

ORDINANCE NO. 931

AN ORDINANCE ANNEXING 10.7 ACRES OF GROUND  
LOCATED IN SECTION 11, TOWNSHIP 4 SOUTH,  
RANGE 70 WEST OF THE 6TH P.M. TO THE CITY  
OF GOLDEN, COLORADO, LOCATED SOUTHWESTERLY  
OF THE INTERSECTION OF U.S. HIGHWAY 40 AND  
ROONEY ROAD AND OWNED BY JOHN E. McNEILL  
AND KEITH D. BULLOCK

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:

Because the property being annexed by this ordinance cannot currently be properly served by a quality of municipal services 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.

- (2) The degree of fire protection service to the annexed area shall be limited until such time as proper water service facilities have been installed.
- (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.
- (4) As a condition of annexation, the annexer shall provide fees in an amount sufficient for the ultimate water needs of the annexed property, in lieu of water rights acquisition.

Introduced, read and ordered published this 12th day of May, 1983.

Adopted, approved and ordered published this 26th day of May, 1983.

\_\_\_\_\_  
Dr. Ruth A. Maurer  
Mayor

ATTEST:

\_\_\_\_\_  
Sharon L. Bennetts  
City Clerk

Approved as to form:

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Russell J. Sindt  
City Attorney

EXHIBIT "A"

I. LEGAL DESCRIPTION

A parcel of land lying in Section 11, Township 4S South, Range 70W, West of the 6th P.M., Jefferson County, Colorado, more particularly described as follows: Beginning at the W 1/4 corner of said Section 11; thence N 00 degrees 13'00"W, 175.00' along west line of said Section 11 to the true point of beginning; thence continuing along said west line N 00 degrees 13'00" W, 313.03' to a point on the southerly R.O.W. line of U.S. 40; thence N 70 degrees 17'19" E 503.28' along said R.O.W. line; thence S 00 degrees 21'30"E, 641.58' to a point along the E/W centerline of said Section 11; thence N 00 degrees 13'00"W, 175.00'; thence S 88 degrees 48'00"W to the true point of beginning, containing 10.72 acres M/L.

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 12th day of May, 1983 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 26th day of May, 1983, the said proposed ordinance was read on second reading and passed by the City Council and ordered published in the aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 7th day of June, 1983.

(SEAL)

Attest:

\_\_\_\_\_  
Sharon L. Bennetts  
City Clerk