

RESOLUTION NO. 10-2022

A RESOLUTION FINDING SIERRA VISTA ADDITION No. 2 TO BE ELIGIBLE FOR ANNEXATION

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

The City Council of the City of Alamosa, Colorado, finds that the property generally described as a 42.99 Ac. ± tract along South Craft Drive lying generally south of Montaña Azul filing No. 6 and south of Montaña Azul Estates, said description being attached as Exhibit A to this Resolution, complies with the applicable annexation laws, that the land described is eligible to be annexed because there is at least one-sixth contiguity between the municipality and the area to be annexed and, after considering all competent evidence adduced at the hearing on this matter held on May 18th, 2022, City Council makes the following findings:

1. A community of interest exists between the area proposed to be annexed and the City of Alamosa; that said area is urban or will be urbanized in the near future; that said area is integrated with or is capable of being integrated with the City of Alamosa, and, furthermore, it has NOT been shown that at least two of the following conditions exist:

(a) Less than fifty percent (50%) of the adult residents of the area proposed to be annexed use some of the recreation, civic, social, religious, industrial, or commercial facilities of the municipality and less than twenty-five percent (25%) of its adult residents are employed in the annexing municipality;

(b) Fifty percent (50%) or more of the land proposed to be annexed is agricultural, and the owners of such agricultural land have expressed an intention under oath to devote the land to such agricultural use for at least five (5) years;

(c) It is not physically practical to extend urban services which the municipality normally provides in common to all of its citizens on the same terms and conditions as such services are made available to such citizens to the area proposed to be annexed.

2. The City Council further determines that applicable parts of the *Municipal Annexation Act* have been met and further determines that an election is not required under said *Act* and that there are no other terms and conditions to be imposed upon said Annexation other than as may be agreed to by the Applicant in an annexation agreement with the City; and

Having found that the property subject to said petition is eligible to become annexed, the City Council of the City of Alamosa, Colorado, shall undertake further annexation proceedings as provided by law.

ADOPTED this 18th day of May, 2022.

CITY OF ALAMOSA

By: _____
Ty Coleman, Mayor

ATTEST: _____
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.