

ORDINANCE 479

AN ORDINANCE OF THE TOWN OF BAYFIELD, COLORADO APPROVING THE IRONTON ANNEXATION AND ZONING.

WHEREAS, Ironton Holdings LLC, a Wyoming limited liability company (the “**Property Owner**”) own 100% of the properties that is legally described in “**EXHIBIT A**” and referred hereto as (“the “**Properties**”).

WHEREAS, the Property Owner filed an annexation petition for the Properties along with required application materials in June, 2022, including but not limited to the annexation map and annexation impact report.

WHEREAS, the Board of Trustees approved Resolution No. 528 on June 20, 2022 that found the Property is eligible for annexation due to substantial compliance with Colorado Revised Statutes (the “**CRS**”) 31-12-107(1) as required by the Bayfield Land Use Code (the “**Land Use Code**”) Section 3-15 and initiated annexation proceedings.

WHEREAS, the Town of Bayfield Planning Commission conducted a hearing on the proposed annexation and Transitional (T) initial zoning on July 12, 2022, with public notice of such hearing provided as required by the Land Use Code, and passed a motion recommending approval subject to findings and conditions that have been incorporated into the annexation agreement.

WHEREAS, a Public Hearing on the Ironton annexation and initial zoning was scheduled by the Board of Trustees on June 20, 2022 at the Bayfield Town Hall, with public notice as required by law, to determine if the annexation complies with the CRS 31-12-101 *et seq.* and if the zoning complies with the Land Use Code.

WHEREAS, the Board of Trustee finds:

1. The annexation complies with CRS 31-12-104 as to the Properties having more than one-sixth of its perimeter contiguous to the Town boundary; and that a community of interest exists between the Properties and the Town, the Properties are surrounded by urban development, and the Properties will be urbanized with the proposed development and can be integrated into the Town.
2. The annexation complies with CRS 31-12-105 with the Property Owners owning 100% of the Properties and not holding adjacent land in identical ownership; and the annexation will not split the land into another school district.
3. The annexation complies with the Colorado Constitution Article II, Section 30 because the Town received a petition for the annexation of the Properties signed by the Property Owner who comprise more than fifty percent of the landowners of the Properties and owning more than fifty percent of the area, excluding public streets, and alleys and any land owned by the annexing municipality.
4. The initial zoning meets the requirements of the Bayfield Comprehensive Plan and Land Use Code requirements.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF BAYFIELD, COLORADO HEREBY ORDAINS:

Section 1. Subject to and conditioned upon the execution and recording of a satisfactory Annexation Agreement and Annexation Plat, the annexation of the Property is hereby approved.

Section 2. The annexation of the Property to the Town of Bayfield shall become a part of the incorporated Town of Bayfield following the Effective Date of this ordinance but not until the completion and recording of the Ironton Annexation Agreement and Annexation Plat for the Property.

Section 3. The Property shall be zoned Transitional (T) and subject to the requirements of the Comprehensive Plan and Land UseCode and other adopted Town codes and standards.

Section 4. This ordinance shall become effective on October 24, 2022, 30 days after publication (the “**Effective Date**”) subject to the requirements of Section 2.

Section 5. This Ordinance shall become void and the Town approval of the zoning and annexation will expire if the Annexation Agreement and Annexation Plat are not recorded by October 24, 2023.

APPROVED BY THE BOARD OF TRUSTEES on this 20th day of September, 2022.

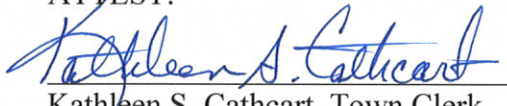
TOWN OF BAYFIELD, COLORADO

MAYOR:



Ashleigh Tarkington

ATTEST:



Kathleen S. Cathcart, Town Clerk

EXHIBIT A

CERTIFICATE OF OWNERS:

KNOW ALL BY THESE PRESENTS:

That Kirby Ross (Ironton Holding, LLC), whose address is 10851 S. Crossroads Dr., Parker, Colorado 80134, being the legal and record owner of the following Tract of land, to wit:

A parcel of land lying in Section 11, Township 34 North, Range 7 West, of the N. M. Principal Meridian, County of La Plata, State of Colorado, said parcel also being Tracts II, III, IV and V as shown on Wells Survey as described under Reception Number 1007429, La Plata County Records, and a portion of Pine Street as shown on Wells Subdivision as described under Reception Number 292513, La Plata County Records said parcel being more particularly described as follows:

Beginning at the Northwest corner of said Tract III;

Thence along the boundary lines of said Tract III and Tract II the following nine (9) courses:

1. N81°54'36"E, 650.35 feet;
2. N84°05'12"E, 394.97 feet;
3. N82°12'14"E, 310.52 feet;
4. S88°18'14"E, 118.98 feet;
5. S01°33'24"W, 149.61 feet;
6. S09°07'55"E, 36.89 feet;
7. N86°03'55"W, 32.67 feet;
8. S08°39'02"E, 247.34 feet;
9. N89°52'53"W, 30.92 feet;

Thence S49°53'03"W, along the northwesterly line Bayfield Parkway and the southeasterly line of said Tract II, 317.12 feet;

Thence along the boundary lines of said Tract II, Tract IV, Tract V and Tract III the following ten (10) courses:

1. along the arc of a curve to the left having a central angle of 37°51'39", a radius of 622.84 feet, an arc length of 411.57 feet and a chord bearing S31°05'10"W, 404.12 feet;
2. N88°22'37"W, 138.87 feet;
3. N88°14'14"W, 393.81 feet;
4. N30°48'56"W, 118.67 feet;
5. N30°15'11"W, 51.34 feet;
6. S59°44'49"W, 20.09 feet;
7. N27°17'25"W, 207.37 feet;
8. N00°01'06"E, 213.70 feet;
9. N88°44'28"W, 42.01 feet;
10. N39°50'22"W, 334.31 feet to the Point of Beginning;

ALL IN THE COUNTY OF LA PLATA, STATE OF COLORADO