

**TOWN OF SILT
ORDINANCE NO. 1
SERIES OF 2024**

**AN ORDINANCE ANNEXING TO THE TOWN OF SILT, COLORADO CERTAIN
REAL PROPERTY LOCATED AT 129 WEST HOME AVENUE, SILT,
COLORADO, KNOWN AS THE MARIONI ANNEXATION**

WHEREAS, on or about September 15, 2023, Israel and Jorge Marioni (hereinafter referred to as "Owner") submitted an Annexation Application, a Petition for Annexation, and Affidavit of Circulator for that real property specifically described on Exhibit "A" attached hereto and known as 129 West Home Avenue Annexation; or more generally known as the "Property"; and

WHEREAS, on or about December 5, 2023, the Planning & Zoning Commission considered the Annexation Petition and Application materials for the Property and recommended to the Board of Trustees approval of the Annexation application; and

WHEREAS, pursuant to C.R.S. § 31-12-108, the Board of Trustees, by Resolution 5, 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, and specified that the Board of Trustees would hold a hearing on the proposed annexation of the Property at its regular meeting on February 12, 2024; and

WHEREAS, pursuant to C.R.S. §§31-12-108 to -110, on February 12, 2024, the Board of Trustees held a duly noticed public hearing to consider the proposed annexation of the Property; and

WHEREAS, notice of such hearing was published for four (4) successive weeks in the *Post Independent*, a newspaper; and

WHEREAS, the Board of Trustees, by Resolution No. 6, Series of 2024, set forth its Findings of Fact, Determinations and Conclusions with regard to annexation of the Property to the City, which findings, determinations, and conclusions are incorporated herein by this reference.

WHEREAS, in order to encourage well-ordered development to the Town of Silt, it is desirable that the Property be annexed into the Town of Silt; and

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

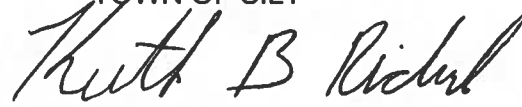
Section I. The annexation to the Town of Silt of the real property described on **Exhibit A** is hereby approved, subject to the recording of this Ordinance and the Annexation Map with the Garfield County Clerk and Recorder, and such real property will thereby be annexed to and made a part of the Town of Silt, subject to the terms and conditions of that certain Annexation Agreement which is also hereby approved.

Section II. Upon notice from Petitioner or Petitioner's successors or assigns, the Town Clerk of the Town of Silt, Colorado, the Town of Silt shall:

- (a) File one (1) copy of the annexation map with the original of this Annexation Ordinance in the office of the Town Clerk of the Town of Silt, Colorado; and
- (b) File for recording three (3) certified copies of this Annexation Ordinance and three (3) copies of the Annexation Map, containing a legal description of the Property, with the County Clerk and Recorder of Garfield County, Colorado, with directions to the Garfield County Clerk and Recorder to file one certified copy of this Annexation Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs of the State of Colorado and one certified copy of this Annexation Ordinance and one copy of the Annexation Map with the Colorado Department of Revenue; and
- (c) File one (1) certified copy of the annexation ordinance and one (1) copy of the Annexation Map in the office of the County Assessor of Garfield County, Colorado; and
- (d) Prior to filing or recording any of the foregoing, update the Annexation Map and Annexation Agreement to reflect the then-current owner of the Property.

INTRODUCED on February 12, 2024, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Board of Trustees of the Town of Silt, Colorado held on February 26, 2024, passed without amendment, approved, and ordered published in full as required by the Charter.

TOWN OF SILT

Mayor Keith B. Richel

ATTEST:


Town Clerk Sheila M. McIntyre, CMC



EXHIBIT A

Legal Description:

ANNEXATION: 129 WEST HOME AVENUE

A TRACT OF LAND SITUATED IN THE NORTHEAST ONE-QUARTER NORTHEAST ONE-QUARTER OF SCETION 9, TOWNSHIP 6 SOUTH, RANGE 92 WEST OF THE SIXTH P.M., DESCRIBE AS BEGINNING AT A POINT WHENCE THE INTERSECTION OF THE NORTH LINE OF U.S. HIGHWAY NO. 24 WITH THE WEST LINE OF SAID NORTHEAST ONE-QUARTER NORTH EAST ONE-QUARTER BEARS SOUTH 85°23' WEST 1121.8 FEET; THENCE NORTH 89°22' WEST 72.5 FEET AND THENCE NORTH 00° 38' EAST 112.5 FEET; THENCE SOUTH 89° 22' EST 72.5 FEET; AND THENCE SOUTH 00° 38' WEST 112.5 FEET TO THE POINT OF BEGINNING. EXCEPTING THAT PART CONVEYED BY WARRANTY DEED RECORDED JUNE 24, 1946 AT RECEPTION NO. 157718.

SAID TRACT CONTAINS 7,840 SQUARE FEET AND/OR 0.18 ACRES, MORE OR LESS.

TOTAL PERIMETER IS APPROXIMATELY 370 LINEAL FEET.
REQUIRED 1/6th CONTIGUOUS BOUNDARY IN TOWN LIMITS IS THREE SIDE;
NORTH, WEST AND EAST, EQUALLY APPROXIMATELY 300 FEET.