

ORDINANCE NO. 12B

AN ORDINANCE ANNEXING TWO TRACTS OF LAND LOCATED IN UNINCORPORATED KIT CARSON COUNTY, COLORADO INTO THE TOWN OF STRATTON, COLORADO FOR SEWER FACILITIES

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF STRATTON, COLORADO:

SECTION 1. FINDING THAT THE ANNEXATION HEARING HAS BEEN COMPLETED IN ACCORDANCE WITH STATUTE. The Board of Trustees finds that an Annexation Hearing has been conducted, in accordance with C.R.S. §31-12-108, and that the Town Clerk has published a Notice of Public Hearing once a week for four (4) consecutive weeks in a newspaper of general circulation in the area proposed to be annexed, and that the Board of Trustees has conducted a hearing at 7:00 p.m. at the Stratton Community Building, 132 Colorado Avenue, Stratton, Colorado on July 8, 2004, and continued until July 29, 2004, and has provided an opportunity for public input.

SECTION 2. LEGAL DESCRIPTION. The area proposed to be annexed is described as two tracts of land located in the Southwest Quarter (SW1/4) of Section Thirty-One (31), Township Eight (8) South, Range Forty-six (46) West of the Sixth Principal Meridian, more particularly described as follows:

Beginning at a point 400 feet East of the West line of the Southwest One Quarter (SW1/4) of the said Section Thirty-one (31) and 250 feet North of the northerly right of way line of the Rock Island Railroad, thence North 464 feet, more or less, to a point, thence East 550 feet, more or less, to a point; thence South 514 feet, more or less to a point lying 250 feet North of the northerly right of way line of the said railroad; thence westerly and parallel to said railroad right of way, 552 feet more or less to a point which is the place of beginning and containing in all 6.17 acres, more or less; and

Beginning at a point 1475 feet East and 200 feet South of the West One Quarter corner of the said Section Thirty-one (31), thence South 810 feet, more or less, to a point on the northerly right of way of the Rock Island Railroad, thence easterly, and along the said right of way line, 140.5 feet to a point; thence North 822 feet, more or less, to a point; thence West 140 feet to point which is the place of beginning, and containing in all 2.62 acres, more or less, together with that twenty-foot (20') access easement, all as is more specifically described in that Plat of record in Book 522 at Page 911 of the Kit Carson County, Colorado records.

SECTION 3. COMPLIANCE WITH APPLICABLE ANNEXATION STATUTES. The Board of Trustees makes the following findings of fact and conclusions of law with regard to the following matters:

(a) The requirements of the applicable parts of Sections 31-12-104 and 31-12-105, C.R.S. have been met regarding the above-described annexation

(b) An election is not required for this annexation under Section 31-12-1-7 (2), C.R.S.

(c) The Board of Trustees determines that additional terms and conditions are not imposed regarding this annexation.

SECTION IV. **FINAL ANNEXATION.** The Board of Trustees, in compliance with §31-12-110 and 31-12-111, C.R.S., hereby annexes the above-described property into the Town of Stratton by the ordinance, which annexation shall be effective immediately this 29 day of July, 2004.

PASSED, ADOPTED AND ORDERED PUBLISHED THIS 29 DAY OF July, 2004.

Dana M. Lehman
MAYOR



Paulette Thompson
Town Clerk

STATE OF COLORADO)
County of Kit Carson)ss. CLERK'S CERTIFICATE
Town of Stratton)

That I, Paulette Thompson, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 12B was passed and adopted by a three-quarters majority of the Board of Trustees of the Town of Stratton on the 29 day of July, 2004, and that the above entitled Ordinance is a true, correct and full copy of the Ordinance as shown in Ordinance Book — at Page — of the records of the Town of Stratton, Stratton, Colorado.

Dated the 29 day of July, 2004.

Paulette Thompson
Town Clerk