



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Community Development	Carolyn Poissant - Senior Planner	August 20, 2024

AGENDA ITEM

Resolution 2024-53 : Approving the Findings of Fact of the Suesse Annexation.

BACKGROUND

The proposed actions for the Suesse Annexation are as follows:

Proposed Action	Planning Commission Recommendation	City Council First Reading	City Council Final Action
Findings of Fact Resolution 2024-53			8/20/2024
Annexation Ordinance 2024-15	7/9/2024	8/6/2024	8/20/2024
Annexation Agreement Resolution 2024-			
Zoning Ordinance 2024-16	7/9/2024	8/6/2024	8/20/2024

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 a 5.71-acre property plus a portion of Confluence Road right-of-way (5.86 acres total). The findings include:

- Notice in the paper for four consecutive weeks: the proposed annexation was published in the Mountain Mail on July 12, July 19, July 26, and August 2, 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 August 20, 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 2024-53.

MOTION

A City Councilmember should state, "I move to adopt Resolution 2024-53 approving the findings of facts for the Suesse Annexation."

Attachment:

Resolution 2024-53

**CITY OF SALIDA, COLORADO
RESOLUTION NO. 53
SERIES OF 2024**

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

WHEREAS, on May 22, 2024, Ned Suesse 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 a 5.71-acre parcel located at 6953 County Road 105 and a 0.27-acre portion of Confluence Road right-of-way 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 40, 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 August, 20, 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 20th day of August, 2024.

CITY OF SALIDA, COLORADO

Dan Shore, Mayor

[SEAL]
ATTEST:

City Clerk/Deputy City Clerk

EXHIBIT A

ALL THAT TRACT OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 49 NORTH, RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDAN, ALSO BEING LOT 1-R "CONFLUENCE ROAD SUBDIVISION EXEMPTION FOR PUBLIC BENEFIT," CHAFFEE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WITNESS CORNER TO THE NORTH QUARTER CORNER OF SAID SECTION 9, BEING MARKED BY A 3 1/4" B.L.M. BRASS CAP, FROM WHENCE THE TRUE NORTH QUARTER CORNER OF SAID SECTION 9 BEARS SOUTHWEST 88 DEG 48'25" EAST, A DISTANCE OF 74.51 FEET; THENCE SOUTHWEST 88 DEG 48'25" EAST ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 380.68 FEET TO THE WEST RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD 105;

THENCE SOUTHWEST 25 DEG 25'46" EAST, A DISTANCE OF 16.62 FEET TO A POINT OF CURVATURE;

THENCE SOUTHERLY A DISTANCE OF 16.89 FEET ALONG THE ARC OF A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 1 DEG 10'48", A CHORD LENGTH OF 16.89 FEET AND A CHORD BEARING OF SOUTHWEST 25 DEG 05'57" EAST;

THENCE CONTINUING SOUTHERLY ALONG SAID ARC A DISTANCE OF 152.25 FEET DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 820.00 FEET, A DELTA ANGLE OF 10 DEG 38'18", A CHORD LENGTH OF 152.03 FEET, AND A CHORD BEARING OF SOUTHWEST 19 DEG 11'24" EAST TO A POINT OF TANGENCY;

THENCE SOUTHWEST 13 DEG 53'16" EAST, A DISTANCE OF 268.86 FEET;

THENCE SOUTHWEST 12 DEG 48'58" EAST A DISTANCE OF 60.18 FEET, THIS AND THE PRECEDING 4 COURSES ARE ALONG SAID WEST RIGHT-OF-WAY OF CHAFFEE COUNTY ROAD 105;

THENCE SOUTHWEST 73 DEG 55'54" WEST A DISTANCE OF 466.73 FEET;

THENCE NORTHWEST 15 DEG 21'10" WEST A DISTANCE OF 343.21 FEET;

THENCE NORTHWEST 03 DEG 10'18" EAST A DISTANCE OF 300.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.98 ACRES MORE OR LESS.

BY: LANDMARK SURVEYING & MAPPING JULY 26, 2024

*SUESSE ANNEXATION
TO THE CITY OF SALIDA*
A PORTION OF CONFLUENCE ROAD AND LOT 1-R
CONFLUENCE ROAD SUBDIVISION EXEMPTION
FOR PUBLIC BENEFIT
CHAFFEE COUNTY, COLORADO

