

RESOLUTION NO. 120-03

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

BOGART ANNEXATION

**LOCATED AT 563 22 ½ ROAD AND INCLUDING A PORTION OF THE 22 ½
ROAD AND HWY 340 RIGHTS-OF-WAY**

WHEREAS, on the 17th day of December, 2003, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BOGART ANNEXATION

A certain parcel of land lying in Section 7, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southwest corner of Lot 2, Block 5, Plat of The Vineyard Filing No. One, as same is recorded in Plat Book 12, Pages 440 and 441, Public Records of Mesa County, Colorado, and assuming the East line of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of said Section 7 bears N 00°48'00" W with all other bearings contained herein being referenced thereto; thence from said Point of Commencement, S 00°43'52" E along a line being the Southerly extension of the West line of said Vineyard Filing No. One, a distance of 9.40 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 59°01'04" E along a line 8.00 feet South of and parallel to, the Northerly right of way for Colorado Highway 340 (Broadway) as same is depicted on plans by the Colorado State Highway Department, Federal and Secondary Project No. S 0143(1), a distance of 2207.87 feet; thence N 30°58'56" E, a distance of 8.00 feet to a point on the Northerly right of way for said Highway 340 (Broadway), being the beginning of a 820.65 foot radius curve, concave Southwest, whose long chord bears S 54°54'34" E with a long chord length of 153.73 feet; thence Southeasterly 153.96 feet along the arc of said curve, through a central angle of 10°44'56"; thence N 16°41'00" E along the West right of way for 22-1/2 Road, a distance of 220.95 feet; thence N 00°28'40" W along a line 50.00 feet West of and parallel to, the East line of the Southwest Quarter (SW 1/4) of said Section 7, being the West right of way for said 22 1/2 Road, a distance of 1757.35 feet,

more or less, to a point being the Northeast corner of Lot 2, Block 3, Redlands Village Filing No. 1, as same is recorded in Plat Book 9, Page 205, Public Records of Mesa County, Colorado; thence N 89°59'00" E, a distance of 50.00 feet to a point on the East line of the Northwest Quarter (NW 1/4) of said Section 7; thence N 00°28'40" W along said East line, a distance of 383.00 feet to a point on the Easterly extension of the South line of Lot 5, Plat of Mountain Acres, as same is recorded in Plat Book 13, Page 22, Public Records of Mesa County, Colorado; thence S 89°59'00" W along the South line of said Lot 5, a distance of 140.00 feet; thence S 69°35'00" W along said South line, a distance of 210.64 feet, more or less, to a point being the Southwest corner of said Lot 5; thence N 06°00'00" E along the West line of said Lot 5, a distance of 171.55 feet to a point on the South right of way for Perona Court, being the beginning of a 120.00 foot radius curve, concave Northwest, whose long chord bears N 37°00'16" E with a long chord length of 27.62 feet; thence Northeasterly 27.68 feet along the arc of said curve, through a central angle of 13°12'57"; thence N 30°23'47" E along said South right of way, a distance of 52.00 feet to a point being the beginning of a 80.00 foot radius curve, concave Southeast, whose long chord bears N 60°23'47" E with a long chord length of 80.00 feet; thence Northeasterly 83.78 feet along the arc of said curve, through a central angle of 60°00'00"; thence S 89°36'13" E along the North line of said Lot 5, being the South right of way for said Perona Court, a distance of 215.31 feet to a point on the East right of way for said 22-1/2 Road; thence S 00°28'40" E, along the East right of way for said 22-1/2 Road, being a line 10.00 feet East of and parallel to, the East line of the NW 1/4 and SW 1/4 of said Section 7, a distance of 2630.60 feet to a point on the Northerly right of way for said Colorado Highway 340 (Broadway), as same is described in Book 2548, Page 562, Public Records of Mesa County, Colorado; thence N 59°27'15" W, a distance of 147.62 feet to a point being the beginning of a 818.65 foot radius curve, concave Southwest, whose long chord bears N 54°50'28" W with a long chord length of 151.41 feet; thence Northwesterly 151.63 feet along the arc of said curve, through a central angle of 10°36'43"; thence S 30°58'56" W, a distance of 8.04 feet; thence N 59°01'04" W, along a line 10.00 feet South of and parallel to, the Northerly right of way for said Colorado Highway 340 (Broadway), a distance of 2208.64 feet; thence N 00°43'52" W, a distance of 2.35 feet, more or less, to the Point of Beginning.

CONTAINING 4.791 Acres (208,715 Sq. Ft.), more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

1. That a hearing will be held on the 4th day of February, 2004, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:30 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this 17th day of December, 2003.

Attest:

/s/: Harry Butler
President of the Council Pro Tem

/s/: Stephanie Tuin
City Clerk