

**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. 29-09**

**A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE**

**KAPUSHION ANNEXATIONS NO. 1, NO. 2 AND NO. 3**

**LOCATED AT 860 21 ROAD.  
IS ELIGIBLE FOR ANNEXATION**

WHEREAS, on the 7th day of January, 2009, 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:

Kapushion Annexation No.1

A certain parcel of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of the SW 1/4 NW 1/4 of said Section 25 and assuming the South line of the SW 1/4 NW 1/4 of said Section 25 to bear N89°52'43"W with all bearings contained herein relative thereto; thence N89°52'43"W a distance of 167.07 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of HDP Investment Group Annexation, Ordinance No. 4113, City of Grand Junction to the Point of Beginning; thence N89°52'43"W a distance of 411.90 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of said HDP Investment Group Annexation; thence N00°00'36"E a distance of 50.00 feet; thence S89°52'43"E a distance of 361.90 feet along a line being 50.00 feet North of and parallel with the South line of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'36"E a distance of 361.90 feet along a line being 50.00 feet West of and parallel with the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado; thence S89°52'43"E a distance of 50.00 feet to a point on the East line of said Westerly 35.1 acres; thence S00°00'36"W a distance of 411.90 feet along the East line of said Westerly 35.1 acres to the Point of Beginning.

Said parcel contains 0.89 acres (38,690.28 sq. ft.), more or less, as described.

## Kapushion Annexation No. 2

A certain parcel of land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Southeast corner of the SW 1/4 NW 1/4 of said Section 25 and assuming the South line of the SW 1/4 NW 1/4 of said Section 25 to bear N89°52'43"W with all bearings contained herein relative thereto; thence N89°52'43"W a distance of 578.97 feet along the South line of the SW 1/4 NW 1/4 of said Section 25, said line also being the North line of HDP Investment Group Annexation, Ordinance No. 4113, City of Grand Junction to the Southwesterly corner of Kapushion Annexation No. 1, City of Grand Junction, said point also being the Point of Beginning; thence N89°52'43"W a distance of 745.70 feet along the South line of the SW 1/4 NW 1/4 of said Section 25 to the Southwest corner of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'37"E a distance of 660.67 feet along the West line of the SW 1/4 NW 1/4 of said Section 25; thence S89°52'33"E a distance of 1157.60 feet to a point on the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado; thence S00°00'36"W a distance of 248.70 feet along the East line of said Westerly 35.1 acres to the Northeasterly corner of said Kapushion Annexation No. 1; thence along the Northwesterly line of said Kapushion Annexation No. 1 the following four (4) courses: (1) N89°52'43"W a distance of 50.00 feet; (2) S00°00'36"W a distance of 361.90 feet; (3) N89°52'43"W a distance of 361.90 feet; (4) S00°00'36"W a distance of 50.00 feet to the Point of Beginning.

Said parcel contains 16.67 acres (726,059.29 sq. ft.), more or less, as described.

## Kapushion Annexation No. 3

A certain parcel of land located in the North Half of the Southwest Quarter of the Northwest Quarter (N 1/2 SW 1/4 NW 1/4) of Section 25, Township One North, Range Two West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particular described as follows:

Commencing at the Northeast corner of the SW 1/4 NW 1/4 of said Section 25 and assuming the East line of the SW 1/4 NW 1/4 of said Section 25 to bear S00°00'05"W with all bearings contained herein relative thereto; thence N89°52'22"W a distance of 166.87 feet along the North line of the SW 1/4 NW 1/4 of said Section 25 to the Point of Beginning; thence S00°00'36"W a distance of 660.61 feet along the East line of the Westerly 35.1 acres, as same is recorded in Book 4706, Page 591, public records of Mesa County, Colorado to the Northeast corner of Kapushion Annexation No. 2, City of Grand Junction; thence N89°52'33"W a distance of 1157.60 feet along the South line of the N 1/2 SW 1/4 NW 1/4 of said Section 25, said line also being the North line of said Kapushion Annexation No. 2 to a point on the West line of the SW 1/4 NW 1/4 of said Section 25; thence N00°00'35"E a distance of 660.67 feet along the West line of the SW

1/4 NW 1/4 of said Section 25 to the Northwest corner of the SW 1/4 NW 1/4 of said Section 25; thence S89°52'22"E a distance of 1157.60 feet along the North line of the SW 1/4 NW 1/4 of said Section 25 to the Point of Beginning.

Said parcel contains 17.56 acres (764,753.85 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 4<sup>th</sup> day of March, 2009, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:00 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 Public Works and Planning Department of the City.

ADOPTED the 4<sup>th</sup> day of March, 2009.

Attest:

/s/: Gregg Palmer  
President of the Council

/s/: Stephanie Tuin  
City Clerk