

**TOWN OF SILT
RESOLUTION NO. 13
SERIES OF 2024**

**A RESOLUTION OF THE BOARD OF TRUSTEES CONCERNING
FINDINGS OF FACT FOR THE ANNEXATION OF PROPERTY OWNED
BY MATTHEW AND SUSAN JURMU LOCATED WEST OF COUNTY
ROAD 231 IN GARFIELD COUNTY, KNOWN AS THE LAESTADIAN
LUTHERAN CHURCH ANNEXATION # 2, INTO THE MUNICIPAL
BOUNDARIES OF THE TOWN OF SILT, COLORADO**

WHEREAS, on or about October 16, 2023, the Laestadian Lutheran Church of the Roaring Fork Valley and Matthew and Susan Jurmu (hereinafter referred to as "Petitioners") submitted an Annexation Application, a Petition for Annexation, and an Affidavit of Circulator to the Town of Silt (the "Town"), requesting that the Town commence proceedings to annex to the Town that real property specifically described on Exhibit "A" attached hereto, and incorporated herein by reference (hereinafter the "Annexation Parcel");

WHEREAS, pursuant to C.R.S. § 31-12-108, the Board of Trustees of the Town of Silt (the "Board"), by Resolution 12, Series of 2024, found Petitioner's annexation petition to be in substantial compliance with the requirements of Municipal Annexation Act of 1965, C.R.S. §31-12-107(1), as amended, established a date, time, and place for a hearing upon the Petition, and directed the Town Clerk to give notice of the hearing in accordance with C.R.S. §31-12-108(2); and

WHEREAS, notice of such hearing was published in the *Post Independent* newspaper; and

WHEREAS, the public hearing on the Petition was held on May 13, 2024, at a regularly scheduled meeting of the Board, and at such hearing any person permitted to appear pursuant to C.R.S. §31-12-109(1) had the opportunity to appear and present evidence upon any matter determined by the Board; and

WHEREAS, the Board finds and determines that the hearing upon the Petition is now complete.

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

FINDINGS OF FACT, DETERMINATIONS AND CONCLUSIONS

1. The Town incorporates the foregoing recitals as findings and determinations by the Board, and conclusively makes all of the Findings of Fact, Determinations and Conclusions contained herein.

2. For the Annexation Parcel, the Town staff has determined, and the Board so finds, that the landowners of one hundred percent (100%) of the Annexation Parcel to be annexed, excluding public streets and alleys, signed and filed the Petition requesting the annexation to the Town of the Annexation Parcel described in the Petition.

3. The Petition is accompanied by five (5) or more copies of the Annexation Map which contains, among other things, the information required by C.R.S. §31-12-107(1)(d).

4. For the Annexation Parcel, the requirements of C.R.S. §31-12-104, as amended, exist or have been met, including, without limitation, the following:

- A. Not less than one-sixth (1/6th) of the perimeter of the Annexation Parcel is contiguous with the Town.
- B. A community of interest exists between the Annexation Parcel and the Town.
- C. The Annexation Parcel is urban or will be urbanized in the near future.
- D. The Annexation Parcel is integrated with or is capable of being integrated with the Town.
- E. No election for annexation of the area proposed to be annexed to the Town has been held in the preceding twelve (12) months.

5. For the Annexation Parcel, the requirements of C.R.S. §31-12-105, as amended, exist or have been met, including without limitation the following:

- A. In establishing the boundaries of the area proposed to be annexed, 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:
 - (1) has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof unless such tracts or parcels are separated by a dedicated street, roadway, or other public way; or

(2) comprising twenty (20) acres or more (which together with buildings and improvements situated thereon having a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year preceding the proposed annexation) has been included without the written consent of the landowners.

- B. No annexation proceedings have been commenced for the annexation to a municipality other than the Town of all or part of the Annexation Parcel.
- C. The annexation proposed in the Petition will not result in the detachment of area from any school district and the attachment of the same area to another school district.
- D. The annexation proposed in the Petition will not have the effect of extending the municipal boundary of the Town more than three (3) miles in any direction from any point on the current municipal boundary of the Town.
- E. The Town has previously prepared and adopted a plan meeting the requirements of C.R.S. §31-12-105(e).

6. No election is required under C.R.S. §§31-12-112 and -107(2) for the Annexation Parcel, as no additional terms or conditions are to be imposed upon the owners of property not otherwise agreed to by such owners.

7. The signer of the Petition is the sole owner of one hundred percent (100%) of the area proposed to be annexed, exclusive of public streets and alleys.

8. The annexation to the Town of the Annexation Parcel will not result in a change of county boundaries.

9. The names and mailing address of the signer of the Petition and dates of signing are included in the Petition, and the legal description of the land owned by such Petitioner is attached to the Petition. No signature on the Petition is dated more than 180 days prior to the date of filing of the Petition for annexation with the Town Clerk.

10. No area of the Annexation Parcel 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.

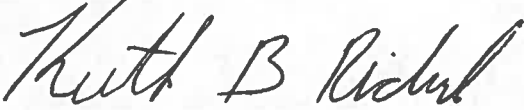
11. It is desirable and necessary that the Annexation Parcel described on Exhibit A be annexed to the Town.

12. On even date herewith, the Board of the Town of Silt, Colorado, shall, by ordinance, annex the Annexation Parcel described on **Exhibit A** to the Town of Silt.

THIS RESOLUTION was read, passed, and adopted by the Silt Board of Trustees at a regular meeting held this 13th day of May, 2024.

ATTEST:

TOWN OF SILT



Mayor Keith B. Richel


Town Clerk Sheila M. McIntyre, CMC



EXHIBIT A

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN SECTION 4 TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE 6TH P.M. COUNTY OF GARFIELD, STATE OF COLORADO BEING A PORTION OF LOT 2 WILLS SUBDIVISION EXEMPTION, ACCORDING TO THE FINAL PLAT THEREOF RECORDED JULY 13, 1998 AS RECEPTION NO. 528540; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2 WILLS SUBDIVISION, WHENCE THE NORTHEAST CORNER SAID SECTION 4 BEARS N.16°53'03E. A DISTANCE OF 1382.21 FEET; THENCE S.00°37'54E. ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 2 A DISTANCE OF 315.00 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY S.89°23'49W ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 2 A DISTANCE OF 100.00 FEET; THENCE LEAVING SAID SOUTHERLY BOUNDARY N.00°37'54W. A DISTANCE OF 315.00 FEET, TO THE NORTHERLY BOUNDARY LINE OF SAID LOT 2; THENCE N.89°23'49E. ALONG SAID NORTHERLY BOUNDARY LINE A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

SAID TRACT OF LAND CONTAINING 31,500 SQUARE FEET OR 0.723 ACRES, MORE OR LESS.