

BRIGHTON CITY COUNCIL ORDINANCE

THE ORCHARD CHURCH

ORDINANCE NO: _____

INTRODUCED BY: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 38.101 ACRES OF CONTIGUOUS LAND, IN THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO; TO BE KNOWN AS THE ORCHARD CHURCH ANNEXATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. That, pursuant to C.R.S. Section 31-12-107(1), a Petition for Annexation was filed with the City of Brighton on February 20, 2015 signed by land owner of one hundred percent (100%) of the territory to be annexed.

Section 2. That the City Council, at a Regular Meeting on May 5, 2015, passed Resolution No. 2015-39 accepting said Petition as being in compliance with *C.R.S. Section 31-12-107 (1)*, and setting the matter of the annexation for a public hearing on June 23, 2015.

Section 3. That at said public hearing, held on June 23, 2015, the City Council found and determined that the applicable parts of *C.R.S. Section 31-12-101 et seq.* “The Municipal Annexation Act” (hereinafter “Act”), and more particularly, Sections 31-12-104 and 105, have been met and further determined that an election was not required under the Act, and that no additional terms or conditions are to be imposed.

Section 4. That notice of the public hearing for the annexation ordinance was published in the *Brighton Blade* on May 20, May 27, June 3, and June 10, 2015, and no less than thirty (30) days or no more than sixty (60) days prior to the public hearing, as required by C.R.S. § 31-12-108, and a copy of the published notice, resolution of eligibility and petition as filed were sent by registered mail to the clerk of the Board of County Commissioners of Adams County, applicable special districts, and school districts on April 20, 2015, and no less than twenty-five (25) days prior to the public hearing, as required by C.R.S. § 31-12-108.

Section 5. That the Annexation Impact Report was prepared and filed with the Board of County Commissioners of Adams County on May 22, 2015, and no less than twenty (20) days prior to the public hearing, as required by C.R.S. § 31-12-108.5.

Section 6. That the annexation by and to the City of Brighton, State of Colorado, of that area, more particularly described in **EXHIBIT A** and shown in **EXHIBIT B**, attached hereto,

situated, lying, and being in the County of Adams, State of Colorado, to be known as the Orchard Church Annexation, is hereby approved.

Section 7. That pursuant to *C.R.S. Section 31-12-115*, re-zoning of the property, more particularly described in **EXHIBIT A** and shown in **EXHIBIT B**, attached hereto, shall be initiated and completed within ninety (90) days from the effective date of this ordinance.

Section 8. That the territory annexed herein shall be made a part of the Ward 3 territory as shown on the city's official Ward Map and said map shall be updated to reflect said change.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 23RD DAY OF JUNE, 2015.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
First Publication: July 1, 2015

APPROVED AS TO FORM:

Margaret Brubaker, Esq., City Attorney

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED, BY TITLE ONLY, THIS _____ DAY OF _____, 2015.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Blade*
Last Publication: _____

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER; THENCE N00°41'12"W ALONG THE WEST LINE OF SAID SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER, A DISTANCE OF 65.00 FEET; THENCE N89°48'22"E PARALLEL WITH THE SOUTH LINE OF SAID SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER, A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF BRIGHTON, COLORADO IN RECEPTION NO. 2009000044646, ADAMS COUNTY RECORDS, SAID CORNER ALSO BEING THE POINT OF BEGINNING; THENCE N00°41'12"W PARALLEL WITH SAID WEST LINE, A DISTANCE OF 1268.89 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE N89°55'13"E ALONG SAID NORTH LINE, A DISTANCE OF 1310.33 FEET TO THE NORTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NO. C1233937, ADAMS COUNTY RECORDS, SAID CORNER ALSO BEING ON THE PRESENT CITY OF BRIGHTON CITY LIMITS LINE AS SHOWN ON THE ANNEXATION MAP TO THE CITY OF BRIGHTON RECORDED IN RECEPTION NO. 20060323000297480, ADAMS COUNTY RECORDS; THENCE S00°36'04"E ALONG THE WEST LINE AS DESCRIBED IN SAID RECEPTION NO. C1233937, AND ALONG SAID PRESENT CITY OF BRIGHTON CITY LIMITS LINE, A DISTANCE OF 1266.26 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NO. 2009000044646, ADAMS COUNTY RECORDS; THENCE S89°48'22"W DEPARTING FROM SAID CITY OF BRIGHTON CITY LIMITS LINE, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, A DISTANCE OF 1308.41 FEET TO THE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

CONTAINS 38.101 ACRES MORE OR LESS.

BASIS FOR BEARINGS:

THE SOUTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS STATE OF COLORADO, IS ASSUMED TO BEAR S89°48'22"W. MONUMENTS ARE AS SHOWN HEREON.

EXHIBIT B

ANNEXATION MAP

[Annexation Map begins on next page]

