

BRIGHTON CITY COUNCIL RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING FORTH FINDINGS OF FACT AND DETERMINATIONS REGARDING THE STATUTORY ELIGIBILITY FOR ANNEXATION OF THE 53.1152 ACRES OF CONTIGUOUS LAND, IN THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO; TO BE KNOWN AS THE RIVERFRONT PROPERTY ANNEXATION; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

RESOLUTION NO. 2015-47

WHEREAS, annexation proceedings were heretofore initiated by the filing on July 24, 2014 of a Petition for Annexation of approximately 53.1152 acres of contiguous unincorporated territory, situated, lying, and being in the County of Adams, State of Colorado, as more particularly described in **EXHIBIT A** and shown in **EXHIBIT B**, attached hereto (the “Property”), to be known as the Riverfront Property; and

WHEREAS, at a regular meeting held on April 7, 2015, the City Council of the City of Brighton, Colorado, introduced, passed and adopted Resolution No. 2015-31, finding said Petition for Annexation to be in substantial compliance with C.R.S. Section 31-12-107(1) of the Municipal Annexation Act, and setting a public hearing to determine if the proposed annexation complies with C.R.S. Sections 31-12-104 and 31-12-105 and such other provisions of the Act as may be required to establish eligibility for annexation; and

WHEREAS, following proper notice of hearing as required by C.R.S. Section 31-12-108(2), the City Council of the City of Brighton, Colorado has held a public hearing on such annexation at its regular meeting held on May 19, 2015 (the “Eligibility Hearing”).

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

Upon completion of the Eligibility Hearing, the City Council of the City of Brighton, Colorado, made certain findings of fact and conclusions with reference to the eligibility for annexation of land proposed for annexation herein, as follows:

1. That the City Council hereby finds and determines that, with respect to the Petition for Annexation and the land proposed for annexation therein, and pursuant to the terms and conditions set forth therein, the requirements of the applicable provision of the Municipal Annexation Act, including C.R.S. Sections 31-12-104 and 31-12-105 have been met.
2. That the City Council hereby finds and determines that there is at least one-sixth (1/6) contiguity between the City and the property proposed to be annexed; that a community of interest exists between the property proposed to be annexed and the City; that said property is urban or will be urbanized in the near future; and that said property is integrated with or is capable of being integrated with the City.

3. That the City Council further determines that an election is not required under C.R.S. Sections 31-12-107(2) or 31-12-112(1) of the Act and that there are no other items and conditions to be imposed upon said annexation.
4. That the City Council further finds and determines that proper notice was duly given and a hearing was held regarding the annexation in accordance with C.R.S. Sections 31-12-108 and 31-12-109 of the Act, as applicable.
5. That the City Council concludes that the area proposed to be annexed in the Petition for Annexation to be known as the Riverfront Property Annexation is eligible for annexation to the City.

RESOLVED this 19th day of May, 2015.

CITY OF BRIGHTON:

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, Esq., City Attorney

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH P.M., CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 6; THENCE S00°22'17"W ALONG THE WEST LINE OF SAID NW 1/4 OF SECTION 6 A DISTANCE OF 276.11 FEET TO A POINT OF NON-TANGENT CURVE ON THAT PARCEL OF LAND DESCRIBED AS PARCEL 3 IN DEED RECORDED IN BOOK 2955 AT PAGE 664, ADAMS COUNTY, COLORADO RECORDS AND THE POINT OF BEGINNING; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CHORD BEARS N22°44'02"E A DISTANCE OF 223.43 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 13°41'42", A RADIUS OF 937.00 FEET, AN ARC LENGTH OF 223.96 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BASELINE ROAD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF BASELINE ROAD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES: (1) THENCE S89°58'29"E A DISTANCE OF 169.45 FEET NON-TANGENT TO THE LAST DESCRIBED CURVE; (2) THENCE N84°18'53"E A DISTANCE OF 402.00 FEET; (3) THENCE S89°58'29"E A DISTANCE OF 148.26 FEET; (4) THENCE S68°10'13"E A DISTANCE OF 53.84 FEET; (5) THENCE S89°58'29"E A DISTANCE OF 320.00 FEET; (6) THENCE N75°59'21"E A DISTANCE OF 82.46 FEET; (7) THENCE S89°58'29"E A DISTANCE OF 288.42 FEET TO A POINT OF THE WESTERLY RIGHT-OF-WAY LINE OF US HIGHWAY 85 AS DESCRIBED IN DEED RECORDED AT BOOK 503 AT PAGE 197, ADAMS COUNTY COLORADO RECORDS; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: (1) THENCE S02°16'29"E A DISTANCE OF 60.29 FEET TO A POINT OF NON-TANGENT CURVE; (2) THENCE ALONG A NON-TANGENT CURVE TO THE LEFT WHOSE CHORD BEARS S07°41'44" W A DISTANCE OF 499.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 04°55'47", A RADIUS OF 5,804.58 FEET, AN ARC LENGTH OF 499.27 FEET TO A POINT OF TANGENT; (3) THENCE S05°13'51"W ALONG SAID TANGENT A DISTANCE OF 1484.51 FEET TO A POINT OF CURVE; (4) THENCE ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CHORD BEARS S04°37'42" W A DISTANCE OF 171.94 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 01°11'34", A RADIUS OF 8,260.11 FEET, AN ARC LENGTH OF 171.94 FEET TO A POINT OF NON-TANGENT; (5) THENCE S25°54'30" W, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 48.18 FEET; (6) THENCE S00°17'21" W A DISTANCE OF 34.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NW 1/4 OF SAID SECTION 6; THENCE N89°31'21"W ALONG SAID SOUTH LINE A DISTANCE OF 12.00 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 37 AT PAGE 511, SAID ADAMS COUNTY, COLORADO RECORDS; THENCE N00°03'29"E ALONG THE EAST LINE OF SAID PARCEL AND CONTINUING ALONG THE EAST LINE OF THAT PARCEL DESCRIBED IN BOOK 240 AT PAGE 149, SAID ADAMS COUNTY COLORADO RECORDS, A DISTANCE OF 600.45 FEET TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED IN BOOK 240 AT PAGE 149; THENCE N89°23'31"W A DISTANCE OF 784.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE S00°03'29"W ALONG THE WEST LINE OF SAID PARCEL A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN BOOK 37 AT PAGE 511; THENCE, ALONG THE WEST LINE OF SAID PARCEL, THE FOLLOWING FOUR (4) COURSES: (1) THENCE S27°45'31"E A DISTANCE OF 100.00 FEET; (2) THENCE S11°15'31"E A DISTANCE OF 100.00 FEET; (3) THENCE S03°14'29"W A DISTANCE OF 100.00 FEET; (4) THENCE S14°14'29"W A DISTANCE OF 65.73 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF AN ABANDONED RAILROAD; THENCE N72°34'37"W ALONG SAID NORTH RIGHT-OF-WAY LINE A

DISTANCE OF 80.96 FEET TO A POINT ON THE CENTERLINE OF THE SOUTH PLATTE RIVER, SAID CENTERLINE BEING THE EAST LINE OF THAT PARCEL OF LAND BEING PARCEL 2 OF THAT DEED RECORDED IN BOOK 2955 AT PAGE 665, SAID ADAMS COUNTY, COLORADO RECORDS; THENCE, ALONG SAID CENTERLINE AND SAID EASTERLY LINE, THE FOLLOWING SIX (6) COURSES: (1) THENCE N13°04'15"E A DISTANCE OF 115.35 FEET; (2) THENCE N09°42'28"W A DISTANCE OF 222.68 FEET; (3) THENCE N13°14'03"W A DISTANCE OF 164.18 FEET; (4) THENCE N32°25'42"W A DISTANCE OF 309.14 FEET; (5) THENCE N25°55'42"W A DISTANCE OF 260.00 FEET; (6) THENCE N17°29'34"W A DISTANCE OF 511.22 FEET TO A POINT ON THE WEST LINE OF SAID NW 1/4 OF SAID SECTION 6; THENCE N00°22'17"E ALONG SAID WEST LINE OF SAID NW 1/4 A DISTANCE OF 479.63 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (2,313,699 SQUARE FEET) 53.1152 ACRES

EXHIBIT B

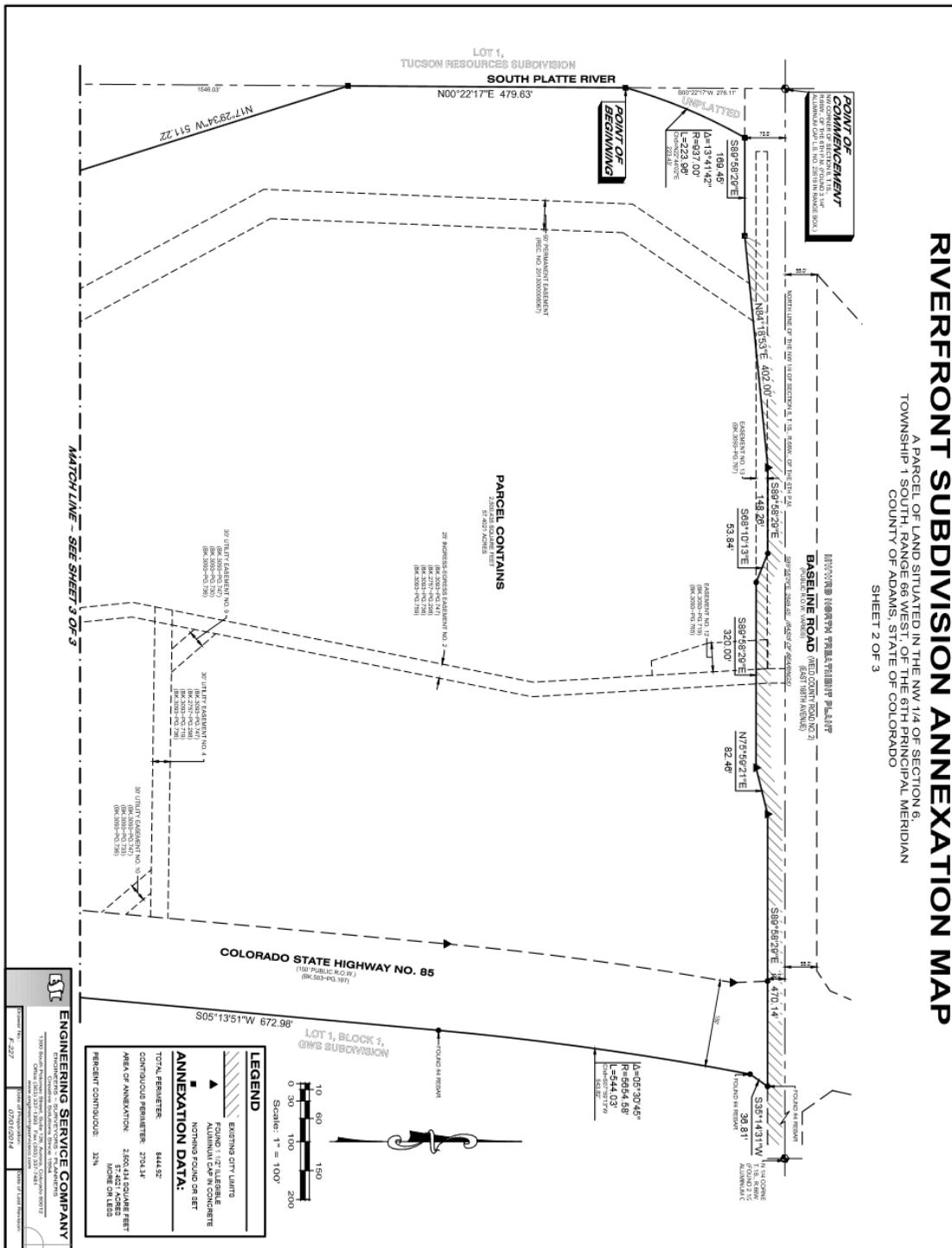
ANNEXATION MAP

[Annexation Map begins on next page]

RIVERFRONT SUBDIVISION ANNEXATION MAP

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 6,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 2 OF 3



RIVERFRONT SUBDIVISION ANNEXATION MAP

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 6,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 3 OF 3

