

RESOLUTION NO. 2020-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF AN APPROXIMATE 20.00 ACRES OF CONTIGUOUS LAND, KNOWN AS THE MARRONE TRUCKING ANNEXATION, IN THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, the City Council of the City of Brighton, Colorado, at a Regular Meeting on December 3, 2019, passed Resolution No. 2019-120, finding the petition for annexation of the hereinafter described parcel of land to be in substantial compliance with the requirements of Section 31-12-107(1), Colorado Revised Statutes; and

WHEREAS, City staff has provided notice of the public hearing on the proposed annexation by publication once a week for four consecutive weeks and by registered mail to the Clerk of the Board of County Commissioners, the County Attorney, the school district, and to any special district having territory in the area to be annexed; and

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

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. That the City Council of the City of Brighton, Colorado, hereby finds and concludes with regard to the annexation of the territory described in Exhibit A, attached hereto and incorporated herein, that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the City of Brighton, Colorado; and therefore, because of such contiguity, a community of interest exists between the territory proposed to be annexed and the City of Brighton; that the territory to be annexed is urban or will be urbanized in the near future; and that the territory proposed to be annexed is integrated or is capable of being integrated with the City of Brighton, Colorado.

Section 2. That the City Council finds and determines that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; that the annexation will not result in the detachment of the area from a school district; that the annexation will not result in the extension of a municipal boundary more than three miles; that the City of Brighton has in place a plan for the area; and that in establishing the boundaries of the area to be annexed, the entire width of any street or alley is included within the area annexed.

Section 3. That an election is not required, and no additional terms or conditions are to be imposed upon the area to be annexed.

RESOLVED this 21st day of January, 2020.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

JACK D. BAJOREK, City Attorney

EXHIBIT A LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 18 TO BEAR SOUTH 89°43'16" WEST (MONUMENTS DESCRIBED ON PLAT), AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE CENTER $\frac{1}{4}$ CORNER OF SAID SECTION 18, FROM WHICH THE SOUTH $\frac{1}{2}$ CORNER OF SAID SECTION 18 BEARS SOUTH 00°12'39" EAST, 2655.91 FEET; THENCE SOUTH 89°43'16" WEST, 30.00 FEET ALONG THE SOUTH LINE OF THE SE $\frac{1}{2}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 18 TO THE WESTERLY RIGHT OF WAY LINE OF SABLE BOULEVARD; THENCE CONTINUING SOUTH 89°43'16" WEST, 571.00 FEET ALONG THE SOUTH LINE OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 18 TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°43'16" WEST 718.50 FEET ALONG THE SOUTH LINE OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 18 TO THE CENTER-WEST $\frac{1}{16}$ CORNER OF SAID SECTION 18; THENCE NORTH 00°05'49" WEST, 927.89 FEET ALONG THE WEST LINE OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 18 TO THE SOUTHERLY LINE OF THAT TRACT OF LAND CONVEYED TO WAL-MART REAL ESTATE BUSINESS TRUST AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JUNE 20, 2000 IN BOOK 6165 AT PAGE 243 OF THE RECORDS OF ADAMS COUNTY, COLORADO; THENCE NORTH 89°46'09" EAST, 3.70 FEET ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6165 AT PAGE 243 TO AN ANGLE POINT THEREOF; THENCE NORTH 00°13'51" WEST, 125.75 FEET ALONG THE EASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6165 AT PAGE 243 TO A POINT OF CURVE TO THE RIGHT THEREOF; THENCE NORTHEASTERLY, 176.63 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE EASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6165 AT PAGE 243 TO THE SOUTHERLY LINE OF THAT TRACT OF LAND CONVEYED TO THE CITY OF BRIGHTON AS DESCRIBED IN WARRANTY DEED RECORDED AUGUST 17, 1988 IN BOOK 5433 AT PAGE 377 OF THE RECORDS OF ADAMS COUNTY, COLORADO, SAID ARC HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 32°38'44", AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 16°05'31" EAST, 174.25 FEET; THENCE NORTH 89°44'20" EAST, 663.02 FEET ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 5433 AT PAGE 377 TO A POINT FROM WHICH THE TRUE POINT OF THE BEGINNING BEARS SOUTH 00°15'40" EAST; THENCE SOUTH 00°15'40" EAST, 1220.61 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 871,310 SQUARE FEET OR 20.00 ACRES OF LAND, MORE OR LESS.