

RESOLUTION NO. 1802

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF CERTAIN PARCELS OF LAND LOCATED IN SECTIONS 10, 11, 14, AND 15, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN TO THE CITY OF GOLDEN, AS PETITIONED BY JEFFERSON COUNTY AND PUBLIC SERVICE COMPANY OF COLORADO

WHEREAS, on September 13, 2007, the City Council of the City of Golden approved Resolution No. 1794 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. 1794 established the date of October 25, 2007 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 25th day of October 2007.



ATTEST

Andres L. Banks, Deputy
Susan M. Brooks, MMC
City Clerk

Charles J. Baroch
Charles J. Baroch
Mayor

Approved as to form:

James A. Windholz
for James A. Windholz
City Attorney

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I, Andrea L. Banks, Deputy 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 meeting thereof held on the 25th day of October, A.D., 2007.

(SEAL)



ATTEST: Andrea L. Banks
Andrea L. Banks, Deputy City Clerk of the
City of Golden, Colorado

EXHIBIT A

Annexation Legal Description

A PARCEL OF LAND LYING IN SECTIONS 10, 11, 14, AND 15, T. 4 S., R. 70 W., 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST 1/4 CORNER OF SAID SECTION 10;
THENCE WEST ALONG THE EAST-WEST CENTERLINE OF SECTION 10
N 89° 20' 48"W, 656.64';
THENCE N 00° 20' 48"W, 350', MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY FOR U.S. HIGHWAY 40;
THENCE WESTERLY ALONG SAID RIGHT-OF-WAY TO THE INTERSECTION WITH THE EAST LINE OF HERITAGE SQUARE FILING 2, JEFFERSON COUNTY RECEPTION # 2005014570;
THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY FOR U.S. HIGHWAY 40 TO THE EAST-WEST CENTERLINE OF SECTION 15;
THENCE EAST ALONG THE EAST-WEST CENTERLINE OF SECTION 15 TO THE EAST 1/4 CORNER OF SECTION 15;
THENCE CONTINUING EAST ALONG THE EAST-WEST CENTERLINE OF SECTION 14 TO THE SW CORNER OF CDOT RIGHT-OF-WAY FOR INTERSTATE 70, JEFFERSON COUNTY BOOK 2062, PAGE 784;
THENCE NORTHEASTERLY ALONG SAID INTERSTATE 70 RIGHT-OF-WAY 281' MORE OR LESS TO THE INTERSECTION WITH THE SOUTHEAST CORNER OF PROPERTY RECORDED IN JEFFERSON COUNTY BOOK 2146, PAGE 352; THENCE NORTHERLY 2,573' MORE OR LESS ALONG THE EASTERLY BOUNDARY OF THAT PROPERTY RECORDED IN JEFFERSON COUNTY BOOK 2146, PAGE 352 TO THE INTERSECTION WITH THE SOUTH LINE OF SECTION 11;
THENCE NORTHERLY 1,314 ALONG THE EAST LINE OF THAT PROPERTY RECORDED IN JEFFERSON COUNTY BOOK 1281, PAGE 553 TO THE INTERSECTION WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SW 1/4 OF SECTION 11;
THENCE NORTHEASTERLY 725' MORE OR LESS TO THE SOUTHWEST CORNER OF THAT PROPERTY RECORDED IN JEFFERSON COUNTY RECEPTION #F1457170;
THENCE NORTHERLY ALONG THE PROPERTY LINE OF SAID PROPERTY TO THE NORTHWEST CORNER OF SAID PROPERTY;
THENCE WEST ALONG THE SOUTHERLY LINE OF CITY OF GOLDEN ORDINANCE #863 TO THE WEST LINE OF SAID ORDINANCE #863;
THENCE NORTH TO THE EAST-WEST CENTERLINE OF SECTION 11;
THENCE WEST ALONG THE EAST-WEST CENTERLINE OF SECTION 11 TO THE POINT OF BEGINNING.