

**Town of Basalt, Colorado  
Resolution No. 60  
Series of 2014**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO  
FINDING THE PROPERTY KNOWN AS 801 PINON DRIVE ELIGIBLE FOR  
ANNEXATION**

**RECITALS**

A. The Town of Basalt enacted Resolution No. 53, Series of 2014, finding the Petition for Annexation ("Petition") for property commonly known as 801 Pinon Drive and as more fully described on the legal description attached hereto as **Exhibit A** and incorporated herein by this reference (the "Property") in substantial compliance with the requirements of the Municipal Annexation Act, and set a date of October 14, 2014, for a hearing before the Town Council of the Town of Basalt ("Town Council") concerning the eligibility of the Property for annexation.

B. Four or more copies of an Annexation Map were filed with the Town and reviewed along with the petition as required by § 31-12-107, C.R.S.

C. The Property is less than ten acres in size and therefore, an Annexation Impact Report has not been prepared.

D. Pursuant to the requirements of Resolution No. 53, Series of 2014, the Town Clerk published notice of the hearing on eligibility for annexation in a newspaper of general circulation within the Town, once per week for four successive weeks, the first publication of which was at least thirty days prior to the date of the hearing on eligibility for annexation of the Property.

E. The Town Council held a public hearing on the eligibility of the Property for annexation on October 14, 2014. At such hearing, any person permitted to appear pursuant to § 31-12-109(1), C.R.S. was given an opportunity to appear and present evidence on any matter to be determined by the Town Council.

F. The Basalt Town Council heard the statements of Town staff, petitioners and members of the public.

Please return to:  
TOWN OF BASALT  
101 Midland Avenue  
Basalt, CO 81621

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, FINDS AND RESOLVES AS FOLLOWS:**

1. The above recitals and all exhibits are incorporated herein by this reference, and the Town Council makes all of the findings of fact, determinations and conclusions contained herein.

2. In accordance with requirements of § 31-12-110(1), C.R.S., the Town Council finds the applicable requirements of §§ 31-12-104 and §§ 31-12-105, C.R.S., have been met, including the following:

a. Not less than one-sixth of the perimeter of the Property is contiguous with the Town;

b. Based upon contiguity only, as provided in §31-12-104(1)(b), C.R.S., a community of interest exists between the Property and the Town;

c. Based upon contiguity only, as provided in §31-12-104(1)(b), C.R.S., the Property is urban or will be urbanized in the near future;

d. Based upon contiguity only, as provided in §31-12-104(1)(b), C.R.S., the Property is integrated with or capable of being integrated with the Town;

e. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate is to be divided into separate parts or parcels without the written consent of the land owners;

f. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising 20 acres or more with an assessed valuation including buildings and improvements in excess of \$200,000.00 for ad valorem taxes, is included without the written consent of the land owners;

g. No petition for annexation of the Property has been commenced in another municipality;

h. No area to be annexed would result in the detachment of area from any school district;

i. Annexation of the Property would not have the effect of extending the municipal boundary of the Town more than three miles in one year;

j. The Town has in place an annexation plan for the area within three miles of the boundaries of the Town; and

k. The entire width of any platted street or alley to be annexed with the Property shall be included with the area annexed.

l. Contiguity for this Property is not achieved by annexing a platted street or other public properties and the notice requirements of § 31-12-105(e.3), C.R.S. are not applicable.

3. The Town Council finds an election is not required pursuant to § 31-12-107(2), C.R.S.

4. The Town Council determines that no additional terms and conditions are to be imposed on the Property with respect to annexation of the Property, except as may be set forth in a written annexation agreement and other development agreement approved and signed by the Town and 100% of the owners of the Property.

5. The Town Council finds that the proposed annexation will not result in a change to any county boundary.

6. The Town Council finds that none of the area proposed to be annexed to the Town is presently a part of any incorporated city, city and county, or town and is not contiguous to any other incorporated city, city and county, or town.

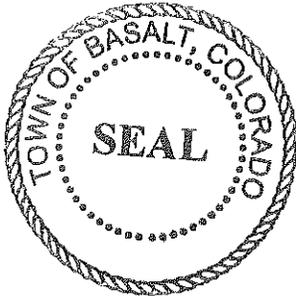
7. The Town Council finds that the names and mailing addresses of the signers of the Petition, dates of signing the Petition, and the legal description of the Property owned by each petitioner is attached to the Petition. Further, no signature on the Petition is dated more than 180 days prior to the date of filing of the Petition with the Town Clerk.

8. The Town Council finds that the property is in the Town's Urban Growth Boundary (UGB) as shown on the future land use map in the Town's 2007 Master Plan.

9. The Town Council concludes, determines and resolves that the Property is eligible for annexation pursuant to the requirements of the Municipal Annexation Act.

10. This Resolution shall not form the basis for any reliance by the owner of the Property, and this Resolution shall not constitute an agreement or promise by the Town to Annex the Property to the Town.

This Resolution was introduced, read, passed, and adopted by the Town Council by a vote of 7 to 0 on October 14, 2014.

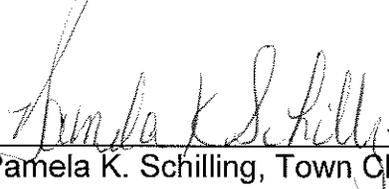


TOWN OF BASALT, COLORADO

By: \_\_\_\_\_

Jacque R. Whitsitt, Mayor

ATTEST:

  
\_\_\_\_\_  
Pamela K. Schilling, Town Clerk

Res60\_-801PinonDriveAnnexEligibility

**EXHIBIT A**  
**Property Description**

801 Pinon Drive- LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN GOVERNMENT TRACT 47, SECTION 8, TOWNSHIP 8 SOUTH, RANGE 86 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EAGLE, STATE OF COLORADO ACCORDING TO A GENERAL LAND OFFICE PLAT DATED MAY 24, 1926 AND APPROVED SEPTEMBER 30, 1929, BY THE U.S. SURVEYOR GENERAL'S OFFICE AND BEING A SUBDIVISION OF LOT 18A, EPPLEY'S THIRD ADDITION LYING SOUTHERLY OF AN EXISTING ROADWAY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE QUARTER CORNER BETWEEN SECTIONS 7 AND 8, TOWNSHIP 8 SOUTH, RANGE 86 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN;

THENCE N23°38'16"E 877.86 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE N88°08'53"W 40.87 FEET;  
THENCE N55°56'00"W 112.56 FEET;  
THENCE N34°57'44"W 308.29 FEET;  
THENCE North 20.79 FEET TO A POINT IN THE CENTER OF SAID ROAD;  
THENCE S84°34'01"E 40.17 FEET ALONG THE CENTER LINE OF SAID ROAD;  
THENCE S60°24'56"E 199.95 FEET;  
THENCE S43°30'00"E 140.74 FEET;  
THENCE South 133.21 FEET TO THE TRUE POINT OF BEGINNING.