

**RESOLUTION NO. 2128**

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

WHEREAS, on April 28, 2011, the City Council of the City of Golden approved Resolution No. 2122 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. 2122 established the date of June 16, 2011 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 than 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 16th day of June, 2011.



Susan M. Brooks  
City Clerk

Approved as to form:

David S. Williamson  
City Attorney

  
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Jacob Smith  
Mayor

**EXHIBIT A**

***LEGAL DESCRIPTION***

**18300 W. 4TH AVENUE ANNEXATION**

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 10; THENCE N. 88° 55' 22" W. ALONG THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 10, A DISTANCE OF 656.99 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (SW1/4 SE1/4 NE1/4) OF SAID SECTION 10; THENCE N. 00° 00' 23" E. ALONG THE EAST LINE OF SAID SW1/4 SE1/4 NE1/4 A DISTANCE OF 345.34 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 40; THENCE CONTINUING N. 00° 00' 23" E. ALONG THE EAST LINE A DISTANCE OF 311.30 FEET TO THE NORTHEAST CORNER OF SAID SW1/4 SE1/4 NE1/4; THENCE N. 89° 04' 54" W. ALONG THE NORTH LINE OF SAID SW1/4 SE1/4 NE1/4 A DISTANCE OF 656.81 FEET TO THE NORTHWEST CORNER OF SAID SW1/4 SE1/4 NE1/4; THENCE N. 00° 00' 14" W. ALONG THE EAST LINE OF THE NE1/4 SW1/4 NE1/4 OF SAID SECTION 10 A DISTANCE OF 381.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE N. 89° 14' 29" W. A DISTANCE OF 447.60 FEET; THENCE N. 00° 00' 14" W. A DISTANCE OF 273.80 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER; THENCE S. 89° 14' 29" E. ALONG SAID NORTH LINE A DISTANCE OF 447.60 FEET TO THE EAST LINE OF SAID NE1/4 SW1/4 NE1/4; THENCE S. 00° 00' 14" E. ALONG SAID EAST LINE A DISTANCE OF 273.80 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING AN AREA OF 2.813 ACRES, MORE OR LESS.

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 business meeting thereof held on the 16th of June, A.D., 2011.



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