



## CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Franco Palumbo - Planning Technician	December 6, 2022

### ITEM

Resolution 2022-55: Approving the Findings of Fact of the Stringer Annexation.

### BACKGROUND

The proposed actions for the Stringer Annexation are as follows:

Proposed Action	Planning Commission Recommendation	City Council First Reading	City Council Final Action
Annexation Ordinance 2022-22	11/08/22	11/15/2022	12/06/2022
Findings of Fact Resolution 2022-55			12/06/2022
Annexation Agreement Resolution 2022-56			12/06/2022
Zoning Ordinance 2022-23	11/08/22	11/15/2022	12/06/2022

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 0.17 acres located at 1730 Holman Avenue. The findings include:

- Notice in the paper for four consecutive weeks: the proposed annexation was published in the Mountain Mail on October 28, 2022, November 04, 2022, November 11, 2022, and November 18, 2022.
- 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 November 04, 2022.
- City Council held a public hearing on the annexation ordinance, 2022-22, on December 06, 2022 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 2022-55

### **SUGGESTED MOTION**

A council person should make the motion to “adopt Resolution 2022-55 approving the findings of facts for the Stringer Annexation.”

### **Attachment:**

Resolution 2022-55

**CITY OF SALIDA, COLORADO  
RESOLUTION NO. 55  
SERIES OF 2022**

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

WHEREAS, on September 08, 2022, representatives of Stringer Annexation (the “Owners”), 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, Salida, in the County of Chaffee, State of Colorado, and being more particularly described on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, the City Council, by Resolution 51, Series of 2022, 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 December 06, 2022, to determine if 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 6<sup>th</sup> day of December, 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