

RESOLUTION NO. 1855

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF CERTTAIN PARCELS OF LAND LOCATED IN SECTION 10, TOWNSHIP 4 SOUTH, RANGE 70 WEST AS REQUESTED BY JAMES L. BACHMAN, GWENDOLYN K. BACHMAN, LEON BACHMAN, ALBERT E. BACHMAN, AND EUGENE BACHMAN

WHEREAS, on February 28, 2008, the City Council of the City of Golden approved Resolution No. 1838 to find the petition referencing the parcels 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. 1838 established the date of April 10, 2008 to conduct a hearing on eligibility for annexation; 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 that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries 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.

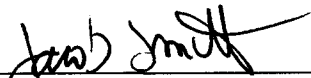
Section 13. No additional terms or conditions are to be imposed at this time upon the parcel to be annexed.

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 10th day of April, 2008.





Susan M. Brooks, MMC
City Clerk



Jacob Smith
Mayor

Approved as to form:



David S. Williamson
Acting 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 rescheduled regular business meeting thereof held on the 10th day of April, A.D., 2008.



ATTEST:

A handwritten signature in cursive script, reading "Susan M. Brooks", is written over a horizontal line.

Susan M. Brooks, City Clerk of the
City of Golden, Colorado

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER AND THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 70 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN. BEING ASSUMED TO BEAR S89°39'03"E A DISTANCE OF 1314.11 FEET. MONUMENTED BY A REBAR AT THE NORTHWEST CORNER AND A 2" ALUMINUM CAP AT THE NORTHEAST CORNER.

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 10 WITH THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY NO. 93 (AKA HERITAGE ROAD), AS SHOWN ON THE PLAT OF MAGIC MOUNTAIN RECORDED UNDER RECEPTION NO 701148;

THENCE ALONG SAID NORTH LINE, S89°39'03"E A DISTANCE OF 685.77 FEET, TO THE WESTERLY BOUNDARY OF HILLCREST SUBDIVISION RECORDED UNDER RECEPTION NO 525597;

THENCE ALONG THE WESTERLY AND SOUTHERLY BOUNDARY OF HILLCREST SUBDIVISION THE FOLLOWING THREE (3) COURSES:

1. S00°23'48"E A DISTANCE OF 662.30 FEET;
2. S89°49'41"E A DISTANCE OF 656.86 FEET;
3. S00°32'38"E A DISTANCE OF 305.17 FEET, TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 40 (AKA W COLFAX AVENUE) BEING TO A POINT OF NON-TANGENT CURVE;

THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS S23°31'51"E, HAVING A RADIUS OF 1196.00 FEET, A CENTRAL ANGLE OF 64°19'52" AND AN ARC LENGTH OF 1342.86 FEET, TO THE POINT OF INTERSECTION OF SAID NORTHWESTERLY RIGHT-OF-WAY WITH SAID WESTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY NO. 93 (AKA HERITAGE ROAD) BEING A POINT OF NON-TANGENCY;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY NO. 93 (AKA HERITAGE ROAD) THE FOLLOWING FIVE (5) COURSES:

1. N10°47'07"W A DISTANCE OF 606.90 FEET;

2. ALONG THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS S79°12'53"W, HAVING A RADIUS OF 832.70 FEET, A CENTRAL ANGLE OF 15°13'00" AND AN ARC LENGTH OF 221.15 FEET;
3. N26°00'07"W A DISTANCE OF 956.43 FEET;
4. ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N63°59'53"E, HAVING A RADIUS OF 456.30 FEET, A CENTRAL ANGLE OF 32°58'00" AND AN ARC LENGTH OF 262.54 FEET;
5. N06°57'53"E A DISTANCE OF 105.90 FEET, TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1,105,216 SQUARE FEET OR 25.372 ACRES.

EXCEPT:

THE PARCEL AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 2006115632
AND THE PARCEL AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. F0914977
AND THE PARCEL AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO.
F0915747;

CONTAINING AN AREA OF 79,161 SQUARE FEET OR 1.817 ACRES.

CONTAINING A NET AREA OF 1,026,055 SQUARE FEET OR 23.555 ACRES.