

RESOLUTION NO. 2024-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF AN APPROXIMATELY 4.918 ACRES OF CONTIGUOUS LAND, KNOWN AS THE OTTEN PROPERTY ANNEXATION, IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, 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 April 2, 2024, passed Resolution No. 2024-43, finding the petition for annexation of the hereinafter described parcel of land to be in substantial compliance with the requirements of C. R. S. § 31-12-107; 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 *Colorado Revised Statutes*, Sections 31-12-104 and 31-12-105, to establish eligibility for annexation.

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

Section 1. 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. 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. The City Council finds and concludes that an election is not required, and no additional terms or conditions are to be imposed upon the area to be annexed.

Section 4. This Resolution is effective as of the date of its adoption.

RESOLVED this 21st day of May 2024.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ADAMS, STATE OF COLORADO, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PART OF THE SW 1/4 OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SW 1/4; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ON AN ASSUMED BEARING ALONG THE WEST LINE OF SAID SW 1/4 A DISTANCE OF 245.00 FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH 89 DEGREES 56 MINUTES 50 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID SW 1/4 A DISTANCE OF 156.98 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 30 SECONDS WEST, A DISTANCE OF 77.55 FEET; THENCE SOUTH 45 DEGREES 46 MINUTES 34 SECONDS EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 10 SECONDS EAST A DISTANCE OF 120.00 FEET TO A POINT 30.00 FEET NORTH OF THE SOUTH LINE OF SAID SW 1/4; THENCE NORTH 89 DEGREES 56 MINUTES 50 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE A DISTANCE OF 165.51 FEET TO THE INTERSECTION OF THE CENTERLINE OF VACATED PINE STREET, BARR CITY, A SUBDIVISION OF THE S 1/2 OF SAID SECTION 21; THENCE NORTH 00 DEGREES 02 MINUTES 40 SECONDS EAST, ALONG SAID CENTERLINE A DISTANCE OF 204.47 FEET TO A POINT ON THE WESTERLY LINE OF THE BRIGHTON LATERAL; THENCE ALONG SAID WESTERLY LINE AS FOLLOWS: NORTH 13 DEGREES 31 MINUTES 00 SECONDS WEST, 89.66 FEET; THENCE NORTH 01 DEGREES 28 MINUTES 00 SECONDS WEST, 171.61 FEET; THENCE NORTH 03 DEGREES 40 MINUTES 22 SECONDS EAST, 167.13 FEET TO APPOINT ON THE CENTERLINE OF FIRST AVENUE, SAID BARR CITY; THENCE SOUTH 89 DEGREES 56 MINUTES 50 SECONDS WEST, ALONG SAID CENTERLINE A DISTANCE OF 326.00 FEET TO A POINT ON THE WEST LINE OF SAID SW 1/4; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 415.00 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL B:

A PARCEL OF LAND IN THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M. MORE PARTICULARLY DESCRIBED AS: BLOCK 64, OF VACATED BARR CITY, TOGETHER WITH THOSE PORTIONS ADJOINING SAID BLOCK 64 OF THE SOUTHERLY 1/2 OF VACATED FIRST STREET, THE WESTERLY 1/2 OF VACATED PINE STREET, VACATED BRIGHTON BOULEVARD AND VACATED JEFFERSON BOULEVARD, ALL AS VACATED BY VACATION PLAT BARR CITY RECORDED JULY 26, 1966 IN FILE 12 AS MAP NO. 26, AT RECEPTION NO. 791307;

EXCEPT THAT PORTION THEREOF CONVEYED BY DEED RECORDED JULY 6, 1971 IN BOOK 1711 AT PAGE 251 DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE NORTH 00°00'00" EAST ON AN ASSUMED BEARING ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 245.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°56'50" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 156.98 FEET; THENCE SOUTH 00°01'30" WEST A DISTANCE OF 77.55 FEET, THENCE SOUTH 45°46'34" EAST A DISTANCE OF 25.00 FEET; THENCE SOUTH 00°03'10" EAST A DISTANCE OF 120.00 FEET TO A POINT 30.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH 89°56'50" EAST PARALLEL WITH SAID SOUTH LINE A DISTANCE OF 165.51 FEET TO THE INTERSECTION OF THE CENTERLINE OF VACATED PINE STREET, BARR CITY, A SUBDIVISION OF THE SOUTH 1/2 OF SAID SECTION 21; THENCE NORTH 00°02'40" EAST ALONG SAID CENTERLINE A DISTANCE OF 204.47 FEET TO A POINT ON THE WESTERLY LINE OF THE BRIGHTON LATERAL; THENCE ALONG SAID WESTERLY LINE AS FOLLOWS: NORTH 13°31'00" WEST, 89.66 FEET; THENCE NORTH 01°28'00" WEST, 171.61 FEET; THENCE NORTH 03°40'22" EAST, 167.13 FEET TO A POINT ON THE CENTERLINE OF FIRST AVENUE, SAID BARR CITY; THENCE SOUTH 89°56'50" WEST ALONG SAID CENTERLINE A DISTANCE OF 326.00 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 00°00'00" WEST ALONG SAID WEST LINE A DISTANCE OF 415.00 FEET TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT ANY PORTION THEREOF LYING EAST OF THE WESTERLY LINE OF THE BRIGHTON LATERAL;

AND ALSO EXCEPT ANY PORTION THEREOF LYING WITHIN THE 136TH AVENUE RIGHT OF WAY, COUNTY OF ADAMS, STATE OF COLORADO.