

ORDINANCE NO. 828

AN ORDINANCE ANNEXING A TRACT OF GROUND
LOCATED IN SECTION 11, TOWNSHIP 4 SOUTH,
RANGE 70 WEST OF THE 6TH P.M. TO THE CITY
OF GOLDEN, COLORADO, IN THE VICINITY OF
INTERSTATE 70 AND ROONEY ROAD OWNED BY
INTERSTATES--DENVER WEST

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN,
COLORADO:

Section 1. That the petition for the annexation of the hereinafter described property meets the applicable requirements of the 1973 Colorado Revised Statutes, as amended, 1975 Cumulative Supplement, 31-12-104 and 31-12-105, that no election is required under 32-12-107 (1) (g), that the owners of 100% of the hereinafter described property have petitioned for annexation, that the hereinafter described terms and conditions of annexation are imposed, and that the petition has met all of the requirements except the passage and adoption of this ordinance to annex the hereinafter described real property to the City of Golden, Colorado.

Section 2. That the real property described in Exhibit "A" hereto, incorporated herein by this reference, situate in the County of Jefferson, State of Colorado be and the same hereby is annexed to the City of Golden, Colorado.

Section 3. That the annexation be and the same hereby is made subject to the following terms and conditions which shall run with the above described property and be binding upon all present and future owners of all or any parcel thereof:

- A. Because the property being annexed by this ordinance cannot currently be properly served by a quality of municipal service equal to those areas presently within the city limits, and because the providing of such equal service will require the expenditure of capital funds, the owners of the annexed property, and their heirs or assigns, shall comply with the following specific requirements, contemporaneously herewith:

- (1) The annexers shall pay to the City their pro rata share of the capital construction costs for such transmission main facilities as are necessary to bring adequate water service for domestic use, irrigation use, processing use and fire fighting purposes to the annexed area, and the determination of same shall be made by the City Engineer. Such capital construction shall occur at such time as the City Council may determine

- (3) The municipal services or development agreement shall delineate the method of providing sewer service to the annexed property as well as resolve the questions of cost responsibility, maintenance responsibility and system development fee disposition.

Introduced, read and ordered published this 23rd day of November, 19 79.

Adopted, approved and ordered published this 27th day of December, 19 79.

David C. Crawford, Mayor

Attest:

Sharon L. Bennetts, City Clerk

Approved as to form:

Russell J. Sindt, City Attorney

I, Sharon L. Bennetts, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced and read at a regular meeting of the City Council of said City, held on the 23rd day of November, 1979, and was published as a proposed ordinance in The Daily Transcript, legal newspaper, as the law directs seven days or more prior to its passage; and, that on the 27th day of December, 1979, the said proposed ordinance was read and passed by the City Council at a regular meeting and ordered published in aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 28th day of December, A.D., 1979.

EXHIBIT "A"

A parcel of land lying in Section 11, Township 4 South, Range 70 West of the 6th P.M.. Jefferson County, Colorado, more particularly described as follows:

Beginning at the Northeast Corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 11; thence South $0^{\circ}25'$ East and along the East line of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, a distance of 845.24 feet to the True Point of Beginning; said point lying on the Northeasterly R.O.W. line of Interstate Highway 70; thence South $23^{\circ}29.5'$ West and along said R.O.W., a distance of 166.91 feet; thence southwesterly along curve to the left and continuing along said R.O.W., the chord of said curve bearing South $35^{\circ}25'$ West, the chord length of said curve being 947.30 feet, the radius being 5880 feet, an arc length of 948.4 feet; thence South $37^{\circ}17'$ West and continuing along said R.O.W. a distance of 177.00 feet; thence South $30^{\circ}48'$ West and continuing along said R.O.W., a distance of 1046.30 feet to a point lying on the North-South Centerline of said Section 11; thence South $00^{\circ}23.5'$ East and along said North-South Centerline a distance of 1033.00 feet to the South $\frac{1}{4}$ Corner of said Section 11; thence North $88^{\circ}11'$ East along the South Line of said Section 11 a distance of 1325.40 feet to a point on the East Line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 11; thence North $00^{\circ}25'$ West along the East Line of said West $\frac{1}{2}$ a distance of 3041.57 feet to the True Point of Beginning, containing 62.699 Acres, more or less.