

RESOLUTION NO. 1401

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, AS REQUESTED BY LAFARGE WEST, INC.

WHEREAS, on March 27, 2003, the City Council of the City of Golden approved Resolution No. 1387 to find the petition referencing the parcel of land as described in Exhibit "A", attached hereto and incorporated by this reference, to be in substantial compliance with the requirements of Section 31-12-107 (1), Colorado Revised Statutes; and

WHEREAS, Resolution No. 1387 established the date of May 8, 2003 to conduct a hearing on eligibility for annexation, and this date was amended by Resolution No. 1396 to be May 22, 2003; and

WHEREAS, the City Clerk has provided notice of that public hearing on the proposed annexation by publication once a week for four consecutive weeks in the Golden Transcript and by registered mail to the Jefferson County Commissioners, the Jefferson County Attorney, the Jefferson County R-1 School District and to any special district having territory in the area to be annexed; and

WHEREAS, the City Council has completed that public hearing to determine whether the proposed annexation complies with Sections 31-12-104 and 105, Colorado Revised Statutes, to establish eligibility for annexation.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. That the City of Golden hereby finds and concludes with regard to the annexation of the parcel described in Exhibit "A" that not less than one-sixth of the perimeter of the area proposed to be annexed in conjunction with this Resolution 1401 is contiguous with the existing boundaries of the City of Golden.

Section 2. A community of interest exists between the parcel proposed to be annexed and the City of Golden, because of its proximity to the city, and the availability of municipal services to serve the parcel.

Section 3. The parcel proposed to be annexed is urban or will be urbanized in the near future.

Section 4. The parcel proposed to be annexed is integrated with or is capable of being integrated with the City of Golden.

Section 5. No land held in identical ownership has been divided or included without written consent of the owner thereof.

Section 6. No annexation proceedings have been commenced by another municipality with regard to this property.

Section 7. The annexation will not result in the detachment of the subject area from a school district.

Section 8. The annexation will not result in the extension of the Golden municipal boundary by more than three miles.

Section 9. The City of Golden has an adopted plan in place to include the parcel proposed to be annexed.

Section 10. The parcel proposed to be annexed is eligible for annexation pursuant to the applicable parts of section 31-12-104 of Colorado Revised Statutes.


Section 11. None of the limitations of section 31-12-105 of Colorado Revised Statutes apply to restrict annexation.

Section 12. An annexation election is not required under Section 31-12-107- (2) or 31-12-112, Colorado Revised Statutes.

Section 13. No additional terms or conditions are to be imposed at this time upon the parcel to be annexed.

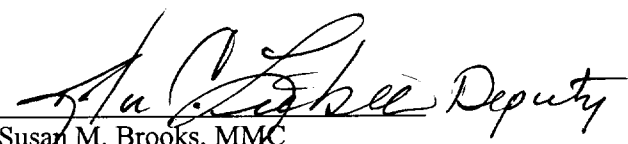
Section 14. Based upon the foregoing, City Council finds that the proposed annexation complies with Sections 31-12-104 and 105, Colorado Revised Statutes

Adopted this 22nd day of May 2003.



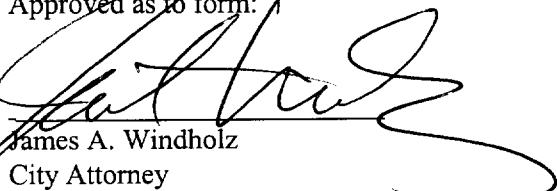
Charles J. Baroch
Mayor

ATTEST:



Susan M. Brooks, MMC
City Clerk

Approved as to form:



James A. Windholz
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a regular meeting thereof held on the 22nd day of May, A.D., 2003.

(SEAL)

ATTEST: *Susan M. Brooks* Deputy
Susan M. Brooks, City Clerk of the
City of Golden, Colorado

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land located in the South half of Section 15, Township 4 South, Range 70 West of the Sixth Principal Meridian, County of Jefferson, State of Colorado, more particularly described as follows:

Beginning at the Northwest corner of the Southwest quarter of said Section 15;
thence S88°59'00"E along the North line of the Northwest quarter of the Southwest quarter of said Section 15, 1248.58 feet to the Northeast corner of the Northwest quarter of the Southwest quarter of said Section 15;
thence S88°59'21"E along the North line of the Northeast quarter of the Southwest quarter of said Section 15, 1250.57 feet to the Northwest corner of the Southeast quarter of said Section 15;
thence S88°59'46"E along the North line of the Southeast quarter of said Section 15 and the North line of Matthews/Winters Park, 1043.22 feet to the Northeast corner of Matthews/Winters Park;
thence S61°13'09"W, 2285.42 feet;
thence N77°47'18"W, 1583.19 feet to the West line of the Northwest quarter of the Southwest quarter of said Section 15;
thence N00°35'55"E along said West line, 828.00 feet to the Point of Beginning, containing 60.903 acres, more or less.