

TOWN OF MARBLE, COLORADO
ORDINANCE NO. 9
Series of 2002

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO, ANNEXING THE PROPERTY WHOLLY AND SOLELY OWNED BY THE TOWN OF MARBLE, KNOWN AS THE HISTORIC MARBLE MILL SITE PROPERTY, INTO THE TOWN.

WHEREAS, the Town of Marble is a Colorado Statutory Town subject to the Municipal Annexation Act of 1965 as it has been amended; and

WHEREAS, the Town of Marble owns property which is used as a Town park and other municipal purposes known as the Historic Marble Mill Site which property is partially within the boundaries of the Town and partially within the County of Gunnison.; and

WHEREAS, the Board of Trustees finds that it is in the interest of the public health, safety and welfare to annex the balance of the Historic Marble Mill Site property not within the boundaries of the Town into the Town of Marble; and

WHEREAS, Section 31-12-106(3) C.R.S. 1973 as amended, allows the Town to annex property wholly owned by the Town into the Town by ordinance, assuming that it meets the requirements of Section 31-12-104(1)(a) and 31-12-105, C.R.S. 1973 as amended.

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

1. The Town Board of Trustees finds that the following exist with respect to the property described on Exhibit A attached hereto and incorporated herein by this reference:
 - A. The property is wholly and solely owned by the Town of Marble. Such property is used as a Town park and for other municipal purposes and does not consist solely of a public street or right-of-way.
 - B. The property meets the requirements of Section 31-12-104(1)(a) C.R.S. 1973 as amended, in that not less than one-sixth of the perimeter of the property proposed to be annexed is contiguous with the current Town boundaries of the Town of Marble.
 - C. The property meets the requirements of the section 31-12-105 C.R.S. 1973 as amended, in that the Town is the sole owner of the entire parcel, the entire parcel is to be annexed, no other annexation requests have been made by any other jurisdiction, the annexation will not result in the detachment of the area from any school district, and the annexation will not extend the municipal boundary more than 3 miles. All other requirements of that section have been met.

- D. The property is eligible for annexation to the Town of Marble.
- E. It is in the best interests of the Town of Marble that the entire property known as the Historic Marble Mill Site owned by the Town be annexed into and be within the boundaries of the Town of Marble.
2. The Town hereby annexes the property described on Exhibit A into the Town of Marble, Colorado.
3. An annexation map shall be prepared and recorded with the Clerk and Recorder of Gunnison County, Colorado along with this Ordinance in accordance with section 31-12-113(2), C.R.S. 1973 as amended. (3 certified copies to be sent to the clerk and recorder of the ordinance and map.)

This ordinance shall become effective upon recordation.

INTRODUCED, READ, ADOPTED and ORDERED PUBLISHED by a vote of ___ to ___ this 1st day of October, 2002.

TOWN OF MARBLE, COLORADO

By

Mayor

Wayne R. Brown

ATTEST

Donna Mulhally
Town Clerk

MILLSITE ANNEXATION PARCEL 1

A parcel of land situated in the S 1/2 of Section 26, Township 11 South, Range 88 West of the 6th Principal Meridian. All bearings contained herein being relative to a bearing of N 00°03'00" W between the Southeast corner and the Northeast corner of said Section 26, both being found U.S. General Land Office brass caps found in place. Said parcel being more particularly described as follows:

Beginning at the Northeast corner of that parcel recorded in the Gunnison County Records in Book 566 at Page 632; thence N 88°54'47" W along the northerly line of said parcel recorded in Book 566 at Page 632 also being the southerly Right-of-Way line of Park Street (also known as Gunnison County Road No. 3), a distance of 1348.28 feet; thence leaving said southerly Right-of-Way line of Park Street S 01°05'13" W; along the easterly line of said parcel recorded in Book 566 at Page 632, a distance of 221.00 feet to the **TRUE POINT OF BEGINNING**; thence S 88°54'47" E, a distance of 616.28 feet; thence S 01°05'13" W, a distance of 480.00 feet; thence N 88°54'47" W, a distance of 616.28 feet; thence N 01°05'13" E, a distance of 480.00 feet to the **TRUE POINT OF BEGINNING**. Said parcel containing 295.814 square feet or 6.791 acres, more or less.

County of Gunnison
State of Colorado

Description Prepared By:
Russell G. Jones
Professional Land Surveyor #25950