

ORDINANCE NO. 912

AN ORDINANCE ANNEXING .32 ACRES 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 NOW OWNED BY INTERSTATES-DENVER WEST AND ADJOINING OVERLOOK BUSINESS PARK P.U.D.

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, 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:

- (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 is proper. To insure compliance with this section the annexers shall enter into a water service contract as required by existing ordinance, which may be part of a municipal services agreement

Introduced, read and ordered published this 29th day of November , 1982.

Adopted, approved and ordered published this 9th day of December , 1982.

Dr. Ruth A. Maurer
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 on first reading and read at a regular meeting of the City Council of said city, held on the 29th day of November, 1982, and was published as a proposed ordinance in the Colorado Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held and on the 9th day of December, 1982, the said proposed ordinance was read on second reading and passed by the City Council and ordered published in the afore-said newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado this 10th day of December, 1982.

(SEAL)

Attest: _____

City Clerk of the City of Golden, Colorado

EXHIBIT "A"

A part of Section 11 and Section 14, Township 4 South, Range 70 West, 6th Principal Meridian, County of Jefferson, State of Colorado, more particularly described as follows:

Beginning at the Southeast corner of the West 1/2 of the SE $\frac{1}{4}$ of said Section 11, thence S00°25'00"E a distance of 7.00 feet; thence S88°16'12"W a distance of 1342.03 feet; thence N00°07'12"W a distance of 357.19 feet to the Southeasterly Right-of-Way line of Interstate 70 as described in Book 1818 at Page 389; thence N30°48'00"E along the Southeasterly said Right-of-Way line a distance of 28.87 feet to the West line of the SE $\frac{1}{4}$ of Section 11; thence S00°23'30"E along said West line a distance of 376.50 feet to the S1/4 corner of said Section 11; thence N88°11'00"E along the South line of the S 1/4 of said Section 11 a distance of 1325.43 feet to the point of beginning; containing 0.316 acres, more or less.