

Town of Marble
Resolution Number 5
Series of 2014

RESOLUTION OF FINDINGS OF FACT AND CONCLUSIONS REGARDING THE
ANNEXATION APPLICATION OF CARLETTA J TAYLOR AND MAXWELL TAYLOR

WHEREAS:

- A. The Town of Marble (the “Town”) is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*
- B. A petition for annexation (the “Petition”) has been submitted to the Town by Carletta J. Taylor and Maxwell Taylor (the “Applicants”) for Lots 7 and 8, Alpine Woods Village Subdivision (the “Property”).
- C. By Resolution 2014-3, the Board found the Petition to be in substantial compliance with the requirements of C.R.S. § 31-12-107(1), and scheduled a public hearing on the Petition for 6:30 pm, April 3, 2014, at the Marble Community Church, 121 W. State St., Marble, Colorado, 81623. The hearing was continued until June 5, 2014.
- D. Because the Property is less than ten acres in size, an annexation impact report pursuant to C.R.S. § 31-12-108.5 is not required.
- E. The Board provided notice of the hearing in accordance with C.R.S. § 31-12-108.
- F. On June 5, 2014, the Board conducted the hearing as required by C.R.S. § 31-12-109.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO THAT:

THE BOARD MAKES THE FOLLOWING FINDINGS:

1. Compliance with Article II, Section 30 of the Colorado Constitution. The Town has received a petition for the annexation of the Property signed by persons comprising more than fifty percent of the landowners in the area and owning more than fifty percent of the area, excluding public streets, and alleys and any land owned by the Town.
2. Compliance with C.R.S. § 31-12-104.
 - i. Not less than one-sixth of the perimeter of the Property is contiguous with the Town.
 - ii. A community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future; and the Property is integrated with or is capable of being integrated with the Town. The fact that the Property has the contiguity with the Town required by C.R.S. § 31-12-104(1)(a) is a basis for a finding of

compliance with these requirements because the Board has not found that at least two of the criteria listed in C.R.S. § 31-12-104(1)(b) are shown to exist.

3. Compliance with C.R.S. § 31-12-105.

i. 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, will be divided into separate parts or parcels without the written consent of the landowners thereof.

ii. 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 twenty acres or more (which, together with the buildings and improvements situated thereon has a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year next preceding the annexation) is included within the Property.

iii. No annexation proceedings have been commenced for the annexation of part or all of the Property to another municipality.

iv. The annexation will not result in the detachment of area from any school district and the attachment of the same to another school district.

v. The annexation will not have the effect of extending a municipal boundary more than three miles in any direction from any point of such municipal boundary in any one year.

vi. The Town has in place a plan for the area within three miles of the existing municipal boundary that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the Town and the proposed land uses for the area. Such plan shall be updated within the last year.

4. No additional terms and conditions are being imposed by the Town upon the Property within the meaning of C.R.S. § 31-12-112.

5. No petition for annexation election has been submitted pursuant to C.R.S. § 31-12-107(2) and an election is not required pursuant to C.R.S. § 31-12-112.

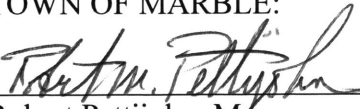
THE BOARD MAKES THE FOLLOWING CONCLUSIONS:

1. The requirements of the applicable parts of C.R.S. §§ 31-12-104 and 105 have been met.
2. The Property is eligible for annexation.
3. The Property may be annexed by ordinance pursuant to C.R.S. § 31-12-111 without election.

4. The Board hereby resolves that the Property should be annexed to the Town by ordinance and the Board will undertake further proceedings to pass such an ordinance in accordance with the applicable provisions of the Town Code and Municipal Annexation Act of 1965.

INTRODUCED, READ, AND ADOPTED this 5th day of June, 2014, by a vote of 5 in favor and 0 opposed.

TOWN OF MARBLE:



Robert Pettijohn, Mayor

ATTEST:



Ron Leach, Clerk

Town of Marble
Ordinance Number 7
Series of 2014

AN ORDINANCE ZONING LOTS 7 AND 8, ALPINE WOODS VILLAGE SUBDIVISION,
TOWN OF MARBLE, COLORADO AS RESIDENTIAL

WHEREAS:

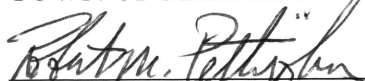
- A. The Town of Marble (the "Town") is a statutory town organized pursuant to Colorado Law, C.R.S. §31-1-101 *et seq*;
- B. A petition for annexation (the "Petition") has been submitted to the Town by Carletta J. Taylor and Maxwell Taylor (the "Applicants") for Lots 7 and 8, Alpine Woods Village Subdivision (the "Property");
- C. By Resolution Number 3, Series of 2014, the Board found the Petition to be in substantial compliance with the requirements of C.R.S. § 31-12-107(1), and scheduled a public hearing on the Petition for 6:30 pm, April 3, 2014, at the Marble Community Church, 121 W. State St., Marble, Colorado, 81623. The hearing was continued to June 5, 2014.
- D. On June 5, 2014, the Board conducted the hearing as required by C.R.S. § 31-12-109;
- E. The Board adopted Resolution Number 5, Series of 2014, setting forth the findings of fact required by C.R.S. § 31-12-110 and concluding that the Property is eligible for annexation and that the Property may be and should be annexed into the Town by ordinance;
- F. The Alpine Woods Subdivision is in the Business Zone, however, the existing uses of the subdivision are residential and the Applicants desire to make residential use of the Property; and
- G. Residential use of the Property would be consistent with the existing zoning map for the Town of Marble.

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

1. Upon annexation, the Property shall be zoned as Residential, and shall be subject to the regulations relating to the Residential Zone and all other applicable regulations of Town of Marble Zoning Code.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED BY TITLE ONLY this 5th day of June, 2014 by a vote of 5 in favor and 0 opposed.

TOWN OF MARBLE:


Robert Pettijohn, Mayor

ATTEST:


Ron Leach, Clerk

Town of Marble
Ordinance Number 6
Series of 2014

AN ORDINANCE ANNEXING LOTS 7 AND 8, ALPINE WOODS VILLAGE SUBDIVISION
TO THE TOWN OF MARBLE, COLORADO

WHEREAS:

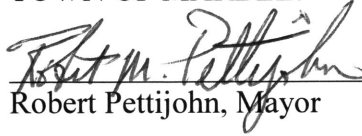
- A. The Town of Marble (the "Town") is a statutory town organized pursuant to Colorado Law, C.R.S. §31-1-101 *et seq*;
- B. A petition for annexation (the "Petition") has been submitted to the Town by Carletta J. Taylor and Maxwell Taylor (the "Applicants") for Lots 7 and 8, Alpine Woods Village Subdivision (the "Property");
- C. By Resolution 2014-3, the Board found the Petition to be in substantial compliance with the requirements of C.R.S. § 31-12-107(1), and scheduled a public hearing on the Petition for 6:30 pm, April 3, 2014, at the Marble Community Church, 121 W. State St., Marble, Colorado, 81623. The hearing was continued to June 5, 2014.
- D. On June 5, 2014, the Board conducted the hearing as required by C.R.S. § 31-12-109;
- E. The Board adopted Resolution Number 5, Series of 2014, setting forth the findings of fact required by C.R.S. § 31-12-110 and concluding that the Property is eligible for annexation and that the Property may be and should be annexed into the Town by ordinance.

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

- 1. The owners of one hundred percent of the Property have petitioned for annexation to the Town of Marble, the requirements of C.R.S. §§ 31-12-104 and 105 have been met, an election is not required, no additional terms and conditions are to be imposed,
- 2. The Property is hereby annexed to the Town of Marble and made a part of said Town, to be known as the Taylor Alpine Woods Village Annexation Parcel.
- 3. The annexation shall take effect in accordance with the Municipal Annexation Act of 1965, as amended.
- 4. As required by C.R.S. § 31-12-113(2), the Town Clerk is directed to:
 - i. File one copy of the annexation map with the original of this annexation ordinance in the office of the Town Clerk for the Town of Marble.
 - ii. File for recording three certified copies of this annexation ordinance and map of the area annexed containing a legal description of such area with the county clerk and recorder of Gunnison County, Colorado.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED BY TITLE ONLY this 5th day of June, 2014 by a vote of 5 in favor and 0 opposed.

TOWN OF MARBLE:



Robert Pettijohn, Mayor

ATTEST:



Ron Leach, Clerk