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ORDINANCE NO. 16

SERIES 2000

AN ORDINANCE ANNEXING PROPERTY KNOWN AS THE VERZUH RANCH TO THE TOWN OF CRESTED BUTTE, COLORADO.

WHEREAS, the Town of Crested Butte, Colorado is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado; and

WHEREAS, Verzuh Ranch Inc., a Colorado corporation, has submitted a Petition for Annexation (hereafter "Petition") to the Town of Crested Butte for the annexation of a tract of land known as the Verzuh Ranch, which Petition has been found by the Town Council of the Town of Crested Butte to be in substantial compliance with the relevant provisions of the Colorado Municipal Annexation Act of 1965, and Article 15-4 of the 1987 Crested Butte Municipal Code; and

WHEREAS, said Petition has been signed by the owners of one hundred percent of the area proposed to be annexed, exclusive of streets and alleys; and

WHEREAS, all applicable requirements of said Article 15-4 have been fulfilled; and

WHEREAS, the Town Council hereby finds that the criteria to be considered before acting on this annexation request, as set forth in Section 15-4-8.B.2. of the 1987 Crested Butte Municipal Code have been satisfied; and

WHEREAS, the subject property is eligible for annexation in accordance with the Colorado Municipal Annexation Act of 1965, as amended; and

WHEREAS, certain agreements, contained in an Annexation Agreement and Subdivision Improvements Agreement and other documents, have been reached; and

WHEREAS, the Town Council has made a finding that the requirements for annexation contained in state law and in the Municipal Code of the Town of Crested Butte have been satisfied.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. Annexation. The Town Council of the Town of Crested Butte hereby



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annexes to the Town the property more fully described in the attached Exhibit A, and commonly known as the Verzuh Ranch, and as shown on the Annexation Map attached as Exhibit B.

Section 2. The annexation of said described property is subject to the conditions, covenants and agreements set forth in: 1) the Annexation Agreement which has been executed by the Annexor, Verzuh Ranch, Inc., by Billy Joe Lacy, president, and presented in final form at this meeting; 2) the Final Plan, as that term is defined in the Annexation Agreement; and 3) the Final Plat. The Mayor and Town Clerk are hereby authorized and directed to forthwith execute said Annexation Agreement on behalf of the Town.

Section 3. In annexing said described property to the Town of Crested Butte, 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 set forth in the Annexation Agreement, or as may be provided by the ordinances of the Town of Crested Butte.

Section 4. Within fifteen days after the effective date of this Ordinance, the Town Clerk is hereby authorized and directed to:

- A. 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 Crested Butte, Colorado; and
- B. file for recording two certified copies of this annexation ordinance and the map of the area annexed containing a legal description of such area with the Gunnison County Clerk and Recorder.

Section 5. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

INTRODUCED, AND FIRST READ BEFORE THE TOWN COUNCIL THIS 17th DAY OF July, 2000.

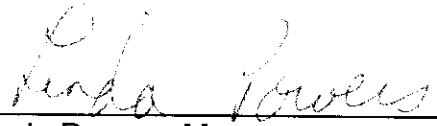
ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS 7th DAY OF August, 2000.



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HEARING THIS 7th DAY OF AUGUST, 2000.

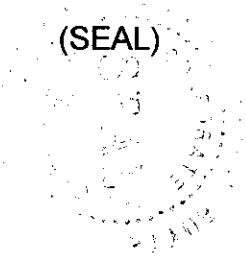
TOWN OF CRESTED BUTTE, COLORADO

By: 
Linda Powers, Mayor

ATTEST:


Lynda Jackson Retito, Town Clerk

(SEAL)



Property Description of Verzuh Annexation Tract
Prepared for Bill Lacy

REVISION #1 - 7/20/00

A tract of land within the NW1/4 of Section 2, Township 14 South, Range 86 West, Sixth Principal Meridian, Gunnison County, Colorado; said tract being more particularly described as follows:

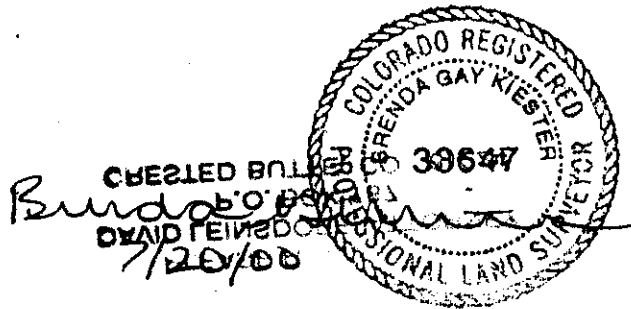
Commencing at the north quarter corner of said Section 2, (as marked by a USGLO brass cap monument), thence North 89° 38' 07" West 169.11 feet along the north boundary of said Section 2 to the POINT OF BEGINNING for the herein described tract; thence the following courses around said tract:

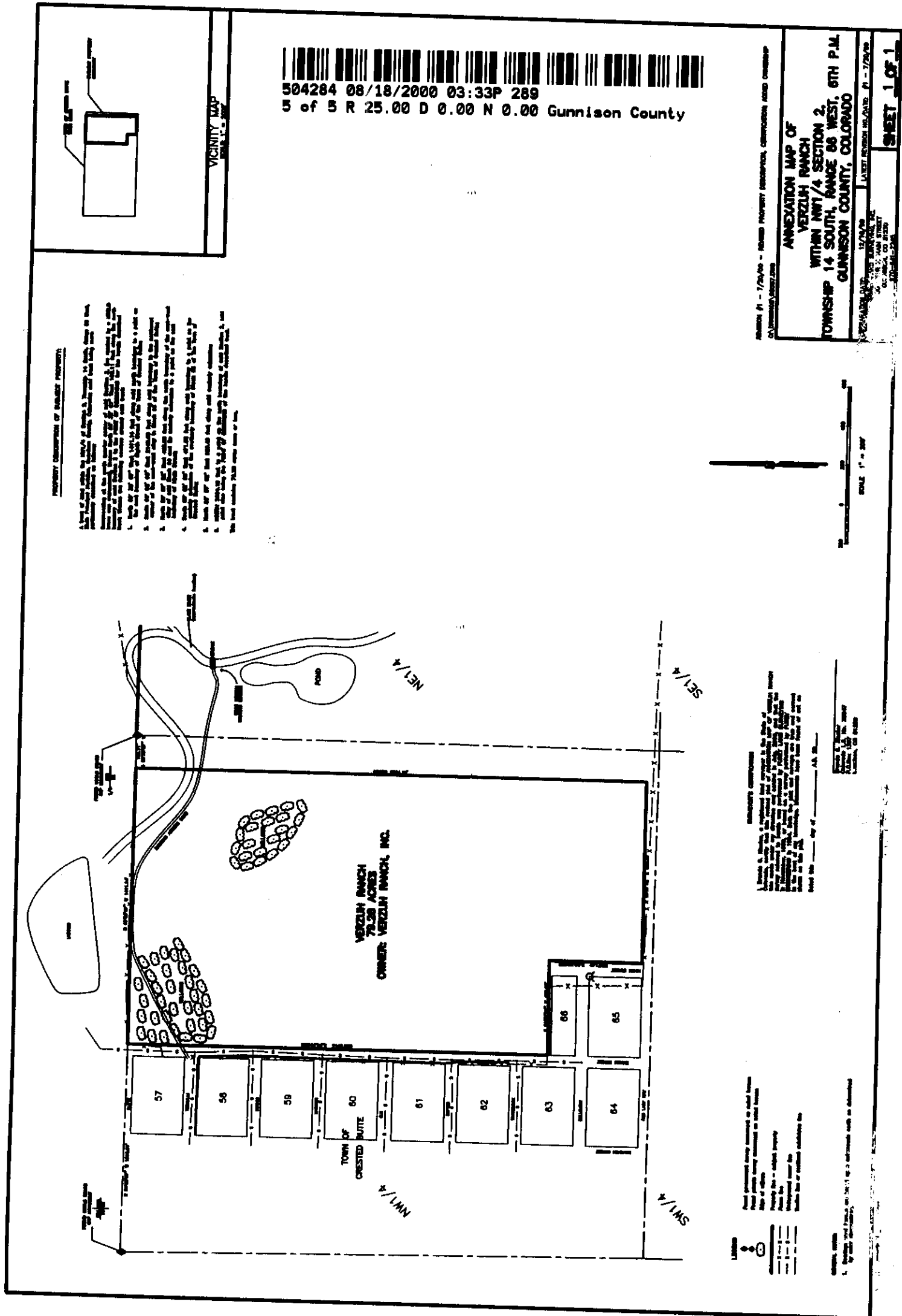
1. North 89° 38' 07" West 1411.14 feet along said north boundary to a point on the east boundary of Eighth Street of the Town of Crested Butte;
2. South 00° 02' 08" East 2143.05 feet along said boundary to the northwest corner of the east-west alley in Block 66 of the Town of Crested Butte;
3. North 89° 57' 52" East 480.00 feet along the north boundary of the east-west alley of said Block 66 and its easterly extension to a point on the east boundary of Ninth Street;
4. South 00° 02' 08" East 471.00 feet along said boundary to a point on the easterly extension of the southerly boundary of Block 65 of The Town of Crested Butte;
5. North 89° 57' 52" East 929.49 feet along said easterly extension;
6. NORTH 2604.19 feet to a point on the north boundary of said Section 2, said point also being the POINT OF BEGINNING of the herein described tract.

This tract contains 79.28 acres more or less.

The basis of bearings used herein is astronomic north as determined by solar observations.

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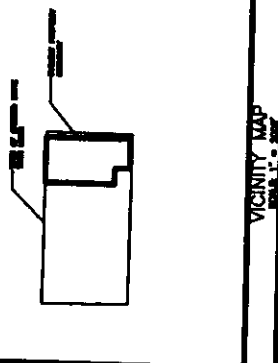




PROPERTY DESCRIPTION OF SUBJECT PROPERTY:

A large tract of land located in the NE 1/4 of Section 2, Township 14 South, Range 86 West, 6th P.M., Gunnison County, Colorado. The subject property is bounded on the north by the NE 1/4 of Section 2, on the east by the SE 1/4 of Section 2, on the south by the SW 1/4 of Section 2, and on the west by the NW 1/4 of Section 2. The subject property is approximately 100 feet wide and 200 feet deep. The subject property is currently owned by Verzhuh Ranch, Inc.

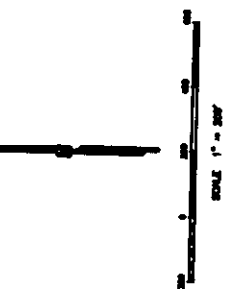
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ANNEXATION MAP OF
VERZHUH RANCH
WITHIN NW 1/4 SECTION 2,
TOWNSHIP 14 SOUTH, RANGE 86 WEST, 6TH P.M.
GUNNISON COUNTY, COLORADO

15/04/00
LARRY RICHARDSON, CLERK
Gunnison County, Colorado
15/04/00

SHEET 1 OF 1



PREPARED BY:
LARRY RICHARDSON
CLERK
GUNNISON COUNTY, COLORADO

NOTICE:
This map was prepared by the Clerk of Gunnison County, Colorado, under the authority of the Board of County Commissioners. The map shows the location of the property and the boundaries of the sections. The map is subject to change without notice. The map is not a warranty of title. The map is for informational purposes only.