

ORDINANCE NO. 14-2022

AN ORDINANCE APPROVING THE ANNEXATION OF THE SIERRA VISTA ADDITION No. 2 CONSISTING OF 42.99 Ac. ALONG SOUTH CRAFT DRIVE

WHEREAS, the petition filed by the owners of 100% of the real property included in an area proposed to be annexed, being 42.99 Ac. ± tract along South Craft Drive lying generally south of Montaña Azul filing No. 6 and south of Montaña Azul Estates at a location roughly where an extension of West 8th Street would intersect South Craft Drive, excluding public streets and alleys and any land owned by the City of Alamosa, was previously found by the Alamosa City Council to be in substantial compliance with Section C.R.S. § 31-12-107(1) (Resolution No. 7-2022,) and

WHEREAS, all applicable requirements of the *Code of Ordinances of the City of Alamosa, Colorado*, have been fulfilled; and

WHEREAS, the property is eligible for annexation in accordance with the *Municipal Annexation Act of 1965*, as amended, as found by Resolution No. 10, 2022, after duly noticed public hearing; and

WHEREAS, the Alamosa City Council finds it in the best interests of the citizens of Alamosa that the proposed property be annexed, consistent with the terms and conditions of the annexation agreement dated June 28, 2022, hereby approved by the City, with direction to the City Manager to execute the annexation agreement on behalf of the City;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Alamosa, Colorado:

Section 1. That the property described in the attached Exhibit A is hereby annexed to the City of Alamosa, Colorado.

Section 2. The zoning for said property is hereby determined and established to be: "Residential High".

Section 3. That, in annexing said property to the City of Alamosa, Colorado, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets, or any other services or utilities in connection with the property hereby annexed except as may be expressly provided by the ordinances of the City of Alamosa, Colorado, or the annexation agreement dated June 28, 2022, approved herein, and that the owners of such annexed property shall be responsible for the cost of extension of such services and utilities.

Section 4. General Repealer. All acts, orders, ordinances, resolutions, or portions thereof in conflict herewith, are hereby repealed to the extent of such conflict.

Section 5. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City Book of Ordinances kept for that purposes, and published according to law.

Section 6. Publication and Effective Date. This ordinance shall take effect ten (10) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

Section 7. Recordation. A certified copy of this Ordinance after its final adoption, together with a copy of the annexation agreement and the annexation map shall be filed with the County Clerk and Recorder of Alamosa County for recording in the land records. Two additional certified copies of this ordinance and the annexation map shall be provided to the Alamosa County Clerk and Recorder, who shall file one certified copy of the ordinance and map with the division of local government of the department of local affairs and one certified copy of this Ordinance and the annexation map with the department of revenue.

Section 8. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

Section 9. NON-Codification. The City Clerk is directed to ensure that the provisions of this ordinance **ARE NOT** codified in the *Code of Ordinances of the City of Alamosa*.

INTRODUCED, READ AND ORDERED published the 1st day of June, 2022, and a public hearing hereon fixed for the 15th day of June, 2022 at 7:00 p.m., or as soon thereafter as the matter may be heard.

APPROVED, AND ADOPTED after public hearing this 15 day of June, 2022.

CITY OF ALAMOSA

By: _____
Mayor

ATTEST:

City Clerk

EXHIBIT A

ORDINANCE NO. 14-2022

LEGAL DESCRIPTION OF PROPERTY

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.