

**TOWN OF HOT SULPHUR SPRINGS,
COLORADO**

ORDINANCE NO. 2013-2-1/387

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO
THE TOWN OF HOT SULPHUR SPRINGS, COLORADO
AND ZONING CERTAIN PROPERTY**

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 therefore 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 31-12-108(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 proposed Business ("B") Zoning is consistent with the Town's Official Zoning Map; is in compliance with Section 9-4-4 of the Town Code; is immediately adjacent to the Business (B) Zone District boundary and cannot be consider a "spot zoning" pursuant to state statutes; 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 and simultaneously zone the Property.

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. The Town of Hot Sulphur Springs Board of Trustees hereby approves zoning the Property to Business ("B") Zone District.

Section 4. The Official Zoning Map of the Town of Hot Sulphur Springs shall be and the same is hereby amended to conform to and reflect said change in zoning.

Section 5. 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 6. 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 21st DAY OF February, 2013 BY A VOTE OF 7 IN FAVOR, 0 AGAINST, and 0 ABSTAINING.

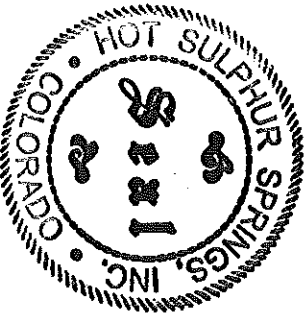
TOWN OF HOT SULPHUR SPRINGS

By: Robert McVay
Robert McVay, 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 February 21st, 2013, and ordered published by Sky Hi newspaper on Feb 21st, 2013.

ATTEST:
By: Sandy White
Sandy White, Town Clerk

Publication Date: 02/26/13, 2013
Effective Date: 07/04/13, 2013 (30 days after publication)



**EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY**

Thu, May 30, 2013
9233136

10:36:04

Ad Ticket #5

Acct: 1095219
Phone: (970)725-3933
E-Mail:
Client:
Caller: Sandy White

Name: HOT SULPHUR SPRINGS, TOW
Address: PO BOX 116

City: HOT SULPHUR SPG
State: CO **Zip:** 80451

Receipt

Ad Name: 9233136A
Editions: 8MPT/
Start: 06/06/13
Color:
Coppline: Ordinance no 2013-2-1/387

Original Id: 0
Class: 0990
Stop: 06/06/13
Issue 1
Rep: Pam Schultz

Lines:	12
Depth:	1.01
Columns:	1
Discount:	0.00
Commission:	0.00
Net:	0.00
Tax:	0.00
Total	5.07
Payment	0.00

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COLORADO

ORDINANCE NO. 2013-2-1/387

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TERRITORY TO THE TOWN OF HOT SULPHUR
SPRINGS, COLORADO AND ZONING CERTAIN
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