

**TOWN OF PARACHUTE
ORDINANCE NO. 739-2018**

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, ANNEXING TO THE TOWN OF PARACHUTE, COLORADO CERTAIN REAL PROPERTY OWNED BY JWT LAND COMPANY, LLC.

WHEREAS, on December 27, 2017, JWT Land Company, LLC (“Petitioner”) filed with the Town Clerk of the Town of Parachute, Colorado, a Petition for Annexation (“Petition”), including annexation map, requesting that the Board of Trustees commence proceedings to annex in to the Town of Parachute a certain unincorporated tract of land located in the County of Garfield, State of Colorado, described on **Exhibit A** (the “Annexation Parcel”), attached hereto and incorporated herein by reference;

WHEREAS, the Board of Trustees, by Resolution 2017-4, found that Petition is in substantial compliance with the requirements of the Municipal Annexation Act of 1965, C.R.S. §31-12-107, 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);

WHEREAS, notice of such hearing was published on 2/1/18, 2/8/18, 2/15/18, and 2/22/18, 2018 in the *Post Independent*

WHEREAS, the public hearing on the Petition was held on March 15 (continued after an hour of testimony) and March 29, 2018 at a regularly scheduled meeting of the Parachute Board of Trustees;

WHEREAS, the Board of Trustees, by Resolution 2018-18 set forth its Findings of Fact, Determinations, and Conclusions with regard to annexation to the Town of the JWT Land Company parcel; and

WHEREAS, the Board of Trustees wishes to annex the Annexation Parcel in to the Town.

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Board of Trustees hereby approves the annexation of the Annexation Parcel, and such real property is hereby annexed to and made a part of the Town of Parachute. Within ten (10) days after final publication of this Ordinance, the Town Clerk of the Town of Parachute, Colorado, on behalf of the Town shall:

- A. File one (1) copy of the Annexation Map and the original of this Annexation Ordinance in the office of the Town Clerk of the Town of Parachute, Colorado;

- 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 Annexation Parcel, 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 certified copy of this Annexation Ordinance and one copy of the Annexation Map in the office of the County Assessor of Garfield County, Colorado.

Notwithstanding the foregoing, the Town Clerk shall not make the foregoing filings until the Town receives a fully executed Annexation Agreement from the Petitioner.

Section 3. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 3 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 29 day of March 2018 and approved by the Mayor on the 29 day of March 2018.

BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO

By: Roy McClung
Roy McClung, Mayor

ATTEST:

Lucy Cordova
Lucy Cordova, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:

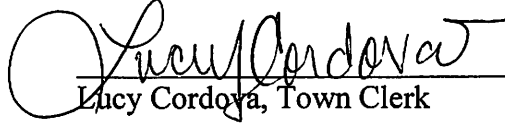
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was introduced before the Board of Trustees on March 29, 2018; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on March 29, 2018, and approved by the Mayor on March 29, 2018.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado and available on the internet at <http://www.parachutecolorado.com>.

Dated this 29 day of March 2018.

TOWN OF PARACHUTE



Lucy Cordova, Town Clerk