

RESOLUTION NO. 7-2022

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE SIERRA VISTA ADDITION NO. 2 ANNEXATION, LOCATED GENERALLY AROUND THE INTERSECTION OF SOUTH CRAFT DRIVE AND 8TH STREET; AND SETTING FORTH DETAILS IN REGARDS THERETO; AND SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER SAID PETITION:

WHEREAS, the owners of 100% of the real property included in an area proposed to be annexed, a 42.99 Ac. ± tract along South Craft Drive lying generally south of Montaña Azul filing No. 6 and south of Montaña Azul Estates (which area is described in Exhibit A attached hereto and made a part hereof by reference), excluding public streets and alleys and any land owned by the City of Alamosa, have filed a petition for annexation of said area with the City Clerk of the City of Alamosa, Colorado, requesting the City to commence proceedings for the annexation of said area; and

WHEREAS, having received the petition for annexation, the City Council is required under the Municipal Annexation Act of 1965, as amended, to determine whether said petition is in substantial compliance with C.R.S. Section 31-12-107 (1), and if so, to follow the procedure set forth in C.R.S. Sections 31-12-108 through 111;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALAMOSA, COLORADO:

1. City Council hereby finds that the amended petition for annexation has been signed by 100% of the landowners in the area proposed to be excluding public streets and alleys and any land owned by the City of Alamosa.

2. The City Council hereby finds that the amended petition for annexation is in substantial compliance with the requirements of C.R.S. Section 31-12-107 (1), as amended.

3. City Council hereby finds that it has the necessary jurisdiction to proceed with the annexation of said area.

4. The City Council hereby determines that it shall hold a public hearing to determine if the proposed annexation complies with section 30 of Article 2 of the state constitution, and Sections 31-12-104 and 31-12-105, C.R.S., as amended, to establish whether or not said area is eligible for annexation under the *Municipal annexation act of 1965*, said hearing to be held at a regular meeting of the City Council on the 18th day of May, 2022 at 7:00 PM or as soon thereafter as the matter may be heard, in the Council Chambers at City Hall, 300 Hunt Avenue, Alamosa, Colorado.

5. The City Clerk is hereby directed to give notice of said public hearing in accordance with the provisions of Section 31-12-108 (2), C.R.S., as amended.

6. This resolution shall take effect upon its adoption.

REVIEWED, CONSIDERED, APPROVED AND ADOPTED this 6th day of April, 2022.

City of Alamosa, Colorado

Ty Coleman, Mayor

Attest: (SEAL)

Holly C. Martinez, City Clerk

EXHIBIT A
LEGAL DESCRIPTION
SIERRA VISTA ADDITION NO. 2 ANNEXATION PARCEL

A tract of land located in the East Half (E½) of Section 8, Township 37 North, Range 10 East, New Mexico Principal Meridian, Alamosa County, Colorado, more particularly described as follows: Beginning at the Center Quarter Corner of Section 8 as monumented by a No. 6 rebar with an attached ¾" Aluminum Cap set by PLS No. 26966, thence N 00°30'39" W along the north south center line of Section 8 a distance of 75.00 feet to the Southwest corner of the Sierra Vista Addition to the City of Alamosa as per the plat recorded under Reception No. 312877 in the records of the Alamosa County Clerk and Recorder, thence N 89°49'53" E along the south line of said Addition a distance of 2619.85 feet to the Southeast corner of said Addition; thence S 00°09'38" E a distance of 75.00 feet to the East Quarter Corner of said Section 8 as monumented by a No. 6 rebar with an attached ¾" Aluminum cap set by PLS No. 22583 at the position originally established by PLS No. 5442; thence S 00°24'01" E along the east line of Section 8 a distance of 640.13 feet; thence S 89°46'53" W a distance of 2617.61 feet to a point on the north south centerline of Section 8 and the southwest corner of this described tract, thence N 00°33'12" W along said north south centerline a distance of 640.13 feet to the Center Quarter Corner and the True Point of Beginning, containing 42.99 acres, more or less.

This tract is subject to any and all existing easements of whatsoever nature, including but not limited to a 75 foot wide easement granted to Public Service Company of Colorado as shown in the deeds recorded in Book 177 at Page 384 and in Book 178 at Page 46 near the north and east boundaries, an easement for the existing 80 foot wide Craft Drive extension and an easement for the existing 80 foot wide County Road 108 South.