

**ORDINANCE NO. 02**  
**(Series 2008)**

**AN ORDINANCE OF THE CITY OF SALIDA, COLORADO, ANNEXING  
TO THE CITY OF SALIDA, COLORADO CERTAIN REAL PROPERTY  
KNOWN AS THE MIRA MONTE ANNEXATION.**

WHEREAS, in September 2007, Rainbow Ridge Partnership ("Petitioner") filed with the City Clerk of the City of Salida, a Petition requesting that the City Council of the City of Salida, Colorado, commence proceedings to annex to the City property located in Chaffee County, Colorado, known as the Mira Monte Annexation, described on Exhibit A (hereinafter the "Property" or "Mira Monte Annexation"); and

WHEREAS, pursuant to C.R.S. §31-12-108, the City Council by Resolution No. 68, Series of 2007, specified that the City Council would hold a hearing on the proposed annexation at its regular meeting on December 3, 2007; and

WHEREAS, notice of such hearing was published on November 9, 16, and 23, and 30, 2007 in *The Mountain Mail* newspaper; and

WHEREAS, the City Council continued the hearing pending a decision from the Planning Commission regarding the proposed zoning for the property and such hearing was continued until January 7, 2008 and then again until February 4, 2008; and

WHEREAS, the on December 19, 2007 the Planning Commission recommended conditional approval of the annexation and the overall development plan; and

WHEREAS, the petitioner has agreed to a voluntary real estate transfer assessment of 1.5% of the sale price of each unit (exclusive of deed-restricted units) for second and subsequent sales of the units; and

WHEREAS, the petitioner has agreed to provide seven (7) deed-restricted residential units in the project; and

WHEREAS, the City Council by Resolution No. 80, Series of 2007, set forth its Findings of Fact, Determinations and Conclusions with regard to annexation to the City of the Mira Monte Annexation.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SALIDA, COLORADO,  
ORDAINS THAT:

1. The annexation to the City of the real property described on Exhibit A is hereby approved, and such real property known as the Mira Monte Annexation, is hereby annexed to and made a part of the City of Salida, subject to the terms and conditions of that certain Annexation Agreement between the City of Salida and Petitioner. A copy of the Annexation Agreement is available for inspection at the office of the City Clerk during regular business hours.

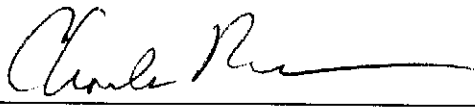
2. Within ten (10) days after the effective date of this Ordinance, the City Clerk of the City of Salida, Colorado, on behalf of the City shall:

- a. File one (1) copy of the Annexation Map and the original of this Annexation Ordinance in the office of the City Clerk of the City of Salida, Colorado;
- b. File for recording two (2) certified copies of this Annexation Ordinance and two (2) copies of the Annexation Map, containing a legal description of the annexation parcel, with the County Clerk and Recorder of Chaffee County, Colorado, with directions to the Chaffee 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;
- c. File one certified copy of this Annexation Ordinance and one copy of the Annexation Map in the office of the County Assessor of Chaffee County, Colorado.

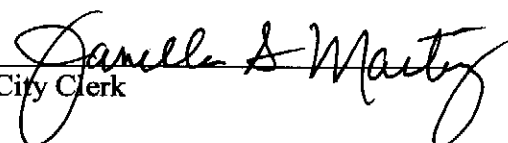
**INTRODUCED ON FIRST READING, ADOPTED and ORDERED PUBLISHED IN FULL** in a newspaper of general circulation in the City of Salida by the City Council on 4th day of February, 2008 and set for second reading and public hearing on the 19<sup>th</sup> day of February, 2008.

**INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED BY TITLE ONLY**, by the City Council on the 19<sup>th</sup> day of February, 2008.

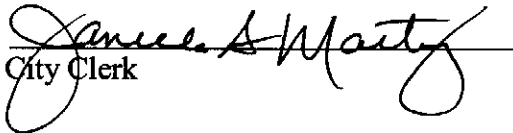
CITY OF SALIDA

By:   
Mayor

[SEAL]

ATTEST:   
City Clerk

**PUBLISHED IN FULL** in the Mountain Mail after First Reading on the 7<sup>th</sup> day of February, 2008, and **BY TITLE ONLY**, after Final Adoption on the 22<sup>nd</sup> day of February, 2008.

By:   
City Clerk