



# CITY COUNCIL ACTION FORM

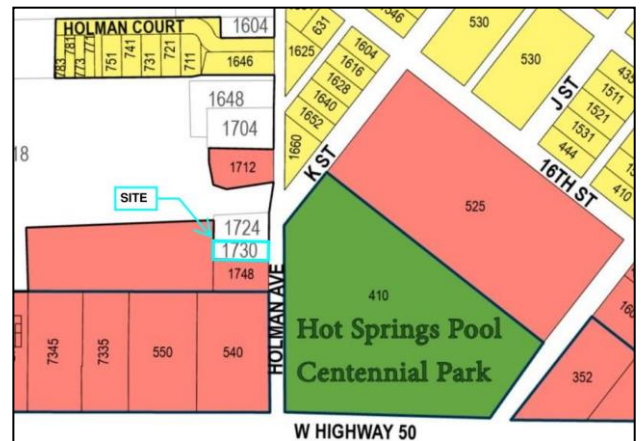
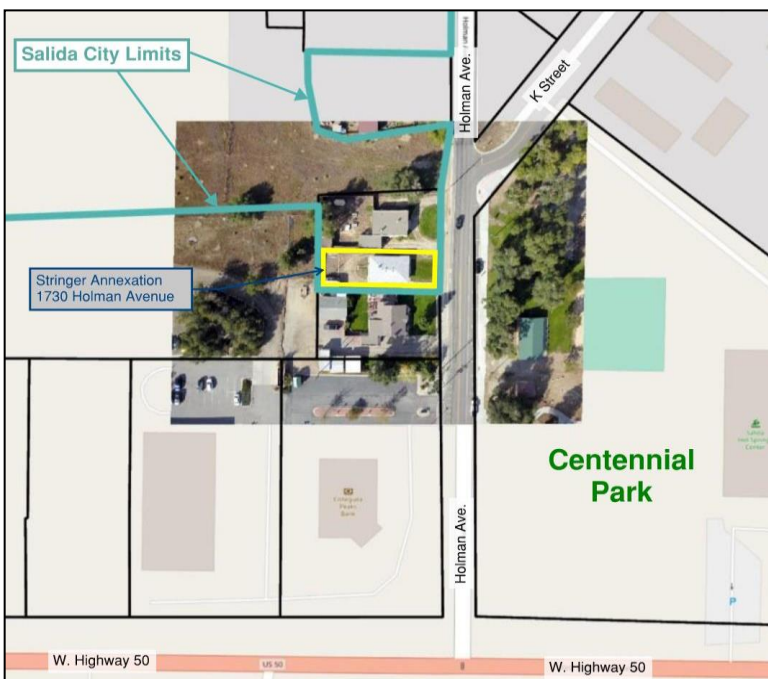
DEPARTMENT	PRESENTED BY	DATE
Planning	Franco Palumbo - Planning Technician	October 18, 2022

## ITEM

Resolution 2022-51: A resolution declaring the Stringer Annexation is in substantial compliance with city ordinances and state statutes and setting a public hearing for December 06, 2022.

## BACKGROUND

The applicants, Paul and Rebecca Stringer, are requesting to annex their 0.17 acre (7510.8 sq.ft.) property located at 1730 Holman Avenue into the City. The site is adjacent to two commercial district (C-1) zoned properties. To the south of the site is a residential property and to the west is a hospital property. The site is across the street from Centennial Park. There is a single-family residence located on the property.



When annexing a property the City must follow state statutes for contiguity and process requirements. The steps and standards include:

- 1/6th of the perimeter of a proposed annexation must be contiguous with the City of Salida;
- Staff reviews the petition for compliance with city and state statutes and Council adopts a resolution stating the petition is valid and sets a public hearing date that is no less than 30 days and no greater than 60 days from the resolution date;



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- The public hearing is advertised in the newspaper for four consecutive weeks;
- The Planning Commission holds a public hearing to review the annexation and recommend the zoning designation of the property;
- Council holds the public hearing on the annexation;
- Council adopts a resolution stating the proposed findings on the annexation;
- Council approves an annexation agreement; and
- Council holds a public hearing on the proposed zoning.

### **FISCAL NOTE**

### **STAFF RECOMMENDATION**

Staff finds the proposed annexation in substantial compliance with city and state statutes and recommends Council adopt the proposed resolution setting a public hearing for December 06, 2022.

### **SUGGESTED MOTION**

A Council person should make a motion to “approve Resolution 2022-51 declaring the Stringer Annexation is in substantial compliance with city ordinances and state statutes and setting a public hearing for December 06, 2022.”

Attachment: Resolution 2022-51

**CITY OF SALIDA, COLORADO  
RESOLUTION NO. 51  
SERIES OF 2022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO,  
FINDING THE STRINGER ANNEXATION PETITION TO BE IN SUBSTANTIAL  
COMPLIANCE WITH STATE STATUTES AND SETTING A PUBLIC HEARING ON  
SAID PETITION.**

WHEREAS, in September of 2022 Paul and Rebecca Stringer filed a General Development Application (the “Petition”) to commence proceedings to annex to the City of Salida (the “City”) a certain unincorporated tract of land comprised of 0.17 acres located at 1730 Holman Avenue in the County of Chaffee, State of Colorado (the “Property”), and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, after review of the annexation Petition and map, the City planning staff advised the City Council that the Petition and map are in substantial compliance with the state statutes, as required by C.R.S. § 31-12-101 *et seq.*; and

WHEREAS, the Petition alleges as follows:

1. It is desirable and necessary that the territory described above be annexed to the City of Salida, Colorado.
2. The requirements of C.R.S. § 31-12-104, as amended, exist or have been met, including without limitation the following:
  - a. Not less than 1/6<sup>th</sup> of the perimeter of the area proposed to be annexed is contiguous with the City of Salida, Colorado.
  - b. A community of interest exists between the area proposed to be annexed and the City of Salida, Colorado.
  - c. The area proposed to be annexed is urban or will be urbanized in the near future.
  - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Salida, Colorado.
3. The requirements of C.R.S. § 31-12-105, as amended, exist or have been met, including without limitation the following:
  - a. 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:
    - i. has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof.

- ii. comprising twenty (20) acres or more (which together with buildings and improvements situated thereon having a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year preceding the proposed annexation), has been included without the written consent of the landowners.
- b. No annexation proceedings have been commenced for the annexation to a municipality other than the City of Salida, Colorado, of all or part of the territory proposed to be annexed.
- c. The annexation proposed in the Petition will not result in the detachment of area from any school district and the attachment of the same area to another school district.
- d. The annexation proposed in the Petition will not have the effect of extending the municipal boundary of the City of Salida more than three (3) miles in any direction from any point on the current municipal boundary of the City in any one year; and

WHEREAS, the City finds that the Petition is in compliance with Salida Municipal Code (SMC) §§ 16-9-10 through 16-9-40; and

WHEREAS, the City has or will have in place a plan meeting the requirements of C.R.S. §31-12-105(e) prior to the effective date of the proposed annexation; and

WHEREAS, no election for annexation of the area proposed to be annexed to the City of Salida has been held in the preceding twelve (12) months; and

WHEREAS, the signers of the Petition are the owners of one hundred percent (100%) of the territory proposed to be annexed, exclusive of public streets and alleys; and

WHEREAS, the annexation to the City of Salida, Colorado of the area proposed to be annexed will not result in a change of county boundaries; and

WHEREAS, the names and mailing addresses of the signers of the Petition and date of signing are included in the Petition, and the legal descriptions of the land owned by Petitioner is attached to the Petition. No signature on the Petition is dated more than 180 days prior to the date of filing of the Petition for annexation with the City Clerk; and

WHEREAS, the Petition is accompanied by four (4) or more copies of an Annexation Map containing, among other things, the following information:

1. A written legal description of the boundaries of the area proposed to be annexed to the City of Salida, Colorado;
2. The boundary of the area proposed to be annexed to the City of Salida, Colorado;
3. Within the annexation boundary map, a showing of the location of each ownership tract in un-platted 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 City of Salida, Colorado; and

WHEREAS, none of the area proposed to be annexed to the City of Salida, Colorado, is presently a part of any incorporated city, city and county, or town, and is not contiguous to any other incorporated city, city and county, or town; and

WHEREAS, it appears that the Petition filed as aforesaid is in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-107(1), as amended.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALIDA THAT:

1. The City incorporates the foregoing recitals as findings by the City Council.
2. The Petition is in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-107(1), as amended.
3. The City Council of the City of Salida, Colorado, will hold a hearing upon the Petition for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of C.R.S. § 31-12-104, § 31-12-105, and SMC §§ 16-9-10 through 16-9-40, all as amended, and is considered eligible for annexation. The hearing shall be held on December 6, 2022 commencing at the hour of 6 p.m. in the City Council Chambers, 448 East First Street, Salida, Colorado.
4. Any person may appear at such hearing and present evidence upon any matter to be determined by the City Council of the City of Salida, Colorado.

RESOLVED, APPROVED AND ADOPTED this 18th day of October, 2022.

CITY OF SALIDA, COLORADO

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Dan Shore, Mayor

[SEAL]  
ATTEST:

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City Clerk/Deputy City Clerk

## EXHIBIT A

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER [NW1/4 SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS, TO-WIT:  
BEGINNING AT A POINT ON THE EAST LINE OF THE NW 1/4 SE 1/4, A DISTANCE OF 496 FEET NORTHERLY FROM THE SOUTHEAST CORNER OF THE SAID NW 1/4 SE 1/4;  
THENCE NORTH 88°51' WEST 150 FEET;  
THENCE NORTH 1°09' EAST 50 FEET;  
THENCE SOUTH 88°51' WEST 150 FEET TO THE SAID EAST LINE OF THE NW1/4 SE1/4;  
THENCE SOUTH 1°09' WEST 50 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS:

A TRACT OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4 SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO,

DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID NW1/4 SE1/4;  
THENCE NORTH 0°51'07" WEST 68.4 FEET TO A BRASS CAPPED HIGHWAY RIGHT-OF-WAY MARKER;  
THENCE CONTINUING NORTH 0°51'07" WEST ALONG THE CORPORATE BOUNDARY OF THE CITY OF SALIDA, 427.6 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;  
THENCE SOUTH 89°20'45" WEST 150.23 FEET;  
THENCE NORTH 50.0 FEET;  
THENCE NORTH 89°20' 44" EAST 149.49 FEET;  
THENCE SOUTH 0°51.7' EAST 50.0 FEET TO THE POINT OF BEGINNING.  
DIRECTIONS ARE BASED ON A BEARING OF SOUTH 89°40'28" WEST FOR THE CENTERLINE OF U.S. HIGHWAY NO. 50.

TOGETHER WITH ONE-HALF OF THE WELL RIGHTS IN THE MCGOWAN WELL NO. 1 (DRILLED MARCH 15, 1956), STATE ENGINEERS WELL NO. 86046, FILED FEBRUARY 28, 1973 IN THE DISTRICT COURT FOR WATER DIVISION NO. 2, STATE OF COLORADO, CASE NO. W-1359.

ALSO TOGETHER WITH AN EASEMENT ACROSS PROPERTY KNOWN AS 1724 HOLMAN AVENUE, SALIDA, CHAFFEE COUNTY, COLORADO, LYING NORTH OF PROPERTY DESCRIBED ABOVE, FOR THE JOINT USE OF SAID WELL, TOGETHER WITH ALL WELL EQUIPMENT, TO INCLUDE, BUT NOT LIMITED TO PUMPS, WATER AND ELECTRIC LINES AND SHALL PROVIDE FOR THE RIGHT OF MAINTENANCE, REPAIR AND REPLACEMENT OF SAID EQUIPMENT.

Also known by the following address:

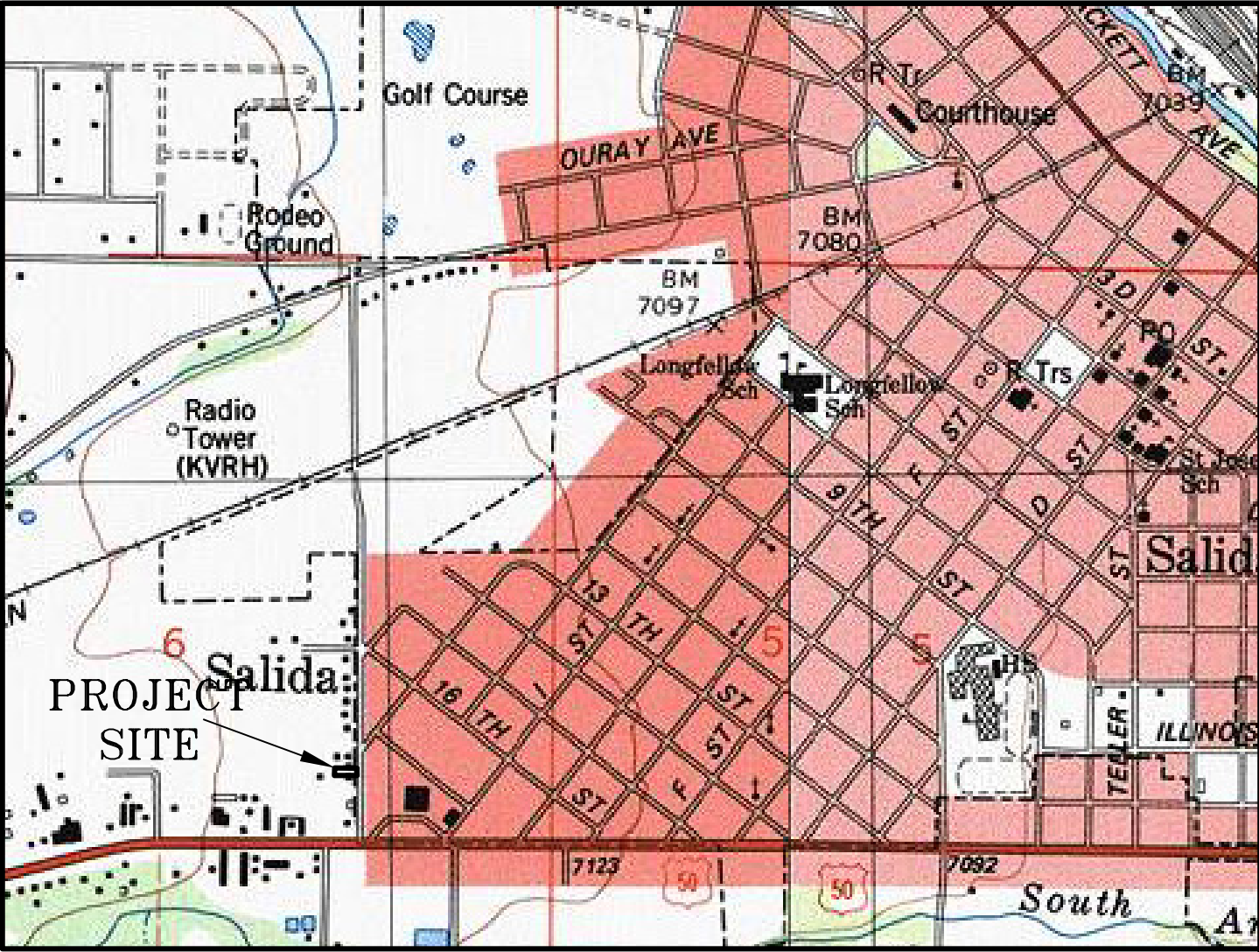
1730 Holman Avenue, Salida, CO 81201

And assessor's schedule or parcel number: 380706400111



# STRINGER ANNEXATION TO THE CITY OF SALIDA

LOCATED WITHIN THE NORTHWEST QUARTER OF THE  
SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 49 NORTH,  
RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN,  
CHAFFEE COUNTY, COLORADO



VICINITY MAP  
NOT TO SCALE

## CITY COUNCIL APPROVAL

WHEREAS, THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO HAS BEEN PRESENTED WITH AN APPLICATION TO ANNEX TERRITORY AS DESCRIBED HEREIN BY PAUL R. STRINGER AND REBECCA J. STRINGER, AS OWNERS OF 100 PERCENT OF THE AREA TO BE ANNEXED, EXCEPTING PUBLIC STREETS; AND  
WHEREAS, THE CITY COUNCIL BY RESOLUTION ADOPTED ON \_\_\_\_\_, 20\_\_\_\_, DETERMINED THAT THE ANNEXATION APPLICATION SUBSTANTIALLY COMPLIES WITH THE REQUIREMENT OF SECTION 31-12-107(1),  
WHEREAS, AFTER NOTICE AND PUBLIC HEARING ON \_\_\_\_\_, 20\_\_\_\_, AS REQUIRED BY SECTION 31-12-108, C.R.S., THE CITY COUNCIL ADOPTED RESOLUTION NO. \_\_\_\_\_ (SERIES 20\_\_\_\_), DETERMINING THAT THE ANNEXATION ELECTION WAS NOT REQUIRED; AND  
WHEREAS, ON \_\_\_\_\_, 20\_\_\_\_, THE CITY COUNCIL ADOPTED ORDINANCE NO. \_\_\_\_\_ (SERIES 20\_\_\_\_) APPROVING AND ANNEXING STRINGER ANNEXATION TO THE CITY OF SALIDA;  
NOW, THEREFORE, THE CITY COUNCIL OF SALIDA, COLORADO DOES HEREBY APPROVE AND ACCEPT THE 'STRINGER ANNEXATION TO THE CITY OF SALIDA' AS DESCRIBED HEREIN, TO WIT:

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS, TO-WIT:  
BEGINNING AT A POINT ON THE EAST LINE OF THE NW1/4SE1/4, A DISTANCE OF 496 FEET NORTHERLY FROM THE SOUTHEAST CORNER OF THE SAID NW1/4SE1/4;  
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ALSO DESCRIBED AS:  
A TRACT OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
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SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

CITY OF SALIDA

BY: \_\_\_\_\_  
MAYOR

## CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THIS ANNEXATION MAP ALONG WITH THE ORIGINAL ANNEXATION ORDINANCE FOR THE STRINGER ANNEXATION WERE ACCEPTED FOR FILING IN MY OFFICE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022, AND IS DULY RECORDED.

\_\_\_\_\_  
CITY CLERK

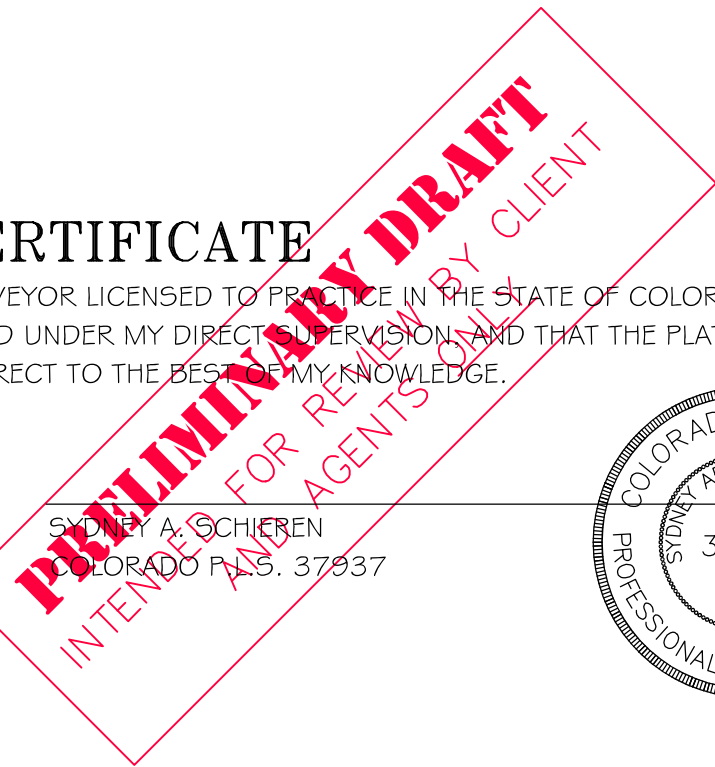
## CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT A CERTIFIED COPY OF THIS ANNEXATION MAP ALONG WITH A CERTIFIED COPY OF THE ANNEXATION ORDINANCE FOR THE STRINGER ANNEXATION WERE ACCEPTED FOR FILING IN MY OFFICE AT \_\_\_\_\_ M. ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022 UNDER RECEPTION NUMBER \_\_\_\_\_.

\_\_\_\_\_  
CHAFFEE COUNTY CLERK AND RECORDER

## LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



## GENERAL NOTES

- 1) BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH FROM COLORADO STATE PLANE COORDINATE SYSTEM CENTRAL ZONE, BASED ON G.P.S. OBSERVATIONS ALONG THE WEST RIGHT OF WAY OF HOLMAN BETWEEN A 1 1/2" ALUMINUM CAP STAMPED LS 7653 AND A 1 1/2" STEEL DISC, ILLEGIBLE, HAVING A BEARING OF SOUTH 00°04'03" WEST
- 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT
- 3) TOTAL AREA TO BE ANNEXED=0.17 ACRES +/-
- 4) THIS ANNEXATION SUBJECT TO THE TERMS & CONDITIONS AS SET FORTH IN THE ANNEXATION AGREEMENT RECORDED AT RECEPTION NO. \_\_\_\_\_

TOTAL PERIMETER OF LAND TO BE ANNEXED	400.14 FT
CONTIGUOUS BOUNDARY WITH CITY OF SALIDA	250.40 FT
CONTIGUOUS BOUNDARY REQUIREMENT 1/6= 16.7%	62.6%

## CERTIFICATION OF TITLE

I \_\_\_\_\_, A LICENSED TITLE INSURANCE AGENT IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE PROPERTY HEREBY DEDICATED AND AS SHOWN AND DESCRIBED ON THIS PLAT AND FOUND TITLE VESTED IN PAUL R. STRINGER AND REBECCA J. STRINGER, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS LISTED BELOW:

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
TITLE AGENT

## CERTIFICATE OF DEDICATION AND OWNERSHIP

THIS IS TO CERTIFY THAT PAUL R. STRINGER AND REBECCA J. STRINGER ARE THE OWNERS OF 100% OF THE LAND DESCRIBED AND SET FORTH HEREIN, EXCEPT PUBLIC STREETS, THAT SUCH OWNER DESIRES AND APPROVES THE ANNEXATION OF THE TERRITORY DESCRIBED HEREIN TO THE CITY OF SALIDA, COLORADO.

EXECUTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

OWNERS:

\_\_\_\_\_  
PAUL R. STRINGER


\_\_\_\_\_  
REBECCA J. STRINGER

COUNTY OF CHAFFEE )  
) ss.  
STATE OF COLORADO )

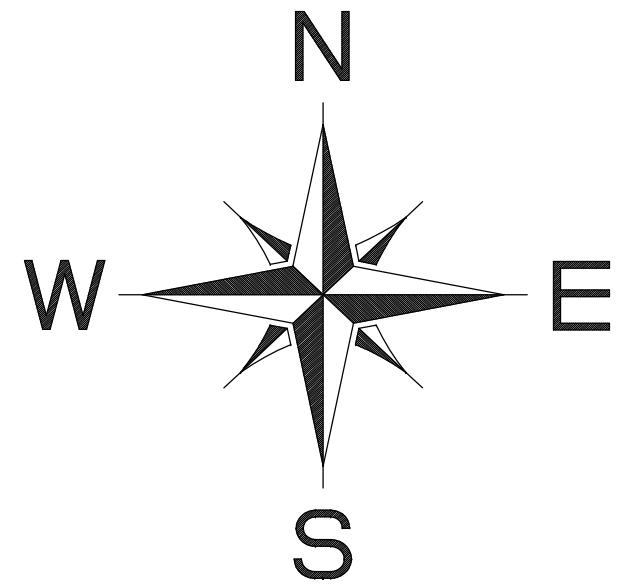
THE FORGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022, BY PAUL R. STRINGER AND REBECCA J. STRINGER. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

REVISED:	<b>STRINGER ANNEXATION TO THE CITY OF SALIDA</b>  LOCATED WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO
DATE: AUGUST 8, 2022	
JOB # 21128	 <b>LANDMARK</b> SURVEYING & MAPPING P.O. BOX 668 SALIDA, CO 81201 PH 719.539.4021 FAX 719.539.4031
DATE: MARCH 30, 2022	
SHEET 1 OF 2	

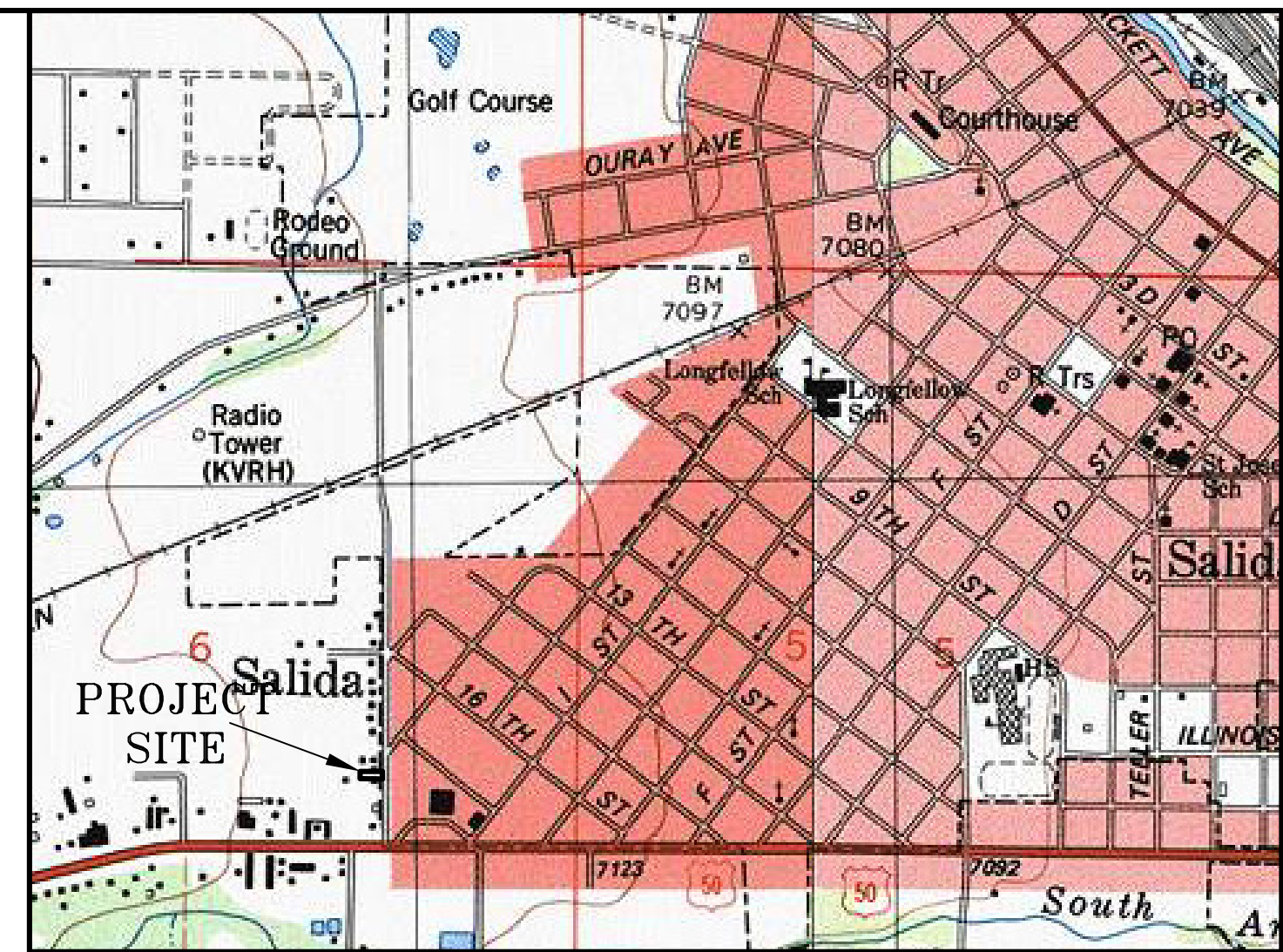




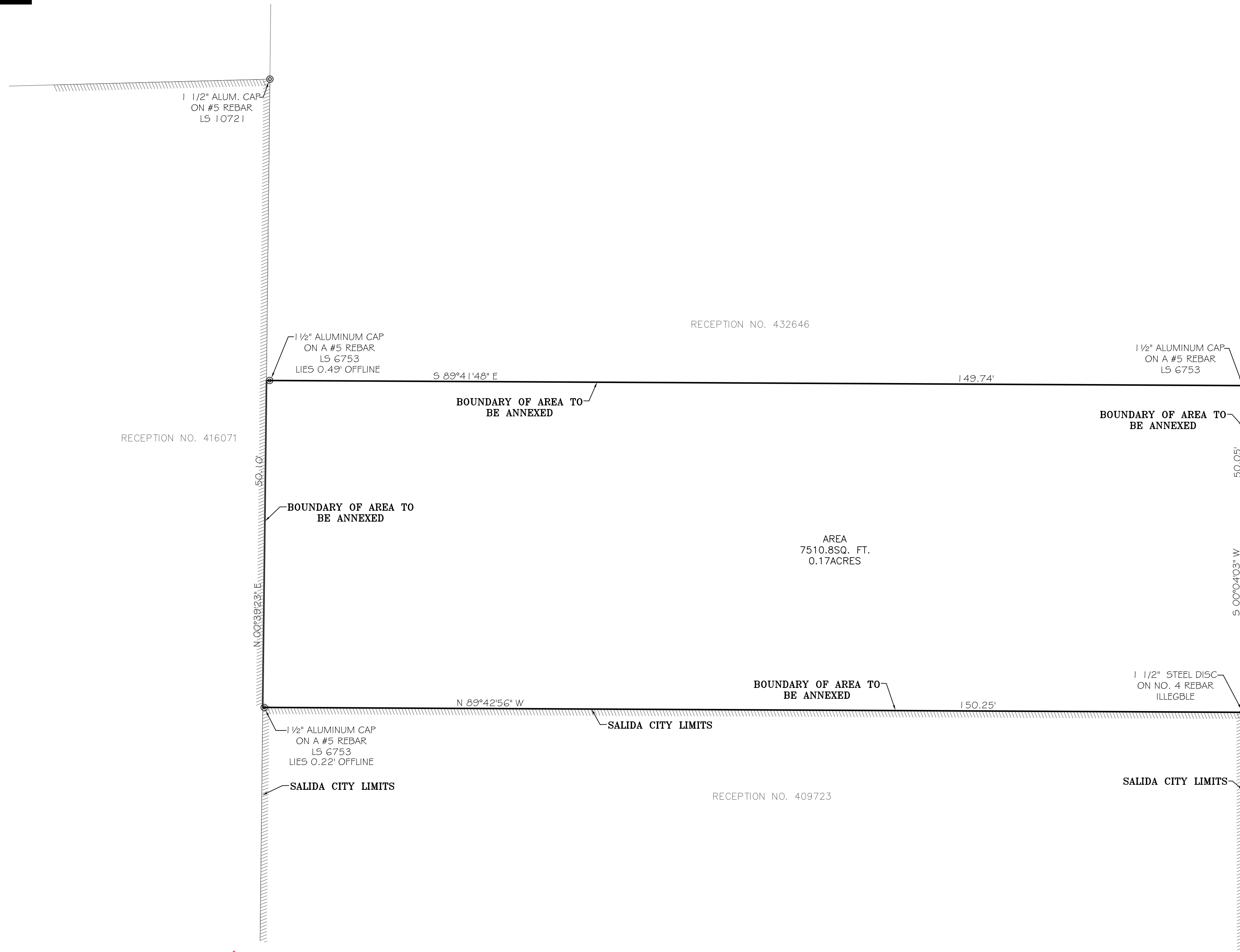
SCALE  
1" = 10'

# STRINGER ANNEXATION TO THE CITY OF SALIDA

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SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 49 NORTH,  
RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN,  
CHAFFEE COUNTY, COLORADO



VICINITY MAP  
NOT TO SCALE

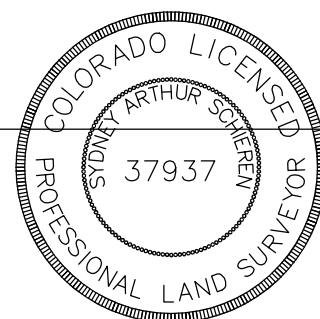


## LAND SURVEYOR'S CERTIFICATE

I, SYDNEY A. SCHIEREN, A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND THAT THE PLAT REPRESENTS THE RESULTS OF SAID SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

**PRELIMINARY DRAFT**  
INTENDED FOR REVIEW BY CLIENT

SYDNEY A. SCHIEREN  
COLORADO P.L.S., 37937



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT CONTAINED HEREON.

REVISED:	<b>STRINGER ANNEXATION TO THE CITY OF SALIDA</b>  LOCATED WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO
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SHEET 2 OF 2	