



# PROOF OF PUBLICATION



I, Kimberly S. Burner, do solemnly swear that I am the publisher of the Sky-Hi News, that the same is a weekly newspaper printed, in whole or in-part, and published in the County of Grand, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Grand for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement, that said newspaper has been admitted to the United States mail as second-class matter under the provisions of the act of March 3, 1879, or any amendment thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice of advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated Feb.

5th, A.D. 2009, and that the last publication of said notice was in the issue of newspaper dated Feb 5, A.D. 2009

In witness whereof I have hereunto set my hand this 5th day of February, A.D. 2009

Kimberly S. Burner, Publisher.

Subscribed and sworn to before me, a notary public in and for the County of Grand, State of Colorado this 6th day of February, A.D. 2009

Carmela J. Schmitt  
Notary Public

ORDINANCE NO. 2008-9-3361  
AN ORDINANCE  
ANNEXING CERTAIN TERRITORY TO  
THE TOWN OF  
HOT SULPHUR SPRINGS, COLORADO

WHEREAS, the real property as described on Exhibit A attached hereto (Property) is located in an unincorporated area of Grand County, Colorado; and

WHEREAS, the Town Board of Trustees finds that: A. the Property to be annexed meets the applicable requirements of Section 31-12-106(1), C.R.S., and is eligible for annexation to the Town of Hot Sulphur Springs; and

B. an election is not required under Section 31-12-107(2), C.R.S.; and

C. no additional terms or conditions are imposed which would require an election under Section 31-12-107(2), C.R.S.

WHEREAS, notice of this annexation ordinance was provided in accordance with the requirements set forth in § 31-12-106 and 31-12-106(2), C.R.S.; and

WHEREAS, annexation of the Property will not result in detachment of any area from any school district and the attachment of the same to another school district; and

WHEREAS, the Town Board of Trustees finds that it is in the best interests of the Town to annex the Property to the Town.

NOW THEREFORE, BE IT OBTAINED BY THE TOWN BOARD OF TRUSTEES OF HOT SULPHUR SPRINGS, COLORADO, as follows:

Section 1. The Property as described on Exhibit A is hereby annexed to and included within the corporate limits of the Town of Hot Sulphur Springs, Colorado, in accordance with law.

Section 2. The Town Board of Trustees hereby directs staff to complete all necessary procedures required for annexation of said Property to the Town including: (i) filing for recording these certified copies of this annexation ordinance and a map of the annexed Property containing a legal description of the Property annexed hereby ("Annexation Map") with the Grand County Clerk and Recorder; and (2) filing the original of this Annexation Map together with a copy of the Annexation Ordinance with the Town Clerk of the Town of Hot Sulphur Springs, Colorado.

Section 3. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such severance is not determined by the court to be impermissible. The Town Board of Trustees declares that this section adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase or portion would be declared invalid or unconstitutional.

Section 4. Effective Date. This Ordinance shall become effective thirty days after publication following final passage.

INTRODUCED, READ, ADOPTED, APPROVED AND ORDERED PUBLISHED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF HOT SULPHUR SPRINGS, COLORADO, UPON A MOTION BY THE REGULAR MEETING HELD ON PASSED MAY 12, 2008 BY A VOTE OF 6 IN FAVOR, 0 AGAINST, and 0 ABSTAINING.

TOWN OF HOT SULPHUR SPRINGS  
By: \_\_\_\_\_  
Heristral Deputy, Mayor

I hereby certify that the above Ordinance was introduced and adopted by the Town Board of Trustees of the Town of Hot Sulphur Springs, Colorado, at its meeting of December 4, 2008, and ordered published by Sky-Hi newspaper on December 23rd, 2008.

ATTEST:  
By: Sandra White  
Town Clerk

Publication Date: February 5th, 2009  
Effective Date: March 7th, 2009 (30 days after publication)

EXHIBIT A LEGAL DESCRIPTION OF PROPERTY BEING REZONED

A parcel of land 125' x 150' located in the NE 1/4NW 1/4 of Section 11, Township 1 North, Range 78 West of the P.M., more particularly described as follows:

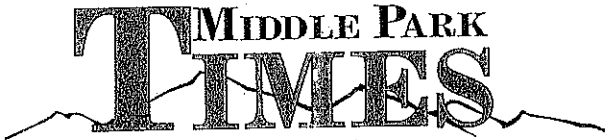
Beginning at the NE corner of the parcel whence the NW 1/4 corner of Section 11, Township 1 North, Range 78 West of the 6th P.M. bears N 87°06' W for a distance of 1513.18 feet; thence S 00°19' E for a distance of 150.00 feet; thence N 89°22' W for a distance of 125.00 feet; thence N 00°19' W for a distance of 150.00 feet; thence S 89°22' E for a distance of 125.00 feet to the point of beginning.

Situate, lying and being in the County of Grand and State of Colorado, to-wit: A parcel of land lying East of the First Addition to the Town of Hot Sulphur Springs, and South of the Sehefer Parcel all in the NE 1/4NW 1/4 Section 11, Tp. 1 North, Range 78 W, 6th P.M., containing 0.33 acres more or less, more particularly described as follows: Beginning at the NE corner of the parcel whence the NW corner Sec. 11, Tp. 1 N., R. 78 W, 6th P.M. bears N. 81°29' W for 1528.94 feet, said point being the SE corner of the Sehefer parcel; thence S 19° W for 116 feet; thence S 89°22' E for 125 feet to the point of the beginning. Said parcel is bounded on the West and the South by a 60 foot reservation for a public road right of way.

Published in the Middle Park Times February 9, 2009. (2046252)

# PROOF OF PUBLICATION

RECEIVED  
OCT 28 2008  
TOWN OF HSS



I, Kimberly S. Burner, do solemnly swear that I am the publisher of the Sky-Hi News, that the same is a weekly newspaper printed, in whole or in-part, and published in the County of Grand, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Grand for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement, that said newspaper has been admitted to the United States mail as second-class matter under the provisions of the act of March 3, 1879, or any amendment thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice of advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 4 consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated October 2, A.D. 2008, and that the last publication of said notice was in the issue of newspaper dated October 23, A.D. 2008

In witness whereof I have hereunto set my hand this day of October 23, A.D. 2008

Kimberly S. Burner, Publisher.

Subscribed and sworn to before me, a notary public in and for the County of Grand, State of Colorado this 23rd day of October, A.D. 2008

Jean Anderson  
Notary Public

My Commission Expires 9/28/12

Leg. No. 675  
TOWN OF HOT SULPHUR SPRINGS, COLORADO  
ORDINANCE NO. 2008-9/361  
ANNEXING CERTAIN TERRITORY TO THE TOWN OF HOT SULPHUR SPRINGS, COLORADO

the real property as described on **Exhibit A** attached hereto ("Property") is located in an unincorporated area of Grand County, Colorado; and

WHEREAS, the Town Board of Trustees finds that

1. The Property to be annexed meets the applicable requirements of Section 31-12-106(1), C.R.S., and is therefore eligible for annexation to the Town of Hot Sulphur Springs; and

2. An election is not required under Section 31-12-107(2), C.R.S.; and

3. No additional terms or conditions are imposed which would require an election under Section 31-12-107(2) C.R.S.

WHEREAS, notice of this annexation ordinance was provided in accordance with the requirements set forth in §§ 31-12-106 and 31-12-108(2), C.R.S.; and

WHEREAS, annexation of the Property will not result in detachment of any area from any school district and the attachment of the same to another school district; and

WHEREAS, the Town Board of Trustees finds that it is in the best interests of the Town to annex the Property to the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF HOT SULPHUR SPRINGS, COLORADO, as follows:

**Section 1.** The Property as described on **Exhibit A** is hereby annexed to and included within the corporate limits of the Town of Hot Sulphur Springs, Colorado, in accordance with law.

**Section 2.** The Town Board of Trustees hereby directs staff to complete all necessary procedures required for annexation of said Property to the Town including: (1) filing for recording three certified copies of this annexation ordinance and a map of the annexed Property containing a legal description of the Property annexed hereby ("Annexation Map") with the Grand County Clerk and Recorder, and (2) filing the original of this annexation ordinance together with a copy of the Annexation Map with the Town Clerk of the Town of Hot Sulphur Springs, Colorado.

**Section 3. Severability.** If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion; provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The Town Board of Trustees declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

**Section 4. Effective Date.** This Ordinance shall become effective thirty days after publication following final passage.

INTRODUCED, READ, ADOPTED, APPROVED AND ORDERED PUBLISHED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF HOT SULPHUR SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008 BY A VOTE OF \_\_\_\_\_ IN FAVOR, \_\_\_\_\_ AGAINST, and \_\_\_\_\_ ABSTAINING.

TOWN OF HOT SULPHUR SPRINGS  
By: \_\_\_\_\_  
Hershal Deputy, Mayor

I hereby certify that the above Ordinance was introduced and adopted by the Town Board of Trustees of the Town of Hot Sulphur Springs, Colorado, at its meeting of \_\_\_\_\_, 2008, and ordered published one time by \_\_\_\_\_ newspaper on \_\_\_\_\_, 2008.

ATTEST:  
By: \_\_\_\_\_  
Sandy White, Town Clerk

Publication Date: \_\_\_\_\_, 2008  
Effective Date: \_\_\_\_\_, 2008 (30 days after publication)

EXHIBIT A  
LEGAL DESCRIPTION OF PROPERTY

A parcel of land 125' x 150' located in the NE 1/4 NW 1/4 of Section 11, Township 1 North, Range 78 West of the 6th P.M., more particularly described as follows:

Beginning at the NE corner of the parcel whence the NW corner of Section 11, Township 1 North, Range 78 West of the 6th P.M., bears N 87 degree 06' W, for a distance of 1513.18 feet; thence S 00 degree 19' E, for a distance of 150.00 feet; thence N 89 degree 12' W, for a distance of 125.00 feet; thence N 00 degree 19' W, for a distance of 150.00 feet; thence S 89 degree 12' E, for a distance of 125.00 feet to the point of beginning.

Situate, lying and being in the County of Grand and State of Colorado, to-wit: A parcel of land lying East of the First Addition to the Town of Hot Sulphur Springs, and South of the Scherer Parcel all in the NE 1/4 NW 1/4 Section 11, Tp. 1 North, Range 78 W. 6th P.M., containing 0.33 acres more or less, more particularly described as follows:

Beginning at the NE corner of the parcel whence the NW corner Sec. 11, Tp. 1 N., R. 78 W. 6th P.M., bears N. 81 degree 29' W for 1528.94 feet, said point being the SE corner of the Scherer parcel; thence S 0 degree 19' W for 116 feet; thence S 89 degree 12' E for 125 feet to the point of the beginning. Said parcel is bounded on the West and the South by a 60 foot reservation for a public road right of way.

Published in the Middle Park Times October 2, 9, 16, 23, 2008.  
Leg. No. 675