

ORDINANCE NO. 8

AN ORDINANCE APPROVING AN ANNEXATION, KNOWN AS THE HERRLI ANNEXATION, TO THE TOWN OF JAMESTOWN, COLORADO

WHEREAS, a petition for annexation of certain unincorporated property, to be known as the Herrli Annexation, and described in Exhibit A attached hereto, has been filed with the Board of Trustees of the Town of Jamestown; and

WHEREAS, the owners of one hundred percent of the area, exclusive of streets and alleys, have petitioned for annexation to the Town; and

WHEREAS, the Town is desirous of annexing the described property; and

WHEREAS, four (4) copies of an annexation map of the area, as required by law, were filed with the Board of Trustees; and

WHEREAS, not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town of Jamestown as required by C.R.S. §31-12-104; and

WHEREAS, a community of interest exists between the area proposed to be annexed and the Town of Jamestown; and

WHEREAS, the area proposed to be annexed is urban; and

WHEREAS, the area proposed to be annexed is integrated with or is capable of being integrated with the Town of Jamestown; and

WHEREAS, the annexation of the territory proposed to be annexed will not result in the detachment of area from any school district; and

WHEREAS, the annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the Town of Jamestown more than three miles in any direction from any point of the boundary of the Town of Jamestown in any one year; and

WHEREAS, the Town has a plan in place, pursuant to C.R.S. §31-12-105(1)(e); and

WHEREAS, the Council, by resolution, has determined that the petition is in substantial compliance with the applicable laws of the State of Colorado, that the area proposed to be annexed is eligible for annexation, and further has determined that an election is not required, and further found that no additional terms and conditions are to be imposed upon said annexations.

Dec 8, 1995

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:

Section 1. The annexation to the Town of Jamestown of the property described in Exhibit A attached hereto and incorporated herein by this reference is hereby approved and annexed to the Town of Jamestown:

Section 2. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 6th day of Nov, 1995.

TOWN OF JAMESTOWN, COLORADO


Richard Minton, Mayor

Attest:


Patsy Taylor, Town Clerk

101395/1005 [dkm] c:jamestown\herrli.ord

Flagstaff Surveying, Inc.

EXHIBIT A

ORDINANCE NO. 8

18 July 1995

FOREST SERVICE TRANSFER TO RICHARD AND ESTHER HERRLI

Tract 2011

A portion of Section 30, Township 2 North, Range 71 West of the 6th P.M., County of Boulder, State of Colorado, being more particularly described as follows:

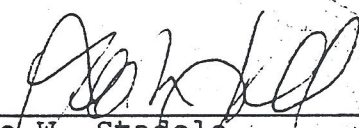
Beginning at corner No. 2 of the EMILY MILL SITE (United States Mineral Survey No. 74B), located in the Central Mining District, said corner No. 2 being monumented by a #4 rebar in concrete;

thence South 88°54'53" East, a distance of 336.29 feet to a standard FOREST SERVICE MONUMENT marked "AP1/STA 2011";

thence South 67°12'48" East, a distance of 120.16 feet to corner No. 3 of the EMILY MILL SITE, said corner being monumented by a 4 inch by 6 inch by 4 inch stone imbedded in the ground;

thence North 83°15'00" West along line 3-2 of the EMILY MILL SITE, a distance of 450.13 feet to corner No. 2 of the EMILY MILL SITE and the Point of Beginning.

Said parcel contains 7,471 square feet, 0.17 acres, more or less.



Lee W. Stadele
Colorado PLS #26300
Flagstaff Surveying Job No. 95-8820-1