

ORDINANCE NO. 35B

AN ORDINANCE OF THE TOWN OF STRATTON, COLORADO ANNEXING A TRACT OF LAND INTO THE TOWN OF STRATTON, COLORADO.

WHEREAS, the Town of Stratton has the authority to annex an area of land, pursuant to §31-12-101, *et seq.*, Colorado Revised Statutes.

AND WHEREAS, the Stratton Equity Cooperative Company filed a Petition for Annexation on November 4, 2008.

AND WHEREAS, a hearing was held on such Petition for Annexation on January 8, 2009, at 132 Colorado Ave., Stratton, Colorado.

AND WHEREAS, the Board of Trustees made certain findings of fact and conclusions as required by §31-12-110, Colorado Revised Statutes.

AND WHEREAS, the Board of Trustees passed Resolution No. 2009-1 setting forth the findings of fact and conclusions as required by §31-12-110, Colorado Revised Statutes.

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

Section 1.

The following described real property located in Kit Carson County, Colorado, is hereby annexed into the Town of Stratton, Colorado:

A tract of land situate in the East Half of the Southeast Quarter of Section 36, Township 8 South, Range 47 West of the 6th Principal Meridian, Kit Carson County, Colorado and being more particularly described as follows:

Beginning at a point 120 feet North and 27.5 feet East of the Southeast Corner of Lot 8, Block 1, Collins Addition to the Town of Stratton: Thence East 390 feet to the west side of Utah Avenue of Hornung Subdivision to the Town of Stratton; thence North 257.92 feet to the South side of the County Road; Thence Westerly along the South side of the County Road to the West side of Arkansas Avenue; Thence South along the west side of Arkansas Avenue to the point of beginning, less and except certain tracts of land conveyed to Kit Carson County, Colorado for road purposes as shown by deeds recorded in Book 243 at Page 139 and in Book 144 Page 286, of the records of Kit Carson County, Colorado.

Section 2.

This real property annexed into the Town of Stratton, Colorado, shall be zoned Commercial Two (C2).

Section 3.

This Ordinance shall be recorded in the records of the Town Clerk with a map of the annexed area. Three certified copies of this Ordinance plus three copies of the map of the annexed area shall be filed with the Clerk and Recorder of Kit Carson County, Colorado.

Section 4.

This ordinance shall become effective upon the date of adoption, pursuant to §31-12-113, Colorado Revised Statutes.

Section 5.

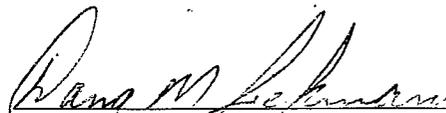
The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section 6.

Pursuant to §31-15-103, Colorado Revised Statutes, the municipality declares that the immediate passage and effectiveness of this ordinance is necessary to protect the public health and welfare of the citizens of the Town of Stratton, and orders that this Ordinance shall take effect immediately and shall be published as soon as possible.

PASSED BY THE TOWN COUNCIL AFTER A PUBLIC HEARING AND SIGNED
THIS 12th DAY OF FEBRUARY, 2009.




DANA SIEKMAN, Mayor

TOWN OF STRATTON


PAULA McCONNELL, Town Clerk