

**RESOLUTION NO. 765-09**

**A RESOLUTION REGARDING THE ANNEXATION OF CERTAIN PROPERTY INTO THE TOWN LIMITS OF THE TOWN OF FOWLER, COLORADO.**

WHEREAS, on April 13, 2009, at a regular meeting of the Board of Trustees of the Town of Fowler, DAVID CUMMINGS and NETTA CUMMINGS presented an Annexation Petition; and

WHEREAS, the Board has reviewed the Petition and found that Petition is in substantial compliance with C.R.S. § 31-12-107.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FOWLER, COLORADO, AS FOLLOWS:**

- a. That the Board of Trustees of the Town of Fowler hereby finds that the Petition for annexation submitted by DAVID CUMMINGS and NETTA CUMMINGS, a copy of which is attached to this resolution, is hereby found to be in substantial compliance with the terms, conditions and requirements of C.R.S. § 31-12-107.
- b. That the Town of Fowler shall hold a hearing pursuant to statutory requirements to determine if the proposed annexation complies with statutory requirements found at C.R.S. §§ 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation.
- c. Said hearing shall be held on the 25<sup>th</sup> day of May, 2009, at 6 p.m. which date is not less than thirty (30) days nor more than sixty (60) days after the effective date of this resolution.
- d. The Clerk of the Town shall, pursuant to C.R.S. § 31-12-108, publish notice of the hearing once a week for four consecutive weeks in a newspaper of general circulation, the first publication to be at least thirty (30) days prior to the hearing and provide a copy of the published notice, a copy of the resolution and the petition, by registered mail, to the board of county commissioners of Otero County, the county attorney for Otero County, and any special district or school district having territory within the area to be annexed at least 25 days prior to the date of the hearing.

APPROVED AND ADOPTED this 13th day April, 2009.

By Ray Wards  
Mayor

ATTEST:

Shawn Pagnotta  
Town Clerk