



**AGENDA
TOWN OF PARACHUTE
TOWN COUNCIL SPECIAL MEETING
222 GRAND VALLEY WAY, PARACHUTE, CO
SEPTEMBER 24, 2020 6:30 PM**

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

(A) CALL TO ORDER

(B) APPROVE AGENDA

(C) PUBLIC COMMENTS ON ISSUES NOT ON THE AGENDA

The Town Council welcomes you and thanks you for your time and concerns. If you wish to address the Town Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Council. Your comments will be limited to three (3) minutes. The Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up. Thank you.

**PLEASE SILENCE ALL CELL PHONES, PAGERS, AND HAND-HELD DEVICES. THANK YOU.
PLEASE NOTE: THIS MEETING IS BEING AUDIO RECORDED.**

(D) TOWN COUNCIL CONSIDERATION OF RESOLUTION NO. 2020-30

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE, COLORADO, FINDING THE PETITION FOR ANNEXATION FROM IVO E. AND BETTY J. LINDAUER TO BE IN SUBSTANTIAL COMPLIANCE WITH STATE STATUTES AND SETTING A PUBLIC HEARING ON SAID PETITION.

STAFF: STUART McARTHUR, TOWN MANAGER
 JEFFREY CONKLIN, TOWN ATTORNEY

(E) ADJOURN

Hi there,

You are invited to a Zoom webinar.

When: **Sep 24, 2020 06:30 PM** Mountain Time (US and Canada)

Topic: **Town Council Special Meeting**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81080142152?pwd=MEh4Ni9ZZ0tKRW9OeFFmeWFVTDRyZz09>

Passcode: **annex**

Or iPhone one-tap :

US: +13462487799,,81080142152#,,,,,0#,,442569# or +16699006833,,81080142152#,,,,,0#,,442569#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592

Webinar ID: 810 8014 2152

Passcode: 442569

International numbers available: <https://us02web.zoom.us/j/81080142152?pwd=MEh4Ni9ZZ0tKRW9OeFFmeWFVTDRyZz09>

PETITION FOR ANNEXATION

TO: TOWN CLERK AND THE TOWN COUNCIL OF THE TOWN OF PARACHUTE

The undersigned, in compliance with the "Municipal Annexation Act of 1965," C.R.S. §§ 31-12-101 *et seq.*, as amended, hereby petitions the Town Council of the Town of Parachute, Colorado, for annexation to the Town of Parachute, the following described unincorporated territory located in the County of Garfield, State of Colorado, and more particularly described in Exhibit A, attached hereto and incorporated herein by the reference. In support of said Petition for Annexation, the undersigned submits the attached annexation map, and states and alleges as follows:

1. It is desirable and necessary that the property described in Exhibit A be annexed to the Town of Parachute, Colorado.
2. The requirements of C.R.S. §§ 31-12-104 and 31-12-105, and amended, exist and have been met as follows:
 - a. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the Town of Parachute, Colorado. Said contiguity is not effected by the existence of public rights of way adjacent to property proposed to be annexed. [C.R.S. §§ 31-12-104(1)(b)]
 - b. A community of interest exists between the Town of Parachute and the area proposed to be annexed to the Town of Parachute, Colorado; the area proposed to be annexed is urban or will be urbanized in the near future; and the area proposed to be annexed is integrated or is capable of being integrated with the Town of Parachute, Colorado. [C.R.S. §§ 31-12-104(1)(b)]
 - c. None of the exceptions found in C.R.S. §§ 31-12-104(1)(b)(I),(II), or (III) are applicable to the area to be proposed to be annexed.
 - d. In establishing the boundaries of the area proposed to be annexed, no real property held in identical ownership, whether consisting of one tract or parcel of real estate, will be divided into separate parts or parcels without the written consent of the landowners. [C.R.S. § 31-12-104(1)(a)]
 - e. In establishing the boundaries of the area proposed to be annexed, no real property 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 (20) acres or more (which together with the building and improvements situated thereon has a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year next proceeding the annexation) shall be included without the written consent of the landowner.[C.R.S. § 31-12-104(1)(b)]

f. The property proposed for annexation is not presently part of any incorporated city or town, nor have annexation proceedings been commenced for the annexation of part of all of such property to another municipality. [C.R.S. § 31-12-104(1)(c)]

g. The proposed annexation will not result in the detachment of real property from any school district and attachment of same to another school district. [C.R.S. § 31-12-104(1)(d)]

h. The proposed annexation will not have effect of extending the municipal boundary more than three (3) miles in one (1) year. [C.R.S. § 31-12-104(1)(e)]

- 3. The undersigned are the owners of one hundred percent (100%) of the real property proposed to be annexed, and hereby consent to the establishment of the boundaries of this property as shown on the annexation plat submitted herewith.
- 4. The undersigned hereby requests the Town of Parachute, Colorado approve the annexation of real property proposed to be annexed, as set forth in Exhibit A.
- 5. No election for the annexation to the Town of Parachute, Colorado has been initiated for the real property to be annexed hereunder within the preceding twelve (12) months.
- 6. The mailing address of the petitioner is as follows: Sarah Orona, 0215 County RD Parachute, CO 81635
- 7. Each of the Petitioners has the right to withdraw this Petition after this Petition has been filed with the Clerk of Town of Parachute, Colorado.

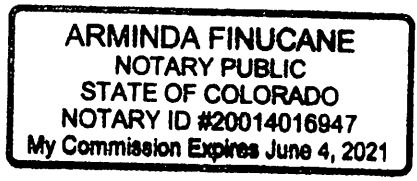
WHEREFORE, the undersigned requests that the Town of Parachute, CO approve the annexation of the territory to be annexed described on Exhibit A hereto.

Sarah Del Orona POA
 Ivo E. Lindauer
Sarah Del Orona POA
 Betty J. Lindauer

STATE OF COLORADO
 COUNTY OF Garfield

Acknowledged before me this 16 day of Sep, 2020, by Ivo E. Lindauer and Betty J. Lindauer.

Arminda Finucane
 Notary Republic



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1. It is desirable and necessary that the property described in Exhibit A be annexed to the Town of Parachute, Colorado.
2. The requirements of C.R.S. §§ 31-12-104 and 31-12-105, and amended, exist and have been met as follows:
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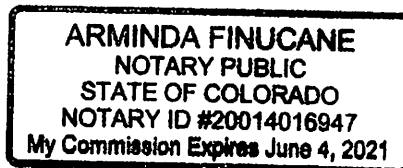
WHEREFORE, the undersigned requests that the Town of Parachute, CO approve the annexation of the territory to be annexed described on Exhibit A hereto.

Sarah Del Orona POA
Ivo E. Lindauer
Sarah Del Orona POA
Betty J. Lindauer

STATE OF COLORADO
COUNTY OF Garfield

Acknowledged before me this 16 day of Sep, 2020, by Ivo E. Lindauer and Betty J. Lindauer.

Arminda Finucane
Notary Republic



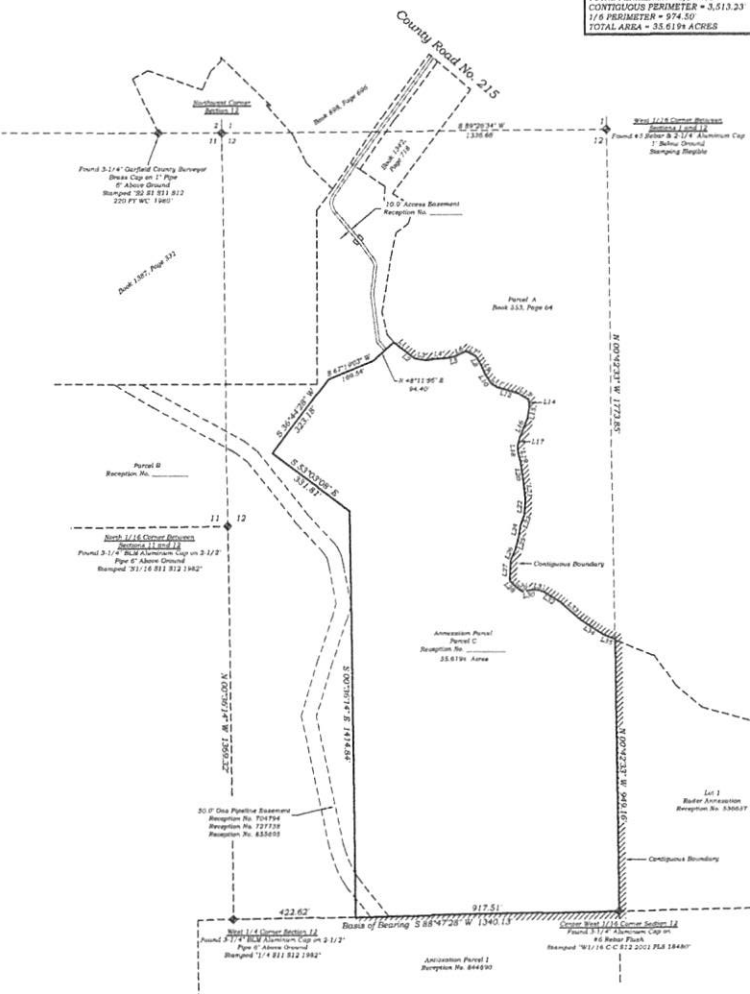
ANNEXATION MAP

A Parcel of Land Situate in the NW1/4 of Section 12, Township 7 South, Range 96 West of the 6th P.M.
County of Garfield, State of Colorado

NO.	SECTION	TOWNSHIP	RANGE	PRINCIPAL MERIDIAN
1	1	7	96	6th P.M.
2	2	7	96	6th P.M.
3	3	7	96	6th P.M.
4	4	7	96	6th P.M.
5	5	7	96	6th P.M.
6	6	7	96	6th P.M.
7	7	7	96	6th P.M.
8	8	7	96	6th P.M.
9	9	7	96	6th P.M.
10	10	7	96	6th P.M.
11	11	7	96	6th P.M.
12	12	7	96	6th P.M.
13	13	7	96	6th P.M.
14	14	7	96	6th P.M.
15	15	7	96	6th P.M.
16	16	7	96	6th P.M.
17	17	7	96	6th P.M.
18	18	7	96	6th P.M.
19	19	7	96	6th P.M.
20	20	7	96	6th P.M.
21	21	7	96	6th P.M.
22	22	7	96	6th P.M.
23	23	7	96	6th P.M.
24	24	7	96	6th P.M.
25	25	7	96	6th P.M.
26	26	7	96	6th P.M.
27	27	7	96	6th P.M.
28	28	7	96	6th P.M.
29	29	7	96	6th P.M.
30	30	7	96	6th P.M.
31	31	7	96	6th P.M.
32	32	7	96	6th P.M.
33	33	7	96	6th P.M.
34	34	7	96	6th P.M.
35	35	7	96	6th P.M.
36	36	7	96	6th P.M.
37	37	7	96	6th P.M.
38	38	7	96	6th P.M.
39	39	7	96	6th P.M.
40	40	7	96	6th P.M.
41	41	7	96	6th P.M.
42	42	7	96	6th P.M.
43	43	7	96	6th P.M.
44	44	7	96	6th P.M.
45	45	7	96	6th P.M.
46	46	7	96	6th P.M.
47	47	7	96	6th P.M.
48	48	7	96	6th P.M.
49	49	7	96	6th P.M.
50	50	7	96	6th P.M.

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1	1	7	96	6th P.M.
2	2	7	96	6th P.M.
3	3	7	96	6th P.M.
4	4	7	96	6th P.M.
5	5	7	96	6th P.M.
6	6	7	96	6th P.M.
7	7	7	96	6th P.M.
8	8	7	96	6th P.M.
9	9	7	96	6th P.M.
10	10	7	96	6th P.M.
11	11	7	96	6th P.M.
12	12	7	96	6th P.M.
13	13	7	96	6th P.M.
14	14	7	96	6th P.M.
15	15	7	96	6th P.M.
16	16	7	96	6th P.M.
17	17	7	96	6th P.M.
18	18	7	96	6th P.M.
19	19	7	96	6th P.M.
20	20	7	96	6th P.M.
21	21	7	96	6th P.M.
22	22	7	96	6th P.M.
23	23	7	96	6th P.M.
24	24	7	96	6th P.M.
25	25	7	96	6th P.M.
26	26	7	96	6th P.M.
27	27	7	96	6th P.M.
28	28	7	96	6th P.M.
29	29	7	96	6th P.M.
30	30	7	96	6th P.M.
31	31	7	96	6th P.M.
32	32	7	96	6th P.M.
33	33	7	96	6th P.M.
34	34	7	96	6th P.M.
35	35	7	96	6th P.M.
36	36	7	96	6th P.M.
37	37	7	96	6th P.M.
38	38	7	96	6th P.M.
39	39	7	96	6th P.M.
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41	41	7	96	6th P.M.
42	42	7	96	6th P.M.
43	43	7	96	6th P.M.
44	44	7	96	6th P.M.
45	45	7	96	6th P.M.
46	46	7	96	6th P.M.
47	47	7	96	6th P.M.
48	48	7	96	6th P.M.
49	49	7	96	6th P.M.
50	50	7	96	6th P.M.

CONTIGUITY
TOTAL PERIMETER = 5,847.00
CONTIGUOUS PERIMETER = 3,513.23
1/2 PERIMETER = 974.50
TOTAL AREA = 35.6194 ACRES



CERTIFICATION OF OWNERSHIP
WE, JIM B. LINDSEY AND BETTY J. LINDSEY, THE OWNERS OF 100 PERCENT OF THE FOLLOWING DESCRIBED PROPERTY, EXCLUDING ANY PUBLIC ACCESS AND ALLEY TO WIT,
RECEIPIOR TO _____ RECORDED _____
A PARCEL OF LAND SITUATE IN THE NW1/4 OF SECTION 12, TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M., COUNTY OF GARFIELD, STATE OF COLORADO, AS SHOWN RELATIVE TO A BEARING OF 88°47'30\"/>

TITLE CERTIFICATE
I, _____, OWNER HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN ON THIS ANNEXATION MAP AND THAT TITLE IS CLEAR EXCEPT AS NOTED IN THE OWNER'S 100 PERCENT OF THE PROPERTY HEREIN DESCRIBED, EXCLUDING ANY PUBLIC RIGHTS AND ALLEYS.

DATED THIS _____ DAY OF _____ A.D. 2020
TITLE COMPANY _____
AGENT _____

BOARD OF TRUSTEES CERTIFICATE
THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO, BY RESOLUTION NO. _____ DULY ADOPTED ON THIS _____ DAY OF _____ 2020, HAS REVIEWED THE ANNEXATION OF THE PROPERTY DESCRIBED HEREIN AND HAS DETERMINED THAT THE ANNEXATION OF THE PROPERTY DESCRIBED HEREIN COMPLIES WITH THE REQUIREMENTS CONTAINED BY THE COLORADO CONSTITUTION AND ARTICLE 12, TITLE 31, C.R.S., AS AMENDED, AND THAT SAID PROPERTY IS SUITABLE FOR ANNEXATION TO THE TOWN OF PARACHUTE, COLORADO.
THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO, BY RESOLUTION NO. _____ DULY ADOPTED ON THIS _____ DAY OF _____ 2020, DID APPROVE THE PROPERTY HEREIN DESCRIBED TO THE TOWN OF PARACHUTE, COLORADO.

WITNESSED BY ME, CLERK OF THE TOWN OF PARACHUTE, COLORADO, ON THIS _____ DAY OF _____ 2020.
TOWN CLERK _____

- NOTES**
- DATE OF SURVEY WAS SEPTEMBER 3, 2020
 - BOUNDARY BEARING FOR THIS SURVEY IS A BEARING OF 88°47'30\"/>

SURVEYOR'S CERTIFICATE
I, MICHAEL J. LANGHORNE, HEREBY CERTIFY THAT THIS ANNEXATION MAP ACCURATELY REPRESENTS A SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION, IS BASED ON MY KNOWLEDGE, INFORMATION AND BELIEF, THAT NOT LESS THAN ONE-BY-TWO (1/2) OF THE PERIMETER OF THE AREA AS SHOWN HEREON IS CONTIGUOUS WITH THE EXISTING BOUNDARIES OF THE TOWN OF PARACHUTE, COUNTY OF GARFIELD, COLORADO. THIS CERTIFICATE IS NOT INTENDED TO BE AN EXPRESSION OF IMPLIED WARRANTY OR GUARANTEE OF ANY NATURE EXCEPT THOSE STATED IN THIS PRECEDING SENTENCE.
IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL

DATE _____
MICHAEL J. LANGHORNE, P.L.S. #38872

REVIEW

FILE: 2020
DPT. M.L.
CK. M.L.
DATE: 9/4/20
PROJECT NO: 20108-01
SHEET 1 OF 1

BRANDON RICHARDSON
PARACHUTE, CO 81655

ANNEXATION MAP

BOOKCLIFF
Survey Services, Inc.

STATE OF COLORADO STATUTORY POWER OF ATTORNEY
(Durable General Power of Attorney)

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the "Uniform Power of Attorney Act", Part 7 of Article 14 of Title 15, Colorado Revised Statutes.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent.

Unless you specify otherwise, generally the agent's authority begins on the date you sign this power of attorney and will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is entitled to reasonable compensation unless you state otherwise in the special instructions.

This form provides for designation of one agent. If you wish to name more than one agent you may name a co-agent in the special instructions. Co-agents are not required to act together unless you include that requirement in the special instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the special instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I, **Betty J. Lindauer**, name the following person as my agent:

Sarah Del Orona, 929 County Road 215, Parachute, CO 81635, 970-285-1111

DESIGNATION OF SUCCESSOR AGENT(S)

Successor and Temporary Agents. If the person named as my agent is permanently unable or unwilling to act due to death, incapacity, or resignation, I appoint the following person to act as successor agent. If the person named as my agent is only temporarily unable or unwilling to act for any reason, I also appoint the following person to act as temporary agent, but only for so long as the agent with priority is unable or unwilling to act.

Name of successor agent: **Julia Ann Lindauer**

Successor agent's address: 1910 84th Avenue, Greeley, Colorado 80632

Successor agent's telephone number: 970-353-1165 (h), 970-396-5463 (c)

Julia Ann Lindauer

**STATE OF COLORADO STATUTORY POWER OF ATTORNEY
(Durable General Power of Attorney)**

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DESIGNATION OF AGENT

I, **Ivo E. Lindauer**, name the following person as my agent:

Sarah Del Orona, 929 County Road 215, Parachute, CO 81635, 970-285-1111

DESIGNATION OF SUCCESSOR AGENT(S)

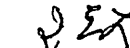
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Name of successor agent: **Julia Ann Lindauer**

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Successor agent's telephone number: 970-353-1165 (h), 970-396-5463 (c)

GRANT OF GENERAL AUTHORITY



State of Colorado Statutory Power of Attorney of Ivo E. Lindauer
(Page 1 of 6)