



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Community Development	Kathryn Dunleavy - Associate Planner	September 3, 2024

AGENDA ITEM

Resolution 2024-54: Approving the Findings of Fact of the Salida School District Annexation

BACKGROUND

The proposed actions for the Salida School District Annexation are as follows:

Proposed Action	Planning Commission Recommendation	City Council First Reading	City Council Final Action
Findings of Fact Resolution 2024-54			9/03/2024
Annexation Ordinance 2024-17	7/22/2024	8/20/2024	9/03/2024
Zoning Ordinance 2024-18	7/22/2024	8/20/2024	9/03/2024

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 4.43 acres including portions of Oak Street, Illinois Avenue, and Scott Street. The findings include:

- Notice in the paper for four consecutive weeks: the proposed annexation was published in The Mountain Mail on July 26, 2024, August 2, 2024, August 9, 2024, and August 16, 2024.
- 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 July 24, 2024.
- A public hearing was held on the annexation on September 3, 2024 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.

RECOMMENDATION

All of the findings have been met and staff recommends City Council adopt Resolution 2024-54.

MOTION

A City Councilmember should state, "I move to adopt Resolution 2024-54 approving the findings of facts for the Salida School District Annexation."

Attachment:

Resolution 2024-54

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 54
SERIES OF 2024**

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

WHEREAS, on May 30, 2024, representatives of the Salida School District, R-32-J, 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 4.43 acres located at 627 Oak Street 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 44, Series of 2024, 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 September 3, 2024 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 3rd day of September, 2024.

CITY OF SALIDA, COLORADO

Mayor

[SEAL]

ATTEST:

City Clerk/Deputy City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF A TRACT OF LAND

A TRACT OF LAND LOCATED WITHIN THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED AT RECEPTION NO. 474501, BEING MARKED BY A 1 ½" ALUMINUM CAP STAMPED LS 16117, FROM WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 4, BEING MARKED BY A 2 ½" ALUMINUM CAP STAMPED LS 16117, BEARS NORTH 78°21'04" EAST, A DISTANCE OF 1290.53 FEET;
THENCE SOUTH 89°21'33" EAST, A DISTANCE OF 38.99 FEET TO THE EAST RIGHT-OF-WAY OF SCOTT STREET;
THENCE SOUTH 00°18'13" WEST, ALONG SAID EAST RIGHT-OF-WAY OF SCOTT STREET, A DISTANCE OF 378.79 FEET;
THENCE NORTH 89°41'31" WEST, ALONG THE SOUTH RIGHT-OF-WAY OF ILLINOIS AVENUE, A DISTANCE OF 350.90 FEET;
THENCE NORTH 89°59'07" WEST, ALONG THE SOUTH RIGHT-OF-WAY OF ILLINOIS AVENUE, A DISTANCE OF 97.41 FEET TO THE EAST RIGHT-OF-WAY OF COLORADO STATE HIGHWAY NO. 291 (OAK STREET);
THENCE NORTH 89°59'07" WEST, A DISTANCE OF 60.00 FEET TO THE WEST RIGHT-OF-WAY OF COLORADO STATE HIGHWAY NO. 291 (OAK STREET);
THENCE NORTH 00°43'13" EAST, ALONG THE WEST RIGHT-OF-WAY OF COLORADO STATE HIGHWAY NO. 291 (OAK STREET), A DISTANCE OF 382.55 FEET;
THENCE SOUTH 89°21'33" EAST, A DISTANCE OF 59.06 FEET TO THE NORTHWEST CORNER OF SAID PROPERTY DESCRIBED AT RECEPTION NO. 474501;
THENCE SOUTH 89°21'33" EAST, ALONG THE NORTH BOUNDARY OF SAID PROPERTY DESCRIBED AT RECEPTION NO. 474501, A DISTANCE OF 407.49 FEET TO THE POINT OF BEGINNING.
CONTAINING 4.43 ACRES

PREPARED BY:

