

ORDINANCE NUMBER 723-15

AN ORDINANCE ANNEXING PROPERTY KNOWN AS THE TAMARACK ANNEXATION TO THE TOWN OF FOWLER, COLORADO.

WHEREAS, Resolution No. 934-15, finding substantial compliance and initiating annexation proceedings, has heretofore been adopted by the Board of Trustees of the Town of Fowler; and

WHEREAS, the Board of Trustees conducted an annexation hearing and adopted Resolution No. 943-15 making findings of fact and determinations that the annexation complies with the requirements of the applicable parts of C.R.S. §§ 31-12-104 and 31-12-105 and that the area proposed to be annexed is eligible for annexation to the Town; and

WHEREAS, the Board of Trustees does hereby find and determine that it is in the best interests of the Town to annex said area to the Town.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FOWLER, COLORADO AS FOLLOWS.

1. The following described property, known as the Tamarack Annexation, to wit:

A tract of land for annexation purposes lying in the N ½ SE ¼ SW ¼ of Sec. 16, T.22S., R. 59W., of the 6th P.M., being more particularly described as follows:

Beginning at the Northeast corner of Lot 3, HAGERMAN SUBDIVISION to the Town of Fowler as shown by the recorded plat thereof; thence N. 0°14'19"E., 50.8 feet, more or less; thence S. 79°38'46"E., 605.3 feet, more or less; thence S.1°34'02"E., 121.1 feet, more or less, to a point on the Southerly right-of-Way of Cranston Avenue (a.k.a. U.S. Hwy. 50); thence S. 88°25'58"W., along said Southerly right-of-way line, a distance of 756.7 feet, more or less, thence N. 0°05'21"E., 80.0 feet to a point on the Northerly right-of-way line of said Cranston Avenue, thence N. 88°25'58"E., along said Northerly right-of-way line, 139.8 feet, more or less, thence S.1°34'02"E., 10 feet; thence N.88°25'58"E., along said Northerly right-of-way line, 16.6 feet, more or less, to the Southeast corner of said Lot 3; thence N.0°14'19"E., 125.24 feet to the point of beginning. In the County of Otero, State of Colorado.

The tract contains 2.81 Acres.

is, annexed to the Town of Fowler and made a part of said Town, to be known as the Tamarack Annexation.

2. In annexing said property to the Town, the Town 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 provided by the ordinance of the Town.
3. Conflicts. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed or amended to the extent necessary to conform to this ordinance.
4. Severability. If any clause, sentence, paragraph or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect application to other persons or circumstances.

**INTRODUCED, READ IN FULL, PASSED AND ORDERED PUBLISHED ON
FIRST READING** the 26th day of October, 2015

TOWN OF FOWLER

DATED this 26th day of October, 2015.

BY: _____
Charles R. Hitchcock

ATTEST:

Kelly Lotrich, Town Clerk

CERTIFICATE

I, KELLY LOTRICH, Town Clerk of the Town of Fowler, Colorado, do hereby certify that the attached plat is one of the original plats filed with the Board of Trustees of the Town of Fowler, Colorado, on August 26th, 2015, at which time a Petition for Annexation of said territory to be known as "TAMARACK ANNEXATION" To the Town Of Fowler, Colorado, was filed with said Board of Trustees.

I further certify that by Ordinance No. 723-15, legally passed and adopted by the Board of Trustees of Fowler, Colorado, and effective on October 26, 2015, the territory described and referred to on said plat as the *Annexation Plat for the Town of Fowler A Part of the N ½ SE ¼ SW ¼ Sec. 16, T.22S., R.59W., 6th P.M., Otero County, Colo.* was annexed to said Town.

I further certify that attached hereto is a true and correct copy of Ordinance No. 723-15.

Dated this 26th day of October 2015.

Kelly Lotrich, Town Clerk