

BRIGHTON CITY COUNCIL RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF BRIGHTON, COLORADO FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION, AND SETTING A PUBLIC HEARING FOR SEPTEMBER 1, 2015 TO DETERMINE IF THE PROPOSED APPROXIMATE 1.590 AND 1.208 ACRE PARCELS, TO BE KNOWN AS THE NORTH STAR ANNEXATION, COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION.

RESOLUTION NO.: 2015-77

WHEREAS, on January 28, 2014, pursuant to the laws of the State of Colorado, a Petition for Annexation to the City of Brighton (the “Petition”), was presented to the City of Brighton; and

WHEREAS, the Petition requests the annexation of approximately 2.798 acres of contiguous unincorporated territory, situated, lying, and being in the County of Adams, State of Colorado, as more particularly described in **EXHIBIT A**, attached and shown in **EXHIBIT B**, attached, hereto (the “Property”), into the City of Brighton;

WHEREAS, Theodore Shipman, of North Star Equities, LLC owners of 100% of the Property, (the “Owner”), submitted the Petition, attached hereto as **EXHIBIT C**; and

WHEREAS, the City Council of the City of Brighton, Colorado, has reviewed the Petition, as presented by the Applicant, and has determined that the Petition is in substantial compliance with the applicable laws of the State of Colorado and with the City of Brighton’s requirements for an Annexation Petition; and

WHEREAS, the City Council desires to adopt, by resolution, its findings in regards to such Annexation Petition and to set a public hearing in regard to such petition.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Brighton, Colorado, as follows:

- 1) The Petition for Annexation, attached hereto and incorporated herein by reference as **EXHIBIT C**, is in substantial compliance with the applicable laws of the State of Colorado (*Colorado Revised Statutes*, Section 31-12-107 et. seq., as amended).
- 2) The City Council of the City of Brighton, Colorado will hold a public hearing for the purpose of determining if the proposed annexation complies with *Colorado Revised Statutes*, Sections 31-12-104 and 31-12-105, as amended, at the following time, date, and place:

Tuesday, September 1, 2015, 7:00 p.m.
City Council Chambers
500 South 4th Avenue
Brighton, Colorado 80601

Any person may appear at such hearing and present evidence relative to the proposed annexation.

- 3) Upon completion of the hearing, the City Council of the City of Brighton, Colorado shall set forth, by resolution, its findings of fact and its conclusion based thereon with reference to the eligibility of the proposed annexation, whether the statutory requirements of the proposed annexation have been met, and whether or not an election for the annexation is required.

RESOLVED AND PASSED THIS 21th DAY OF JULY, 2015.

CITY OF BRIGHTON, COLORADO

By: Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, Esq., City Attorney

EXHIBIT A
Legal Description

Parcel One

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11, WHENCE THE NORTH QUARTER CORNER THEREOF BEARS N89°48'26"E, A DISTANCE OF 2637.19 FEET; THENCE S00°18'18"E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, 759.88 FEET, THENCE N89°48'26"E, 30.00 FEET TO THE POINT OF BEGINNING;

THENCE N89°48'26"E, 521.78 FEET TO A POINT ON THE WEST BOUNDARY OF TRACT B, BROMLEY PARK FILING NO. 5, FILED AT RECEPTION NO. C0655375, FILE 18, MAP 199 ON MARCH 31, 2000 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES:

- 1) THENCE S00°18'18"E, A DISTANCE OF 125.00 FEET;
- 2) THENCE N89°48'26"E, A DISTANCE OF 0.28 FEET TO A POINT ON THE WEST BOUNDARY OF LOT 1, BLOCK 2 OF SAID BROMLEY PARK FILING NO. 5;

THENCE S09°19'12"W, ALONG THE WEST BOUNDARY OF SAID LOT 1, BLOCK 2, A DISTANCE OF 8.44 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF GROSBEAK STREET;

THENCE ALONG THE NORTH RIGHT OF WAY LINE OF GROSBEAK STREET THE FOLLOWING THREE (3) COURSES;

- 1) THENCE S89°41'42"W A DISTANCE OF 440.64 FEET;
- 2) THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 55.00 FEET, AN ARC LENGTH OF 32.36 FEET, A CENTRAL ANGLE OF 33°42'29", AND A CHORD BEARING N73°27'04"W A DISTANCE OF 31.89 FEET;
- 3) THENCE N89°48'26"E A DISTANCE OF 49.48 FEET;

THENCE N00°18'18"W, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO

SAID PARCEL CONTAINS 69,277 SQUARE FEET, 1.590 ACRES, MORE OR LESS.

Parcel Two

A PARCEL OF LAND BEING A PORTION OF THE PUBLIC RIGHT OF WAY IN SOUTH 50TH AVENUE AND THE PUBLIC RIGHT OF WAY IN COLORADO STATE HIGHWAY NO. 7 (BRIDGE STREET); SITUATED IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE N89°48'26"E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, A DISTANCE OF 551.78 FEET; THENCE S00°18'18"E A DISTANCE OF 50.02 FEET TO THE NORTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED AT RECEPTION NO. C0984086 FILED IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE ON JUNE 14, 2002; SAID POINT ALSO BEING THE NORTHWEST CORNER OF TRACT X, BROMLEY PARK FILING NO. 5, FILED AT RECEPTION NO. C0655375, FILE 18, MAP 199 ON MARCH 31, 2000 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE; THENCE S89°48'26"W, ALONG THE NORTH LINE OF THE LANDS DESCRIBED AT SAID RECEPTION NO. C0984086, SAID LINE ALSO BEING THE SOUTHERLY RIGHT OF WAY LINE OF SAID COLORADO STATE HIGHWAY NO. 7, A DISTANCE OF 521.78 FEET TO THE NORTHWEST CORNER OF THE LANDS DESCRIBED AT SAID RECEPTION NO. C0984086; THENCE S00°18'18"E ALONG THE WEST LINE OF THE LANDS DESCRIBED AT SAID RECEPTION NO. C0984086, SAID LINE ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF SAID SOUTH 50TH AVENUE, A DISTANCE OF 834.84 FEET; THENCE S89°48'26"W A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11; THENCE N00°18'18"W, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, A DISTANCE OF 884.88 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 52,642 SQUARE FEET, 1.208 ACRES, MORE OR LESS.

EXHIBIT B

Parcel Projects\Northstar Annexation\Map\Northstar Annexation Map 646425.dwg 4/4/2025 9:02:23 PM HDT

LEGAL DESCRIPTION OF LAND TO BE ANNEXED:

PARCEL ONE

A PARCEL OF LAND LING IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11, THENCE THE NORTH QUARTER CORNER THEREOF BEARS N89°42'28"E A DISTANCE OF 2633.19 FEET, THENCE S07°51'27"E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, 758.89 FEET, THENCE N89°42'28"E SAID FEET TO THE SOUTH OF BEGINNING.

THENCE N89°42'28"E 507.76 FEET TO A POINT ON THE WEST BOUNDARY OF TRACT 9, BRONDALEY PARK PLUME NO. 3, FILED AT RECEPTION NO. 00553575, FILE IN MAP 199 ON MARCH 31, 2000 IN THE COUNTY OF ADAMS, STATE OF COLORADO, THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES:

- 1) THENCE S07°51'27"E A DISTANCE OF 125.00 FEET.
 - 2) THENCE N89°42'28"E A DISTANCE OF 125.00 FEET TO A POINT ON THE WEST BOUNDARY OF LOT 1, BLOCK 2 OF SAID BRONDALEY PARK PLUME NO. 3.
- THENCE S07°51'27"E ALONG THE WEST BOUNDARY OF SAID LOT 1, BLOCK 2, A DISTANCE OF 8.44 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF GROSSBARK STREET.
- THENCE ALONG THE NORTH RIGHT OF WAY LINE OF GROSSBARK STREET THE FOLLOWING THREE (3) COURSES:

- 1) THENCE S07°51'27"E A DISTANCE OF 44.04 FEET.
 - 2) THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 55.00 FEET, AN ARC LENGTH OF 32.35 FEET, A CENTRAL ANGLE OF 33°42'29", AND A CHORD BEARING N72°07'07"W A DISTANCE OF 31.89 FEET.
 - 3) THENCE N89°42'28"E A DISTANCE OF 49.48 FEET.
- THENCE N07°01'18"W A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.
- SAID PARCEL CONTAINS 69,277 SQUARE FEET, 1.560 ACRES, MORE OR LESS.

PARCEL TWO

A PARCEL OF LAND BEING A PORTION OF THE RIGHT RIGHT OF WAY IN SOUTH 30TH AVENUE AND THE PUBLIC RIGHT OF WAY IN COLORADO STATE HIGHWAY NO. 7 (BRONCK STREET), SITUATED IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 11, THENCE N89°42'28"E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, A DISTANCE OF 521.78 FEET, THENCE S07°51'27"E A DISTANCE OF 50.02 FEET TO THE NORTHWEST CORNER OF THE PARCEL OF SAID PARCEL ONE, THENCE ALONG SAID BOUNDARY THE FOLLOWING COURSES:

1) THENCE S07°51'27"E A DISTANCE OF 50.02 FEET TO THE NORTHWEST CORNER OF TRACT 1, BRONDALEY PARK PLUME NO. 5, FILED AT RECEPTION NO. 00553575, FILE IN MAP 199 ON MARCH 31, 2000 IN THE COUNTY OF ADAMS, STATE OF COLORADO, THENCE S07°51'27"E ALONG THE NORTH LINE OF SAID TRACT 1, BRONDALEY PARK PLUME NO. 5, A DISTANCE OF 521.78 FEET TO THE NORTHWEST CORNER OF THE LANDS DESIGNED AT SAID RECEPTION NO. 00553575.

2) THENCE S07°51'27"E ALONG THE WEST LINE OF THE LANDS DESIGNED AT SAID RECEPTION NO. 00553575, A DISTANCE OF 521.78 FEET TO THE NORTHWEST CORNER OF SAID SECTION 11, THENCE N07°01'18"W A DISTANCE OF 125.00 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, THENCE N07°01'18"W ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, A DISTANCE OF 894.88 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 52,442 SQUARE FEET, 1.208 ACRES, MORE OR LESS.

NORTH STAR ANNEXATION MAP TO THE CITY OF BRIGHTON, COLORADO

A PORTION OF THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH P.M.,
COUNTY OF ADAMS, STATE OF COLORADO



TOTAL PERIMETER OF LAND : 3926.28 FEET
TO BE ANNEXED
TOTAL BOUNDARY PERIMETER : 3926.28 FEET
CONTIGUOUS WITH THE
BRIGHTON CITY LIMITS
(100.0%)

SURVEYOR'S CERTIFICATE

I, DONALD L. LAMBERT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, HAVE PERSONALLY AND INDEPENDENTLY EXAMINED THE FIELD NOTES AND CALCULATIONS OF THE SURVEY AND THE BOUNDARIES OF THE ANNEXING MUNICIPALITY.

DONALD L. LAMBERT, M.S. 30830
FOR AND ON BEHALF OF FRONTIER SURVEYING, INC.

NOTES

- 1) NOTE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT SHALL ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED FROM MORE THAN TEN (10) YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON. (C.R.S. 16-62-304)

CERTIFICATE OF THE CITY COUNCIL

THIS IS TO CERTIFY THAT THE ANNEXATION MAP SHOWN HEREON WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO ON THE _____ DAY OF _____ A.D. 2015.

WAVE _____ ATTEST: CITY CLERK _____

CLERK AND RECORDER

ACCEPTED FOR FILING IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER, IN THE STATE OF COLORADO, ON THE _____ DAY OF _____ 2015

CLERK AND RECORDER _____

RECEPTION NO. _____

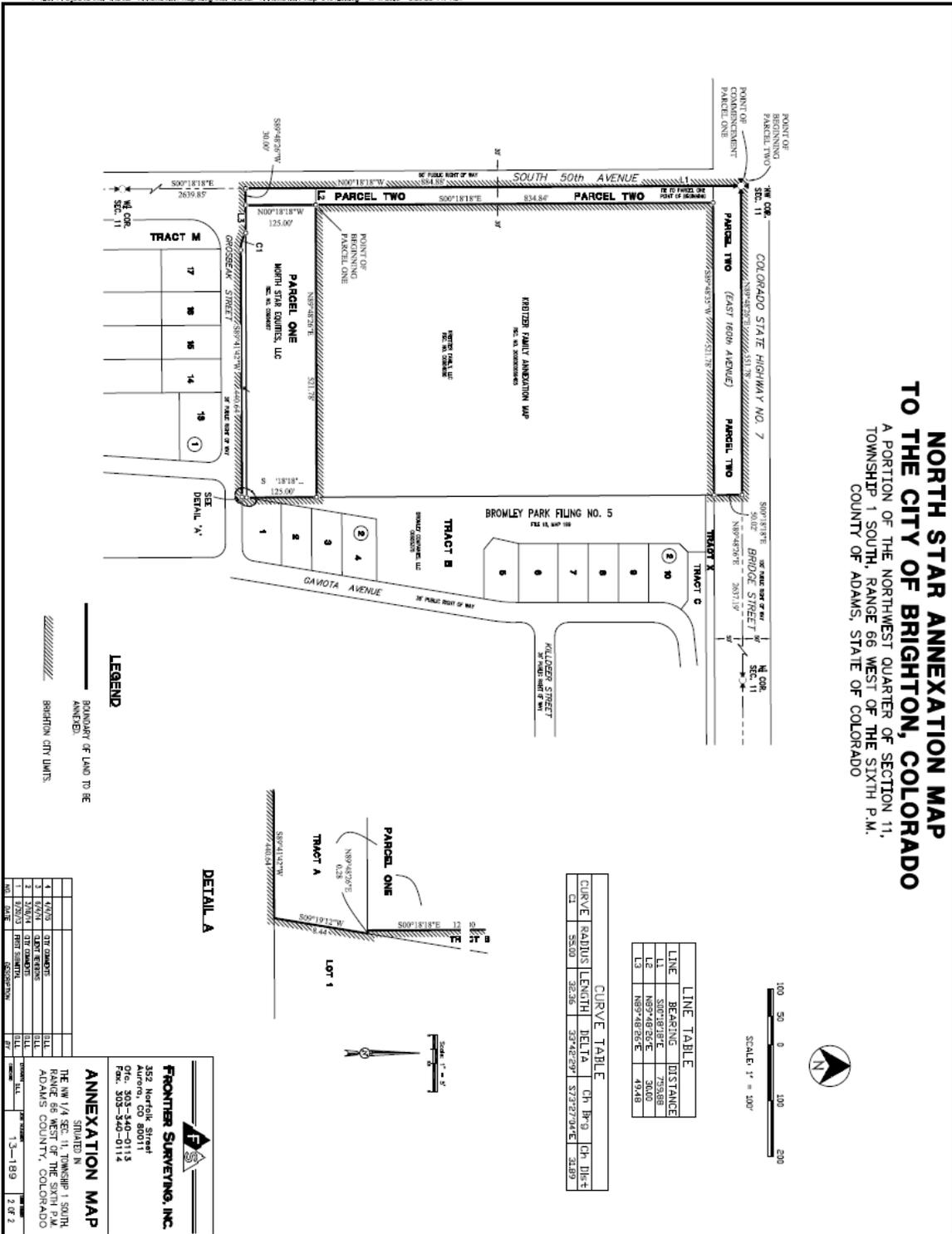
NO.	DATE	DESCRIPTION
1	4/1/2015	FILED
2	4/1/2015	FILED
3	4/1/2015	FILED
4	4/1/2015	FILED
5	4/1/2015	FILED
6	4/1/2015	FILED
7	4/1/2015	FILED
8	4/1/2015	FILED
9	4/1/2015	FILED
10	4/1/2015	FILED

FRONTIER SURVEYING, INC.
352 Norfolk Street
Aurora, CO 80011
P.O. BOX 340-0115
P.O. BOX 340-0115

ANNEXATION MAP
SITUATED IN
THE NW 1/4 SEC. 11, TOWNSHIP 1 SOUTH,
RANGE 66 WEST OF THE SIXTH P.M.,
ADAMS COUNTY, COLORADO

NORTH STAR ANNEXATION MAP TO THE CITY OF BRIGHTON, COLORADO

A PORTION OF THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH P.M.,
COUNTY OF ADAMS, STATE OF COLORADO

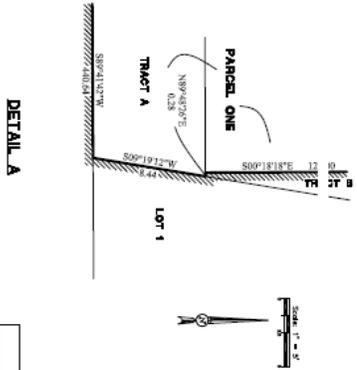


LINE TABLE

LINE	BEARING	DISTANCE
1	N89°48'25.4"E	30.00
2	N89°48'25.4"E	30.00
3	N89°48'25.4"E	43.48

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CH. PT. 0	CH. DIST.
C1	55.00	32.36	33°42'29"	57.27792/E	34.897



LEGEND

- BOUNDARY OF LAND TO BE ANNEXED.
- BRIGHTON CITY UNITS.

LINE	BEARING	DISTANCE
1	N89°48'25.4"E	30.00
2	N89°48'25.4"E	30.00
3	N89°48'25.4"E	43.48

FRONTIER SURVEYING, INC.

352 Norfolk Street
Aurora, CO 80011
Off: 303-340-0113
Fax: 303-340-0114

ANNEXATION MAP

SHARED IN SECTION 1, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., ADAMS COUNTY, COLORADO

DATE: 1-3-199 2 OF 2

EXHIBIT C

Annexation Petition

[Annexation Petition begins on the next ten (10) pages.]