

ORDINANCE NO. 27B

AN ORDINANCE ANNEXING THREE 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 IS IN COMPLIANCE WITH STATUTE. The Board of Trustees finds that in accordance with C.R.S. §31-12-106(3), notice and hearing pursuant to 31-12-108 and 31-12-109, are not required since the property is owned by the Town of Stratton. Further, the area proposed to be annexed is not solely a public street or right-of-way.

SECTION 2. LEGAL DESCRIPTION. The area proposed to be annexed is described as three 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.

AND

A parcel of land described as: That part of the Southwest Quarter (SW1/4) of Section Thirty-one (31), Township Eight (8), South, Range Forty-six (46), West of the Sixth Principal Meridian, Kit Carson County, Colorado, commencing at a point 1475 feet east and 200 feet south of the West Quarter corner of said Section 31; thence south parallel to the West side of said SW1/4 of Section 31, 810 feet more or less to the North Right-of-Way line of the Rock Island Railroad; thence westerly along the said North Right-of-Way line of the Rock Island Railroad, 1079 feet more or less to a point on said line which is 400 feet east of the West side of said SW1/4 of Section 31; thence north

parallel to the West side of said SW1/4, 250 feet; thence easterly parallel to the North Right-of-Way line of said Rock Island Railroad and 250 feet north, 552 feet more or less to a point which is 950 feet east of the West side of said SW1/4 of Section 31; thence north parallel to the West side of said SW1/4 of Section 31, 514 feet more or less to a point which is 200 feet south of the North side of said SW1/4 of Section 31; thence east parallel to and 200 feet south of the North side of said SW1/4 of Section 31, 525 feet to the point of beginning, together with an easement for ingress and egress 30 feet in width from the West side of said Section 31 parallel to and adjacent to the North Right-of-Way line of said Rock Island Railroad, and containing in all 12.6 acres exclusive of access easement.

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 14th day of June, 2007.

PASSED, ADOPTED AND ORDERED PUBLISHED THIS 14TH DAY OF JUNE, 2007.


Dana M. Siekman, Mayor



Paulette Thompson, Town Clerk

STATE OF COLORADO)
County of Kit Carson)ss.
Town of Stratton)

CLERK'S CERTIFICATE

That I, Paulette Thompson, the official Town Clerk of the Town of Stratton, do by these presents say that the foregoing Ordinance No. 27B was passed and adopted by a three-quarters majority of the Board of Trustees of the Town of Stratton on the 14th day of June, 2007, and that the above entitled Ordinance is a true, correct and full copy of the Ordinance as shown in Ordinance Book of the records of the Town of Stratton, Stratton, Colorado.

Dated the 14th day of June, 2007.



Paulette Thompson, Town Clerk