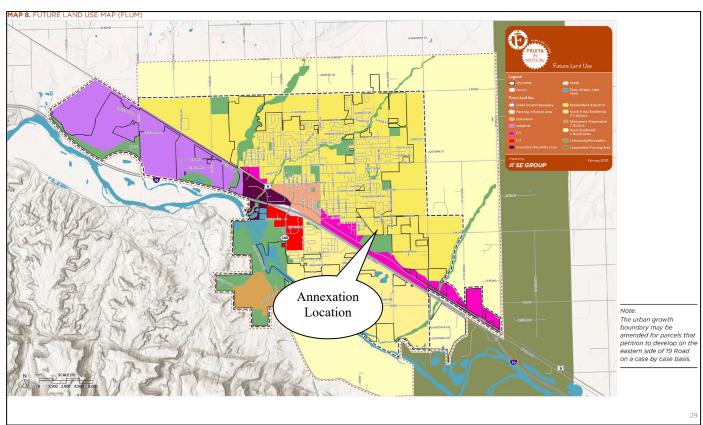
- 6. Grand Valley Drainage District
- 7. Grand Valley Irrigation Company
- 8. Mesa County Community Development Department
- 9. Mesa County Building Department
- 10. Mesa County Surveyor
- 11. Mesa County Valley School District (School District 51)
- 12. 5-2-1 Drainage Authority
- 13. Lower Valley Fire Protection District
- 14. Grand River Mosquito District

### **Map Exhibits:**

#### **Present City boundary**



#### Proposed City boundary as set forth in the Future Land Use Map (FLUM)





Source: City of Fruita Comprehensive Plan Fruita In Motion: Plan Like A Local. Chapter 3, Page 29. Approved by Resolution 2020-09



### 2022-18 Latigo Annexation Consolidated Review Comments

#### **Grand Valley Drainage District**

GVDD has no objection to the annexation.

#### **Grand Valley Power**

Thanks for the opportunity to review this project. It is in the GVP Service Area.

#### **Lower Valley Fire District**

No objection or comments.

#### Mesa County Stormwater

Mesa County Stormwater Division has no comments or objections. However, any subsequent development (if any) will need to apply for MS4 permit following annexation.

#### **Mesa County Building Department**

MCBD has no objections.

#### **Mesa County Planning Department**

Mesa County Planning has no comments.

#### **Mesa County Public Works Department**

Mesa County Development Engineering Comments:

1. When development occurs on the annexed parcel the developer will need to coordinate with the County on access to J Road.

#### **Ute Water**

No objection to annexation.

- ALL FEES AND POLICIES IN EFFECT AT TIME OF APPLICATION WILL APPLY.
- If you have any questions concerning any of this, please feel free to contact Ute Water.

#### **XCEL Energy**

Xcel has no objections, however the Developer needs to be aware that at the time of submitting an application with Xcel the following will be required and could happen:

- 1. Accurate BTU loads for the new homes will be required.
- 2. If determined by area engineer that reinforcement is needed to Xcel's gas main to support added loads from subdivision, said reinforcement will be at Developers expense.
- 3. Reinforcement costs are required to be paid prior to installation.

4. Tariff changes have taken effect as of 10/1/2019 affecting the cost of subdivision lots averaging less than 60'. They will have a standard cost per lot.

Completion of this City/County review approval process does not constitute an application with Xcel Energy for utility installation. Applicant will need to contact Xcel Energy's Builder's Call Line/Engineering Department to request a formal design for the project. A full set of plans, contractor, and legal owner information is required prior to starting any part of the construction. Failure to provide required information prior to construction start will result in delays providing utility services to your project. Acceptable meter and/or equipment locations will be determined by Xcel Energy as a part of the design process. Additional easements may be required depending on final utility design and layout. Engineering and Construction lead times will vary depending on workloads and material availability. Relocation and/or removal of existing facilities will be made at the applicant's expense and are also subject to lead times referred to above. All Current and future Xcel Energy facilities' must be granted easement.



### LAND DEVELOPMENT APPLICATION

Project Name: Latigo Subdivision	
Project Location: 1834 J Road, Fruita, CO	
	Requested Zone: Residential (4-8 DU/Acre)
Tax Parcel Number(s): 2697-163-00-082	Number of Acres: 5.0
Project Type: Annexation	
Property Owner: JLM Development LLC	Developer: APEX Consulting Engineers
Property Owner:	Contact: Eric Marquez
Address: 595 20 3/4 Rd	Address: 1000 N 9th St #44
City/State/Zip: Grand Junction, CO 81507 Phone: Fax:	City/State/Zip: Grand Junction, CO 81501
Phone: Fax:	Phone: 970-424-5280 Fax:
E-mail:	E-mail: eric@apexgj.com
should attend all conferences/hearings, informatio	e coordinator for this application. The representative, will receive all correspondence, and communicate all on to the property owners.  Engineer: APEX Consulting Engineers
Owner Rep: APEX Consulting Engineers Contact: Eric Marquez	Contact: Eric Marquez
Address: 1000 N 9th St #44	Address: 1000 N 9th St #44
City/State/Zip: Grand Junction, CO 81501	
Phone: 970-424-5280 Fax:	
E-mail: eric@apexgj.com	E-mail: eric@apexgj.com
The above information is correct and acc	s the owner's representative, if designated, to act on y owners regarding this application. urate to the best of my knowledge.
SLM DEVELOPMENT LLC	SiCa/ 4-8-202
Name of Legal Owner	Signature Date
Name of Legal Owner	Signature Date
Name of Legal Owner	Signature Date
STATE OF COLORADO) ST	USAN ANDERSON  NOTARY PUBLIC TATE OF COLORADO
, , , , , , , , , , , , , , , , , , , ,	TARY ID 20214015854 ISSION EXPIRES APRIL 22, 2025
The foregoing instrument was acknowledge	d before me this 8 day of April, 2023
My Commission expires: April 22,	2025  Stand Cuoluso  Notary Public

## Latigo Subdivision

### **ANNEXATION NARRATIVE**

Project Location: 1834 J RD

Fruita, CO

**Property Owner:** JLM Development, LLC

**Prepared By**: APEX Consulting Engineers, LLC

1000 N 9<sup>th</sup> Street, Suite 44 Grand Junction, CO 81501

Report Date: April 4, 2022





## Preliminary Project Narrative Latigo Subdivision

### Contents

A.	Project Description	. 1
	Requirements of State Law	
	Urban Services and Facilities	
	Existing Development	
	City's Master Plan	
	Local Support	
	Social and Economic Association	
	Conclusion	



#### A. Project Description

The property owner proposes an Annexation (the Annexation) of a 4.99 acre parcel with two existing outbuildings. The Project is located on the north side of J Road and West of Wildcat Ranch Subdivision with an address of 1834 J Road. It will be annexed into the City of Fruita as it currently resides in Mesa County's jurisdiction.

#### B. Requirements of State Law

This annexation meets the requirements of State law Title 31, Article 12.

#### C. Urban Services and Facilities

#### 1. Utilities

#### a) Utility Providers

The following utility providers currently service and/or are able to service the property:

Potable Water
 Irrigation Water
 Ute Water Conservancy District
 Grand Valley Irrigation Company

Sanitary Sewer
 Electric
 Fruita Sewer District
 Grand Valley Power

Natural Gas Xcel Energy

Communications/DataStormwaterCharter/SpectrumCurb and Gutter

#### b) Irrigation

The closest source for irrigation water to service the subject site is piped underground along the south side J Road, south of the site. The proposed connection shall be made with the pipe under J Road with a valve device controlling the flow of water to the property. A pipe will convey water from the headgate device to a settlement and storage vault. A separate pump system will then deliver pressurized irrigation water to the subdivision.

The property doesn't currently have irrigation shares, though has an agreement with an entity to purchase shares that will be unneeded do to their land use application at a nearby property. The required shares are expected to be secured by May 20, 2022.

#### 2. Impact

#### a) Public Safety

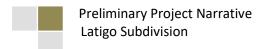
No unusual demands or increases are anticipated for public safety resources.

#### b) Streets

No increase in volume of traffic along J road will occur due to the Annexation.

#### c) Irrigation

No changes are proposed to the irrigation system as a part of this application.





#### D. Existing Development

The surrounding area is occupied with agricultural land and detached, single family residences. The Annexation is compatible with the surrounding area.

#### E. City's Master Plan

The future Land Use Map identifies the property as "Residential 4-8," defined as 4 to 8 units/acre density detached single-family residential neighborhoods with the inclusion of other housing types such as attached dwelling units. The Annexation is in compliance with the 2020 Comprehensive Plan.

#### F. Local Support

A neighborhood meeting was not required but was suggested for this application.

#### G. Social and Economic Association

Approval of this application will provide the ability for infill development of an underutilized lot. The 5.03 acre property is labeled as Residential (4-8 DU/Acre) in the City of Fruita Comprehensive Plan, February 2020. Providing infill opportunities encourages efficient use of existing infrastructure and can reduce development pressure on outlying areas.

#### H. Conclusion

The Project is in compliance with the City of Fruita Land Use Code Title 17 and will allow for the use of underutilized property.

#### PETITION FOR ANNEXATION

**WE, THE UNDERSIGNED**, in accordance with the Municipal Annexation Act of 1965, Part 1, Article 12, Title 31, Colorado Revised Statutes, as amended, hereby petition the City Council of the City of Fruita, Colorado, for the annexation of the unincorporated area located in the County of Mesa, State of Colorado, as described on attached Exhibit A.

In support of this Petition, the Petitioners state:

- 1. It is desirable and necessary that the above-described area be annexed to the City of Fruita, Colorado.
- 2. The requirements of Section 31-12-104, C.R.S., as amended, exist or have been met, to wit:
  - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fruita;
  - b. A community interest exists between the area proposed to be annexed and the City of Fruita;
  - c. The area proposed to be annexed is urban or will be urbanized in the near future; and
  - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fruita.
- 3. The requirements of Section 31-12-105 C.R.S., as amended, exist or have been met, to wit:
  - a. In establishing the boundaries of the territory to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowners thereof unless such tracts or parcels are separated by a dedicated street, road, or other public way;
  - b. In establishing the boundaries of the area proposed to be annexed, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty acres or more (which, together, with the buildings and improvements situated thereon) has a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year

- next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners;
- c. No annexation proceedings have been commenced for the annexation of part or all of the subject property to another municipality;
- d. The annexation of the area proposed to be annexed will not result in the detachment of the area from any school district and the attachment of same to another school district:
- e. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the City of Fruita more than three miles in any direction from any point of the City's boundary in any one year;
- f. If any portion of the platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed; and
- g. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises, adjoining any platted street or alley to be annexed that will not be bordered on both sides by the City of Fruita.
- 4. The Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
- 5. This Petition for Annexation satisfies the requirements of Article II, Section 30, of the Colorado Constitution in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the City of Fruita.
- 6. Attached hereto and incorporated by reference is an Annexation Map showing:
  - a. The boundary of the area proposed to be annexed including a legal description of the area to be annexed:
  - b. The location of each ownership tract in unplatted land and the boundaries and the plat numbers of plots or of lots and blocks; and
  - c. The contiguous boundary of the City of Fruita abutting the area proposed to be annexed.

7. All of the petitioners signed this Petition for Annexation no more than 180 days prior to the date of the filing of this Petition for Annexation.

**WHEREFORE**, the Petitioners request that the Fruita City Council approve the annexation of the area proposed to be annexed.

Dated this day of	_, 20 <u>2 </u> .
Property Owner	Property Owner
County of Mesa ) ) ss. State of Colorado )	
Subscribed and sworn to before me this A	day of <u>December</u> , 20 <u>M</u> by
Witness my hand and official seal.  My commission expires:  3/13/2025  Mailing address of each property owner:	Notary Public  MYAH LEWIS  NOTARY PUBLIC · STATE OF COLORADO  Notary ID #20214032476  My Commission Expires 8/13/2025
595 2034 PD	
GRAM SCT, CO	81507

#### **AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, being first duly sworn upon oath, deposes and says:

That he/she was the circulator of the foregoing Petition for Annexation consisting of \_\_\_\_\_ pages, including this page and that each signature thereon was witnessed by your affidavit and is the true signature of the person whose name it purports to be.

Circulator

State of Colorado ) ) ss County of Mesa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this day of December , 2021, by Myah Lewis .

Witness my hand and official seal.

Notary Public

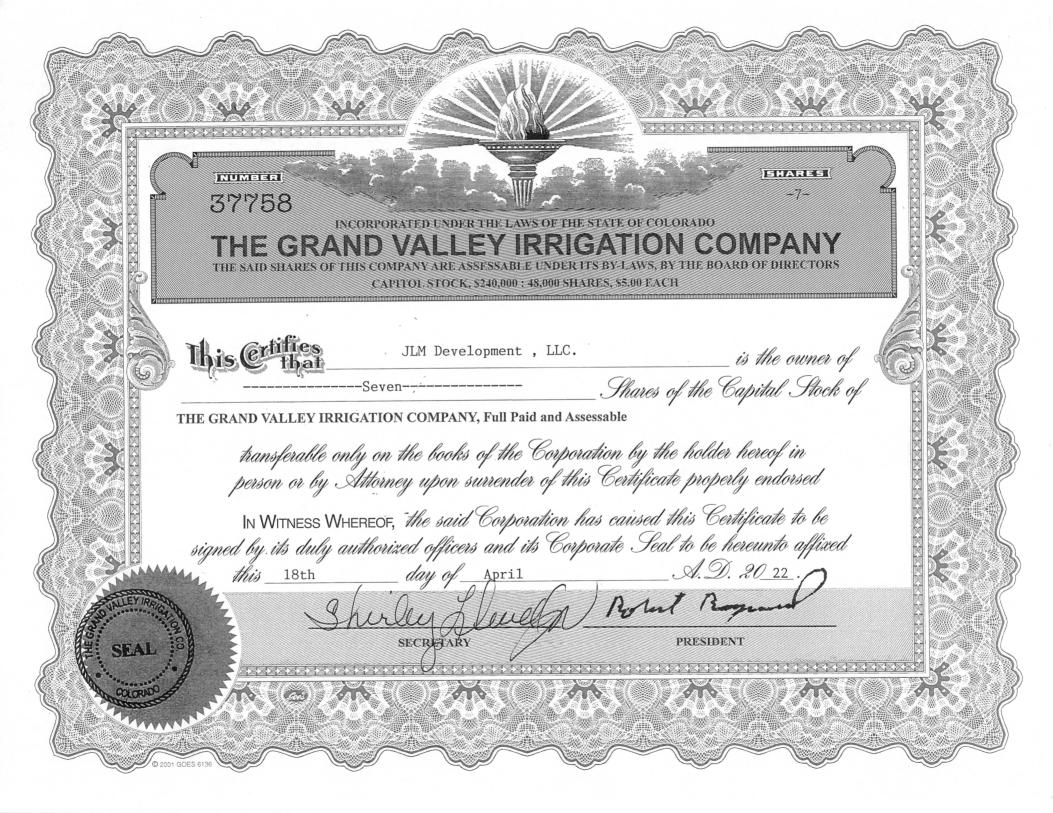
My commission expires: 8/13/2025

MYAH LEWIS

NOTARY PUBLIC - STATE OF COLORADO

Notary ID #20214032476

My Commission Expires 8/13/2025



53716	<b>OWNER</b> Levi & Samatha Harvey 2049 J Rd Fruita, CO 81521	USER	<b>RENTED</b> No	ML410	ORDEROUT 22	30412	OWNER Joe A & Dolly J Johnston 958 20 Rd Fruita, CO 81521	USER	<b>RENTED</b> No	ML410	ORDEROUT 4
51912	Rodger Hatfield 953 20 Rd Fruita, CO 81521		No	ML410	2	50661	Gaylen & Nancy Kettle 893 20 Rd Fruita, CO 81521		No	ML410	123
50379	Tere Hayward 1088 20 Rd Fruita, CO 81521		No	ML410	5	51146	Ronald C & Mortisha A Key 2043 H 3/4 Rd Fruita, CO 81521		No	ML410	2
50397	Robert Herrera 998 20 Rd Fruita, CO 81521		No	ML410	5	53289	Bernard or Theresa Lammers 907 S. Mud Springs Road Payson, AZ 85547		No	ML410	1
26141	Arthur W& Donna Hoisington 912 19 1/2 Road, Rt 2 Fruita, CO 81521		No	ML410	19	53068	Le Chateau LLC 1063 21 1/2 Road Grand Junction, CO 81505		No	ML410	27
52237	Jo Holcomb Jeff Cook 1983 J Rd Fruita, CO 81521		No	ML410	7	52733	L-J Holdings LLC etal 940 19 1/2 Rd Fruita, CO 81521		No	ML410	30
51791	Michelle C Houlne 2029 I Rd Fruita, CO 81521		No	ML410	4	40101	Arthur & Janet Lloyd 950 20 Rd Fruita, CO 81521		No	ML410	10
53456	Teresa K. Howitt Myron K. Howitt 2019 J Road Fruita, CO 81521		No	ML410	6	53791	Joshua Mather Charla & Craig Hill 948 20 Rd Fruita, CO 81521		No	ML410	3
49266	Mark A & Kim L Hyatt 1988 I 3/10 Rd Fruita, CO 81521		No	ML410	5	51055	Dan McWilliams 921 20 Rd Fruita, CO 81521		No	ML410	2
49271	James M & Mary Ann Jensen 871 20 1/2 Rd Fruita, CO 81521		No	ML410	4	53021	Blake Menge Nina Menge 2020 I Road Fruita, CO 81521		No	ML410	24
53849	JLM Development LLC 595 20 3/4 Road Grand Junction, CO 81507		No	ML410	, 7	50271	Clark R & Shawna M Milsap 922 20 Rd Fruita, CO 81521		No	ML410	5

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#### 1834 J ROAD ANNEXATION SITUATED IN THE SE¼ SW¼ SECTION 16 LEGAL DESCRIPTION AND CERTIFICATION OF OWNERSHIP TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE UTE MERIDIAN We JLM Development, LLC a Colorado Limited Liability Company, the owners of 100 COUNTY OF MESA, STATE OF COLORADO percent of the following described property, excluding any public streets and alleys, to NORTH LINE SE $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 16 THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE S89° 53′ 35″E 1319.90′ SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE UTE FOUND MCSM# 1215 659.95' 659.95' MERIDIAN, COUNTY OF MESA, STATE OF COLORADO. SOUTHWEST 1/16 CORNER SOUTH 1/16 CORNER N0°00'26"E SECTION 16 SECTIONS 16 have by these presents laid out the same as shown hereon and designate the same as 659.74' T1N, R2W, UTE P.M. T1N, R2W, UTE P.M. \_\_ Annexation to the City of Fruita, County of Mesa, State of Colorado. EXECUTED this\_\_\_\_\_\_, 2021. ABBREVIATIONS: /NVERT 24" STORM 4520.44 GRAND VALLEY ESTATES SUBDIVISION NORTH DITCH FILING 1 SOUTH RECEPTION No. 2322490 EAST S89° 53′ 31″E 660.15 WEST S89° 53′ 31″E 660.15′ 330.07 TOWNSHIP RANGE STATE OF COLORADO MESA COUNTY SURVEY MARKER COUNTY OF Mesa RIGHT OF WAY SURVEY INFORMATION MANAGEMENT SYSTEM The foregoing certification was acknowledged before me this\_ PROFESSIONAL LAND SURVEYOR \_\_\_\_\_2021, by\_\_\_ GLOBAL POSITIONING SYSTEM Witness my hand and official seal. IDENTIFICATION My commission expires:\_ SQUARE FEET LOT 1 BLOCK 1 **AVENUE** Notary Public STREET CT. COURT CITY COUNCIL CERTIFICATE LN. LANE DR. DRIVE The City Council of the City of Fruita, Colorado, by Resolution Number UNITED STATES \_\_,duly adopted on the\_\_\_\_\_day of L.C.E. LIMITED COMMON ELEMENT found and determined that annexation of the property designated herein complies with the requirements contained in Article 12, Title 31, C.R.S., as amended, and that said P.O.C. POINT OF COMMENCEMENT BOBCAT WAY P.O.B. **POINT OF BEGINNING** property is eligible for annexation to the City of Fruita. The City Council of the City of 44'ROW Fruita, Colorado, by Ordinance Number\_\_\_\_\_\_, duly adopted on the\_\_\_\_\_day of\_\_\_\_\_ \_\_\_\_, 2021, did annex the property herein described to the City of Fruita, Colorado. ATTEST, GRAPHIC SCALE: City Clerk LOT 6 BLOCK 3 LINEAR UNITS ARE U.S. SURVEY FEET PLANNING COMMISSION CERTIFICATION This plat approved by the City of Fruita Planning Commission the\_\_\_\_\_ LOT 5 BLOCK 3 TITLE CERTIFICATE HATCHED AREA LAND TITLE GUARANTEE COMPANY does hereby certify that it has examined the title to REPRESENTS LAND WITHIN all lands shown on this Map and that title to such lands is vested in JLM THE CITY OF FRUITA DEVELOPMENT, LLC, free and clear of all liens, taxes, and encumbrances. LOT 4 BLOCK 3 EXECUTED this\_\_\_\_\_day of\_\_\_\_\_ Title Examiner SURVEYOR'S CERTIFICATE LOT 3 BLOCK 3 monumented on the ground. <u>LEGEND:</u> EXECUTED this\_\_\_\_day of \_\_\_\_\_ FOUND SURVEY MARKER FOUND No. 5 REBAR L.S. #24306 LOT 2 BLOCK 3 ■ FOUND No. 5 REBAR L.S. #18478 FOR REVIEW FOUND No. 5 REBAR NO CAP —X— FENCE LINE TELEPHONE PEDESTAL ———— BURIED TELEPHONE LINE HOUSE 1 Registered Land Surveyor UTILITY POLE ---- OVERHEAD UTILITY LINE LOT 1 BLOCK 3 ₩ WATER VALVE W WATER METER COUNTY OF MESA, STATE OF COLORADO FOUND MCSM# 583-1 FOUND MCSM# 584 WEST 1/16 CÖRNER SOUTH 1/4 CORNER ———— EXISTING SANITARY SEWER MANHOLE SECTION 16 & 21 SECTION 16 \* SAN EXISTING SANITARY SEWER MAIN LINE T1N, R2W, UTE P.M. T1N, R2W, UTE P.M. MESA COUNTY GPS ID T0955 MESA COUNTY GPS ID S275 DATE: 8/25/21 DRAWING NAME: 1834 J ROAD ®D STORM SEWER ELEVATION (NAVD88)=4523.97ELEVATION (NAVD88)=4530.67POLARIS SUR VEYING ■ 18" STM EXISTING STORM SEWER MAIN LINE → 8" SAN BASIS OF BEARINGS → 8" SAN → 8" J ROAD N89° 53' 27"W 1320.69' 60' ROW ROAD BOOK 1 PAGE 4 & 32 SOUTH LINE SE \$\frac{1}{4}\$ SW \$\frac{1}{4}\$ SECTION 16 = PATRICK W. CLICK P.L.S. CONCRETE

I PATRICK W. CLICK, a registered land surveyor licensed under the laws of the State of Colorado, do hereby certify that this survey was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief, and that no less than one—sixth (1/6) of the perimeter of the area as shown hereon is contiguous with the existing boundaries of the City of Fruita, Colorado. I further certify that the external boundaries of the property shown on this Map have been

### 1834 J ROAD ANNEXATION

SITUATED IN THE SE1/4 SW1/4 SECTION 16 TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE UTE MERIDIAN

JOB #: 2006-088 FIELD WORK: PC DRAWN BY: JW

3194 MESA AVE. #B GRAND JUNCTION, CO 81504 PHONE (970)434-7038

CHECKED BY: