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Ordinance 130

AN ORDINANCE ANNEXING A TRACT OF LAND LOCATED IN THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 9 SOUTH, RANGE 53 WEST OF THE 6TH PRINCIPAL MERIDIAN, LINCOLN COUNTY, COLORADO, TO THE TOWN OF ARRIBA, COLORADO, AND EXTENDING THE CORPORATE LIMITS OF SAID TOWN TO INCLUDE THE SAME.

WHEREAS, a petition for the annexation of the property, hereinafter described to the Town of Arriba, was filed with the Board of Trustees on the 3rd day of September, 2002, by Garvin Wiedman and Sherry Wiedman; and

WHEREAS, the Board of Trustees of the Town of Arriba has and does hereby find and determine that the territory described in said petition for annexation is eligible for annexation and that said petition was executed according to and in compliance with the requirements of Chapter 31, Article 12, Colorado Revised Statutes of 2002, revised; and

WHEREAS, the petition for annexation is signed by the owners of, one hundred percent of the area proposed to be annexed and follows the guidelines set forth by Annexation Ordinance No. 129 of the Town of Arriba; and

WHEREAS, a Public Hearing was held on the 14 day of April, 2003 with no objections from the public on annexation of said property;

WHEREAS, all matters and things required by law to be done prior to the annexation of said territory to the municipality have duly happened or been performed.

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

1. That the annexation of the following described territory situated in the County of Lincoln and State of Colorado to the Town of Arriba, Colorado, be and the same is hereby ordained and approved and the said territory is hereby incorporated in and made a part of the Town of Arriba, to-wit:

A tract of land known as Tract Nine, located in the northwest corner of the Southeast Quarter of Section 12, Township 9 South, Range 53 West of the 6th principal meridian, Lincoln County, Colorado, more particularly described as follows: Commencing at a point on the Northwest corner of the Southeast Quarter of Section 12, T9S, R53 W; Thence East along the Half Section line, a distance of 417 feet; Thence South 417 feet; Thence West 417 Feet to the Half Section line; Thence North along the said Half Section line 417feet to the point of beginning.

2. That the annexation of such territory to the Town of Arriba shall be complete on the effective date of this ordinance for all purposes except that of General Taxes, in which respect, it shall not become effective until on and after January 1, 2004.
3. That within 30 days after the effective date of this ordinance, this ordinance along with one copy of the annexation map or plat shall be filed in the office of the Clerk of the Town of Arriba; and a certified copy of the annexing ordinance and one copy of the annexation map or plat shall be filed with the division of local government of the department of local affairs, if any; and a third copy, certified, shall be filed for recording with the Clerk and Recorder of the County of Lincoln, State of Colorado, along with one copy of the annexation map or plat.
4. That the Board of Trustees hereby finds and determines that an emergency exists and that the immediate passage of this ordinance is necessary for the preservation of the public peace, health, and safety; therefore it shall be in full force and effective five days after its final passage and publication as provided by law.

Introduced and read this 3rd day of September, 2002.



Greg McCreary
Mayor

ATTEST:

Cecilia Cuce
Town Clerk

Passed by the Board of Trustees of the Town of Arriba, Colorado and signed by it's Mayor on this 14th of April, 2003.

Greg McCreary
Mayor

ATTEST:

Cecilia Cuce
Town Clerk



Petition for Annexation

to the

Town of Arriba

Come now petitioners and allege and aver as follows:

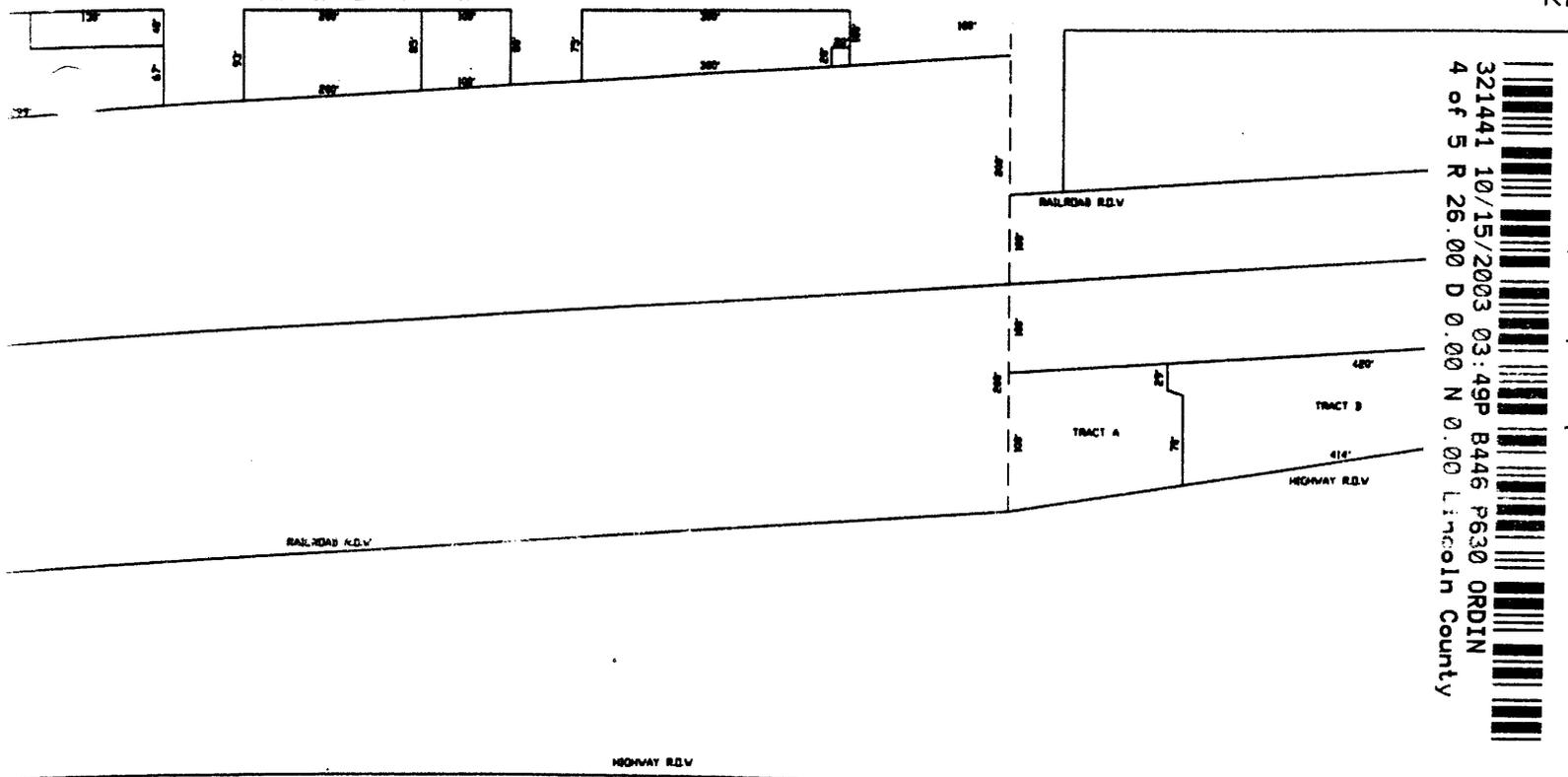
- (a) That the petitioners are Garvin Wiedman and Sherry Wiedman, husband and wife in joint tenancy and herewith confirm that they are the landowners of one hundred percent (100%) of the area or territory they are asking to be annexed to the town of Arriba.
- (b) The landowners confirm they are filing this petition with the Clerk for the Town of Arriba.
- (c) 1. That it is desirable and necessary to annex this area to the Town of Arriba since the property is adjacent to other properties already inside the city limits of the Town of Arriba. The landowners own a total of 6.19 acres M/L, of that total 2.19 acres M/L known as Lot Seventeen (17), Parker's Addition to the Town of Arriba is already in the Town of Arriba. The landowners would like for the Town of Arriba to annex the following 4.00 acres M/L parcel known as Tract Nine (9), located in the NW of the SE $\frac{1}{4}$ of Section Twelve (12), Township Nine (9) South, Range Fifty-Three (53), West of the 6th P.M., Lincoln County, Colorado - more particularly described as follows:
Commencing at a point on the Northwest corner of the Southeast Quarter of Section 12, T9S, R53W;
Thence East along the Half Section line a distance of 417 feet;
Thence South 417 feet;
Thence West 417 feet to the Half Section line;
Thence North along the said Half Section line 417 feet to the point of beginning.
This property is also known as 42486 Frontage Road Arriba, CO.
2. That the requirements of Colorado Revised Statutes Section 3-12-104 exists or has been met.
3. That the signers of this petition comprise the landowners of more than fifty percent (50%) of the territory included in the area to be annexed.

Now Therefore, it is respectfully requested that the Town of Arriba by and through its Trustee or Council members and the Honorable Mayor approve this annexation of the area or territory proposed to be annexed, as depicted by the attached copy of map with legal description indicated thereon.

12	17	12	18	10	18
13	16	13	17	11	19
14	15	14	16	12	20

RAILROAD STREET

RD



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QUARTER SECTION CORNER

Legal description of area to be annexed:

Parcel known as a tract of land located in the Northwest corner of the Southeast Quarter of Section 12, Township 9 South, Range 53 West of the 6th P.M., Lincoln County, Colorado, more particularly described as follows:

Commencing at a point on the Northwest corner of the Southeast Quarter of Section 12, T9S, R53W;

Thence East along the Half Section line a distance

417 feet;

Thence South 417 feet;

Thence West 417 feet to the Half Section line;

Thence North along the said Half Section line 417 feet to the point of beginning.

This is a 4.00 acre parcel M/L

