

ORDINANCE NO. 8

Series 2022

AN ORDINANCE PLACING RECENTLY ANNEXED PROPERTY  
IN LAND USE DISTRICT 4  
(Blue River Water District Parcel .402 acres)

WHEREAS, the Town owns the real property described in Section 1 of this ordinance;  
and

WHEREAS, by Ordinance No. 2, Series 2022, adopted January 25, 2022, the real property described in Section 1 of this ordinance was annexed into and made a part of the Town in accordance with the Municipal Annexation Act of 1965 (Part 1 of Article 12 of Title 31, C.R.S.); and

WHEREAS, the Town is required by Section 31-12-115(2), C.R.S., to zone all newly annexed areas within ninety (90) days after the effective date of the annexation ordinance; and

WHEREAS, the Town's Annexation Plan adopted pursuant to Section 31-12-105(1)(e), C.R.S., indicates that the property should be placed in Land Use District 4; and

WHEREAS, the Town's Planning Commission has recommended that the recently annexed parcel be placed within Land Use District 4; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

**Section 1.** The following described real property:

A PARCEL OF LAND LYING WHOLLY WITHIN TRACT A-1 OF REPLAT OF TRACTS A AND C, MCCAIN SUBDIVISION, ACCORDING TO THE PLAT RECORDED MARCH 5, 2021 AT RECEPTION NO. 1251870, LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 6 SOUTH, RANGE 77 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF SUMMIT, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY OF COLORADO STATE HIGHWAY 9 FROM WHICH POINT THE NORTH END OF SAID LINE BEARS NORTH 12°22'11" EAST A DISTANCE OF 365.71 FEET, AS SHOWN ON SAID REPLAT OF TRACTS A AND C, MCCAIN SUBDIVISION;  
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

- (1) SOUTH 12°22'11" WEST, ALONG SAID RIGHT-OF-WAY A DISTANCE OF 77.50 FEET;
  - (2) SOUTH 23°26'17" WEST, A DISTANCE OF 102.89 FEET;
  - (3) SOUTH 14°07'32" WEST, A DISTANCE OF 10.91 FEET TO THE TOWN OF BRECKENRIDGE TOWN LIMITS ACCORDING TO THE ANNEXATION MAP OF MCCAIN ANNEXATION PHASE I RECORDED AT RECEPTION NO. 714272 OF THE RECORDS OF THE SUMMIT COUNTY CLERK AND RECORDER;
- THENCE ALONG SAID TOWN OF BRECKENRIDGE TOWN LIMITS THE FOLLOWING TWO (2) COURSES:

- (1) DEPARTING SAID RIGHT-OF-WAY NORTH 75°29'07" WEST, A DISTANCE OF 82.16 FEET;
  - (2) NORTH 14°30'53" EAST, A DISTANCE OF 190.00 FEET;
- THENCE SOUTH 75°29'07" EAST ALONG SAID TOWN LIMITS AND THE TOWN OF BRECKENRIDGE TOWN LIMITS ACCORDING TO THE ANNEXATION MAP OF OLD FIRE STATION PARCEL RECORDED AT RECEPTION NO. 733160 OF SAID RECORDS, A DISTANCE OF 95.14 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS AN AREA OF 17,531 SQUARE FEET, OR 0.402 ACRES, MORE OR LESS.

is placed in Breckenridge Land Use District 4. The Town staff is directed to change the Town's Land Use District Map to indicate that the above-described property has been annexed and placed within Land Use District 4.

**Section 2.** The Town Council finds, determines, and declares that it has the power to adopt this ordinance pursuant to: (i) Section 31-12-115(2), C.R.S.; (ii) the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (iii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iv) Section 31-15-103, C.R.S. (concerning municipal police powers); (v) Section 31-15-401, C.R.S.(concerning municipal police powers); (vi) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vii) the powers contained in the Breckenridge Town Charter.

**Section 3.** This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 22nd day of February, 2022.

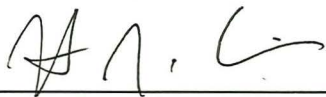
This ordinance was published in full on the Town of Breckenridge website on February 25, February 26, February 27, February 28 and March 1, 2022.

A public hearing on this ordinance was held on March 22, 2022.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL ON THE TOWN'S WEBSITE this 22nd day of March, 2022. A copy of this Ordinance is available for inspection in the office of the Town Clerk.


ATTEST:

TOWN OF BRECKENRIDGE

  
\_\_\_\_\_  
Helen Cospolich, CMC, Town Clerk

  
\_\_\_\_\_  
Eric S. Mamula, Mayor

APPROVED IN FORM

 3-31-22  
\_\_\_\_\_  
Town Attorney                      Date

This Ordinance was published on the Town of Breckenridge website on March 25, March 26, March 27, March 28 and March 29, 2022. This ordinance shall become effective on April 28, 2022.