



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	April 4, 2023

ITEM

Resolution 2023-14: Approving the Findings of Fact of the Groover Annexation.

BACKGROUND

The proposed actions for the Groover Annexation are as follows:

Proposed Action	Planning Commission Recommendation	City Council First Reading	City Council Final Action
Findings of Fact Resolution 2023-14			04/4/2023
Annexation Ordinance 2023-06	02/28/2023	03/21/2023	04/4/2023
Annexation Agreement Resolution 2023-15			04/4/2023
Zoning Ordinance 2023-07	02/28/2023	03/21/2023	04/4/2023

State statutes require cities to approve findings that the proposed annexation has met the requirements of the State of Colorado. The proposed annexation consists of .65 acres located at 7285 C.R. 160. The findings include:

- Notice in the paper for four consecutive weeks: the proposed annexation was published in the Mountain Mail on March 3, 2023, March 10, 2023, March 17, 2023 and March 24, 2023.
- Mail notice by registered mail to County Clerk, County Attorney, Salida School District, HRRMC Hospital District, Upper Arkansas Water Conservancy District, Salida Regional Library, Colorado Mountain College-Salida District and South Arkansas Fire Protection District. The letters were mailed on March 10, 2023.
- A public hearing was held on the annexation on February 28, 2023 and determined the area to be annexed complies with state statutes including:
 - That not less than one-sixth of the perimeter of the area is adjacent to Salida's boundary;
 - The property has not been divided since starting the annexation;
 - No other annexation proceedings including the property have been started by another municipality;
 - The annexation will not cause the property to be detached from the school district; and
 - The annexation is not three miles beyond our municipality and there is a Three Mile Plan in place.



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STAFF RECOMMENDATION

All of the findings have been met and staff recommends the Council adopt Resolution 2023-14

SUGGESTED MOTION

A council person should make the motion to “adopt Resolution 2023-14 approving the findings of facts for the Groover Annexation.”

Attachment:

Resolution 2023-14

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 14
SERIES OF 2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO,
MAKING FINDINGS OF FACT, DETERMINATIONS, AND CONCLUSIONS CONCERNING
THE GROOVER ANNEXATION**

WHEREAS, on January 20, 2023, Dewey Groover III and Lorita Groover 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 .65 acre located at 7285 C.R. 160 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, the City Council by Resolution 08, Series of 2023, found that the Petition is in substantial compliance with § 31-12-107(1) of the Colorado Revised Statutes; and

WHEREAS, the City Clerk has provided notice of public hearing on the proposed annexation by publication once per week for four successive weeks and by registered mail to the Clerk of the Board of County Commissioners, the County Attorney, the school district and to any special district having territory in the area to be annexed; and

WHEREAS, the City Council has completed a public hearing on April 4, 2023 to determine that the proposed annexation complies with Article II, Section 30 of the Colorado Constitution and Sections 31-12-104 and 105, Colorado Revised Statutes, to establish eligibility for annexation.

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

That the City Council hereby finds and concludes with regard to the annexation of the territory described in Exhibit A attached hereto and incorporated herein, that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the City and because of such contiguity, a community of interest exists between the territory proposed to be annexed and the City; and

BE IT FURTHER RESOLVED:

That the City Council finds and determines that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; that the annexation will not result in the detachment of area from a school district; that the annexation will not result in the extension of a municipal boundary more than three miles; that the City has in place a plan for said three mile area; and that in establishing the boundaries of the area to be annexed the entire width of any street or alley is included with the area annexed.

BE IT FURTHER RESOLVED:

That an election is not required, and no additional terms or conditions are to be imposed upon the area to be annexed.

RESOLVED, APPROVED AND ADOPTED this 4th day of April, 2023.

CITY OF SALIDA, COLORADO

Dan Shore, Mayor

[SEAL]
ATTEST:

City Clerk/Deputy City Clerk

EXHIBIT A

A tract of land located in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31, Township 50 North, Range 9 East of the New Mexico Principal Meridian in Chaffee County, Colorado, described as follows:

Beginning at a point on the north boundary of the said Northwest $\frac{1}{4}$ Southeast $\frac{1}{4}$ of Section 31, said point being marked, as are each of the tract corners, by a 5/8-inch rebar with a 1 $\frac{1}{2}$ -inch aluminum cap stamped "LS 36575";

Thence North $89^{\circ}18'11''$ West along said north boundary 150.04 feet to a rebar and cap as described above;

Thence South $00^{\circ}13'23''$ West 197.94 feet to a point on the north boundary of Chaffee County Road No. 160, said point being marked by a rebar and cap as described above;

Thence North $83^{\circ}28'47''$ East along said northerly county road boundary, 151.11 feet to a rebar and cap as described above;

Thence North $00^{\circ}12'51''$ East 178.94 feet to the point of beginning.

Containing 0.65 Acre, more or less.

Also known by the following address:

7285 County Road 160, Salida, CO 81201

And assessor's schedule or parcel number: 368131400001