

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;

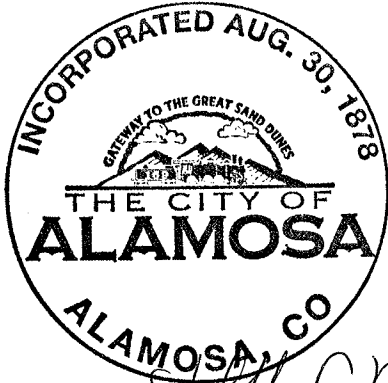
(b) Fifty percent (50%) or more of the land proposed to be annexed is agricultural, and the owners of such agricultural land have expressed an intention under oath to devote the land to such agricultural use for at least five (5) years;

(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
Ty Coleman, Mayor

ATTEST: 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.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that the undersigned "PETITIONERS" in accordance with the Municipal Annexation Act of 1965 (Article 12, Chapter 31, C.R.S. as amended) hereby petition the City Council of the City of Alamosa, Colorado, for annexation to the City of Alamosa of the unincorporated territory hereinafter described as follows:

A tract of land located in the East Half (E/2) of Section 37, Township 37 North, Range 10 East, New Mexico Principal Meridian, Alamosa County, Colorado, more particularly described as follows: A tract of land with an attached 1/4" Aluminum Cap Act by PLS No. 25966, thence N 89° 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 and Recorder, thence N 89° 30' 39" E, along the south line of said Addition a distance of 2619.85 feet to the Southeast corner of said Addition, thence S 89° 09' 53" E, a distance of 2619.85 feet to the East Quarter Center of said Section 8, as monumented by a 5/8" x 1/2" x 1/2" iron pin, thence S 89° 46' 23" W, a distance of 2617.61 feet to a point on the north-south center line of Section 8, thence S 89° 24' 01" E, along the East line of Section 8, a distance of 2410.13 feet, thence S 89° 46' 23" W, a distance of 2617.61 feet to the point of beginning, containing 42.99 acres, more or less.

This tract is subject to any and all existing encumbrances, including but not limited to, the 1/4" Aluminum Cap Act by PLS No. 25966, and the 1/4" Aluminum Cap Act by PLS No. 25966, as shown in the deeds recorded in Book 177 at Page 354 and in Book 178 at Page 46 and the north and east boundaries, an easement for the existing 80 foot wide Utility Drive, easement and an easement for the existing 80 foot wide County Road 108 South otherwise known as Foster Avenue.

FURTHER THAT the undersigned do hereby request that the property be bonded Residential High (R-17) upon annexation.

SIGNED: Arlene T. Alvarado, Mayor
Community Resources & Planning Development

STATE OF COLORADO } ss
COUNTY OF ALAMOSA } ss
The foregoing was acknowledged before me this _____ day of _____, 20____, by _____, Mayor, and _____, City Clerk.
Arline T. Alvarado, Executive Director for Community Resources & Planning Development
Witness my hand and seal. My commission expires _____.

ACCEPTANCE OF ANNEXATION AND DEDICATION

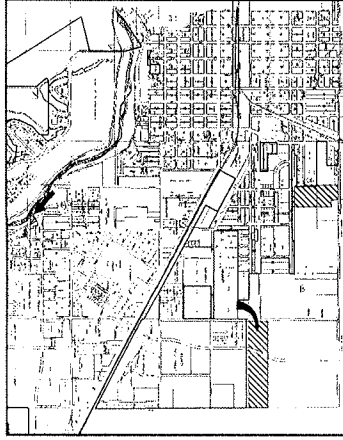
The Annexation and Dedication of Sierra Vista Addition to the City of Alamosa, Colorado, as shown on this plat is hereby accepted and approved by the City of Alamosa on this _____ day of _____, 20____.

CLERK AND RECORDER'S CERTIFICATE

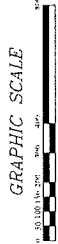
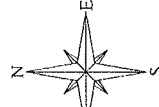
STATE OF COLORADO } ss
COUNTY OF ALAMOSA } ss
I hereby certify that this instrument was filed in my office at _____, O'Clock, _____, M., on the _____ day of _____, 20____, and is duly recorded under Reception No. _____, and is filed in Plat Cabinet _____, Map No. _____.

Signed: _____
Recorder

ANNEXATION PLAT OF THE SIERRA VISTA ADDITION No. 2
TO THE CITY OF ALAMOSA,
LOCATED IN THE EAST HALF (E/2) OF SECTION 37 NORTH, RANGE 10 EAST, NEW MEXICO
PRINCIPAL MERIDIAN, CITY OF ALAMOSA,
ALAMOSA COUNTY, COLORADO.



Location Map
Not to Scale



BEARING BASIS

All bearings are based on the south line of Lot 1 as shown on this plat or the Association of the Sierra Vista Addition No. 2, which bears S 89° 09' 53" W monumented as shown herein.

LEGEND

- Quarter Section Center, As Described
- Found or Set a No. 4 E-Box with Yellow Triangles Cap, PLS No. 22583
- Found or Set a No. 4 E-Box with Aluminum Cap, PLS No. 22583
- Found 2" Iron Pipe - NW Corner Tract 7, Sanitaryville Park
- Property Boundary
- Alleged or Traditional Section Line
- Easement line as Described
- Adjacent Lot Line
- City Limits
- Transmission Lines

FLOOD ZONE CLASSIFICATION

According to the FEMA (Flood Insurance Rate Map) for the City of Alamosa, Community Number 000099, the B area is in the 500 year flood plain and Zone D areas in which flood hazards are undetermined.

SURVEYOR'S STATEMENT

I, Daniel M. Russell, a duly registered land surveyor in the State of Colorado, do hereby state that this plat was prepared from the notes of an actual field survey performed by me or under my direct supervision and is true and correct to the best of my knowledge and belief.

Date

SURVEYOR NOTES

- This survey does not constitute a title search by Russell Surveyors & Associates, Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and ownership Russell Surveyors & Associates, Inc. relies upon, unless otherwise noted, information provided by the client. All apparent easements identified during the course of this survey that may affect the property are shown herein.
- According to Colorado law, you must determine any legal action based upon any defect in this survey, within the time period specified in the statute. If you are not satisfied with the results of this survey, you may file a lawsuit within the time period specified in the statute.
- This drawing is the property of the surveyor and is not to be reproduced, modified or used for any other project without the express written consent of the surveyor. The surveyor shall not be held or held responsible for any claims, liability or costs arising out of any error or modification of this drawing by others.

SHEET NUMBER 1 of 1
DRAWN: JLC
CHECKED: DDB
DATE: 11-22-21
DRAWING NAME: R02409 CRD/C
CITY: ALAMOSA, CO
COUNTY: ALAMOSA
PROJECT: SIERRA VISTA ADDITION
DEVELOPMENT: HOUSING
REVISIONS:
JOB NUMBER: R02069

ANNEXATION PLAT OF THE SIERRA VISTA ADDITION No. 2
TO THE CITY OF ALAMOSA,
LOCATED IN THE EAST HALF (E/2) OF SECTION 37 NORTH,
RANGE 10 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALAMOSA,
ALAMOSA COUNTY, COLORADO.

RUSSELL SURVEYORS & ASSOCIATES, INC.
6820 S Hwy 17, ALAMOSA, COLORADO 81101
(P) 719/587-1630

Tierra Azul Annexation to the City of Alamosa

