

**TOWN OF EAGLE, COLORADO
ORDINANCE NO. 09
(Series of 2021)**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
ANNEXING TO THE TOWN CERTAIN UNINCORPORATED TERRITORY LOCATED IN
EAGLE COUNTY AND ZONING THE PROPERTY RURAL RESIDENTIAL (1819 BRUSH
CREEK ROAD)

WHEREAS, Little Horn, LLC ("Applicants") are the owners of the real property in unincorporated Eagle County described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, on March 29, 2021, Applicants filed a petition for annexation of the Property to the Town;

WHEREAS, by resolution adopted on April 27, 2021, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1);

WHEREAS, on June 8, 2021, the Town Council conducted a properly-noticed public hearing and determined that the Property is eligible for annexation to the Town;

WHEREAS, also on June 8, 2021, the Town Council conducted a properly-noticed public hearing on the proposed zoning of the Property as Rural Residential ("RR");

WHEREAS, the Town Council finds that it is desirable and necessary, and in the best interest of the public health, safety and welfare, that the Property be annexed to the Town, and that the Property be zoned RR.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Annexation.

a. The Property is hereby annexed to the Town. Upon the effective date of this Ordinance, the Property shall become subject to the jurisdiction of the Town.

b. Prior to the effective date of this Ordinance, the Town Clerk shall file for recording three certified copies of this Ordinance and three copies of the Annexation Map with the Eagle County Clerk and Recorder, and shall keep one copy of the Annexation Map and the original of this Ordinance in the Town Clerk's office.

c. The Town Clerk shall request that the Eagle County Clerk and Recorder file one certified copy of this Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs and the same with the Colorado Department of Revenue.

Section 2. Zoning.

a. The Town Council hereby finds and determines that the RR zoning satisfies all applicable criteria in the Eagle Municipal Code.

b. Based on the foregoing, upon the effective date of this Ordinance, the Property is zoned RR.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. Pursuant to Section 6.03 of the Eagle Home Rule Charter, this Ordinance shall take effect 10 days after publication following adoption.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON JUNE 8, 2021.

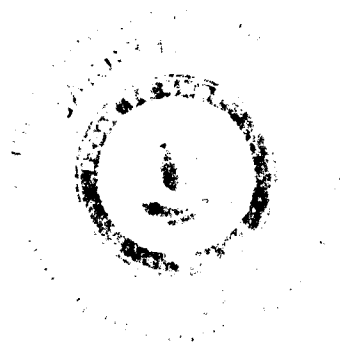
TOWN OF EAGLE, COLORADO


Matt Solomon, Mayor Pro Tem

ATTEST:


Jenny Rakow, Town Clerk





**EXHIBIT A
LEGAL DESCRIPTION**

HOMESITE 2, THE COLORADO RIVER & EAGLE COMPANY RURAL HOMESITES

Nos. 1,2 & 3

Part of Northeast Quarter Section 9, Township 5 South, Range 84 West 6th P.M.

County of Eagle, State of Colorado

PROOF OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF EAGLE)

I, Jenny Rakow, Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of TOWN OF EAGLE, COLORADO ORDINANCE NO. 09 (Series of 2021) " AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO ANNEXING TO THE TOWN CERTAIN UNINCORPORATED TERRITORY LOCATED IN EAGLE COUNTY AND ZONING THE PROPERTY RURAL RESIDENTIAL (1819 BRUSH CREEK ROAD)" on the Town of Eagle's web site, www.townofeagle.org, on the 9th day of June, 2021.

Witness my hand and seal this 9th day of June 2021.



Jenny Rakow
Town Clerk



Ordinance Effective Date:
June 20, 2021

