

**AMENDED
RESOLUTION NO. 002-2005**

**A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF A
PETITION FOR THE ANNEXATION OF A TRACT OF LAND TO THE
TOWN OF CRESTONE, COLORADO AND SETTING HEARING FOR
THE SAME**

WHEREAS, the landowners, (who comprise 100% of the landowners of the territory, in the area proposed to be annexed) have petitioned for annexation to the Town of Crestone the following described territory, to wit:

WHEREAS, The Board of Trustees on June 13, 2005, approved Resolution 002-2005 Finding Substantial Compliance with the requirements of the Municipal Annexation Act of 1965 authorizing the completion of certain necessary requirements by publication.

WHEREAS, Petitioners, thereafter negotiated certain additional requirements with the Town of Crestone as more fully set forth in their Amended Annexation Petition and Annexation Agreement, and

WHEREAS, the Town Clerk has referred said original Petition to the Planning and Zoning Commission of the Town of Crestone for a zoning recommendation for such tract; and

WHEREAS, the Planning Commission, in accordance with C.R.S. § 31-12-115, has held a public meeting on June 13, 2005 and has recommended that such tract be zoned Rural (RU); and

WHEREAS, having received the petition for annexation, the Board of Trustees is required under the Municipal Annexation Act of 1965 to determine whether said petition is in substantial compliance with C.R.S. 31-12-108(1), and, if so, to follow the procedure set forth in C.R.S. 31-12-108, 109, 110 and 111.

NOW THEREFORE, be it resolved by the Board of Trustees of the Town of Crestone, Colorado:

1. The Town Board hereby finds that the petition for annexation is signed by 100% of the landowners in the area proposed to be annexed and owning 100% of the area excluding public street and alleys and any land owned by the Town of Crestone.
2. The Town Board hereby finds that the petition for annexation is in substantial compliance with the requirements of C.R.S. 31-12-107(1), as amended.
3. The Town Board hereby finds that it has the necessary jurisdiction to proceed with the annexation of said territory.

4. The Town Board hereby determines that it shall hold a public hearing to determine if the proposed annexation complies with C.R.S. sections 31-12-104 and 31-12-105, as amended, to establish whether or not said area is eligible for annexation under the Municipal Annexation Act of 1965, said hearing to be held at a regular meeting of the Town Board on October 10, 2005, at 1:30 p.m., in the Town Hall, Crestone, Colorado.
5. The Town Clerk is hereby directed to give notice of said public hearing in accordance with the provisions of C.R.S. 31-12-108(2), as amended.
6. This resolution shall take effect upon its adoption.

DONE and SIGNED this second day of September, 2005.


Kizzen Laki, Mayor

ATTEST:

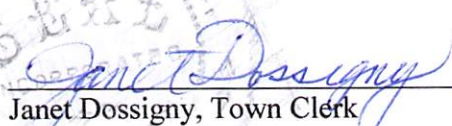

Janet Dossigny, Town Clerk

Exhibit A

A tract of land comprising approximately 40 acres and
generally described as the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7,
Township 43N, Range 12E, N.M.P.M