



## CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Planning	Kristi Jefferson - Senior Planner	March 1, 2022

### **ITEM**

Resolution 2022-11: Approving the Findings of Fact of the 141 Annex Annexation.

### **BACKGROUND**

The proposed actions for the 141 Annex Annexation are as follows:

Proposed Action	Planning Commission Recommendation	City Council First Reading	City Council Final Action
Annexation Ordinance 2022-02	12/14/2021	02/15/2022	03/01/2022
Findings of Fact Resolution 2022-11			03/01/2022
Annexation Agreement Resolution 2022-12			03/01/2022
Zoning Ordinance 2022-03	12/14/2021	02/15/2022	03/01/2022

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 2.06 acres including portions of County Road 141 located at 7543 C.R. 141, 7547 C.R. 141 and 7551 C.R. 141. The findings include:

- Notice in the paper for four consecutive weeks: the proposed annexation was published in the Mountain Mail on January 21, 2022, January 28, 2022, February 4, 2022, and February 11, 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 January 31, 2022.
- We held a public hearing on the annexation on March 1, 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



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- The annexation is not three miles beyond our municipality and there is a Three Mile Plan in place.

### **STAFF RECOMMENDATION**

All of the findings have been met and staff recommends the Council adopt Resolution 2022-11

### **SUGGESTED MOTION**

A council person should make the motion to “adopt Resolution 2022-11 approving the findings of facts for the 141 Annex Annexation.”

Attachment:

Resolution 2022-11

**CITY OF SALIDA, COLORADO  
RESOLUTION NO. 11  
SERIES OF 2022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO,  
MAKING FINDINGS OF FACT, DETERMINATIONS, AND CONCLUSIONS CONCERNING  
THE 141 ANNEX ANNEXATION.**

WHEREAS, on October 20, 2021, representatives of 141 Annex 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 2.06 acres located at 7543 C.R. 141, 7547 C.R. 141 and 7551 C.R. 141 and portions of County Road 141, 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 02, 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 March 1, 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 1<sup>st</sup> day of March, 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**

The territory comprising 2.06 acres, more or less, (inclusive of public right-of-way), and being described as follows:

Lots 1, 2 and 3, 141 Annex Minor Subdivision located in the SE1/4 SW1/4 of Section 31, Township 50 North, Range 9 East of the New Mexico Principal Meridian, Chaffee County, Colorado, together with a portion of Chaffee County Road 141 lying adjacent to said lots, all being more particularly described as follows,

Beginning at the southwest corner of Lot 1 of 141 Annex Minor Subdivision per plat filed under Reception no. 447958, Chaffee County, Colorado;

Thence north 01°12'40" East 124.48 feet to the Northwest corner of said lot 1;

Thence south 88°47'30" East along the North boundaries of Lots 1, 2 and 3 of said 141 Annex Minor Subdivision, 414.86 feet to the Northeast corner of said Lot 1;

Thence continuing North 01°12'40" East 57.0 feet to a point on the South boundary of Lot 7, Block 2, Shavano Vista Subdivision, being a point on the Northerly boundary of Chaffee County Road No. 141; Thence South 88°47'30" East along said Northerly County Road boundary, 452.43 feet, more or less, to the present City of Salida corporation line as described in City of Salida Ordinance Number 1978-1 recorded January 27, 1978 in Book 414 at Pages 432 and 433 of the Chaffee County records;

Thence South 00°55'39" West along said present corporation line, 396.51 feet to a point on the Upchurch Annexation Boundary (Reception 472071), from whence a 5/8" rebar with a 1 1/2" aluminum cap stamped LS 16117 at the Southwest corner of Lot 4-A of the boundary line adjustment and replat of a portion of Cochetopa Estates per plat recorded at reception No. 309631 of said county records bears South 78°49'01" E 21.92 feet;

Thence North 78°49'01" West along said Upchurch Annexation Boundary, 37.54 feet to the Southeast corner of the tract of land described at Reception No. 389150 of said County records;

Thence North 01°09'12" East along the East boundary of said tract, 208.52 feet to a 5/8" rebar with a 1" aluminum cap stamped 1779 marking the Northeast corner thereof;

Thence North 88°47'30" West 1.95 feet to a 5/8" rebar with a 1 1/2" aluminum cap stamped 16117 at the SE corner of Lot 3 of said 141 Annex Subdivision;

Thence continuing North 88°47'30" West along the South boundary of said 141 Annex Subdivision, 415.26 feet to the point of beginning.

Also known by the following addresses:

7543 County Road 141, Salida, CO 81201  
And assessor's schedule or parcel number: 368131300073

7547 County Road 141, Salida, CO 81201  
And assessor's schedule or parcel number: 368131300072

7551 County Road 141, Salida, CO 81201  
And assessor's schedule or parcel number: 368131300071