

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 APPROXIMATE 1.590 AND 1.208 ACRE PARCELS OF CONTIGUOUS LAND, IN THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO; TO BE KNOWN AS THE NORTH STAR PROPERTY ANNEXATION; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

RESOLUTION NO. 2015-98

WHEREAS, annexation proceedings were heretofore initiated by the filing on January 28, 2014 of a Petition for Annexation of approximately 1.590 and 1.208 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 North Star Property; and

WHEREAS, at a regular meeting held on July 21, 2015, the City Council of the City of Brighton, Colorado, introduced, passed and adopted Resolution No. 2015-77, 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 September 1, 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 North Star Property Annexation is eligible for annexation to the City.

RESOLVED this 1st day of September, 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

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.

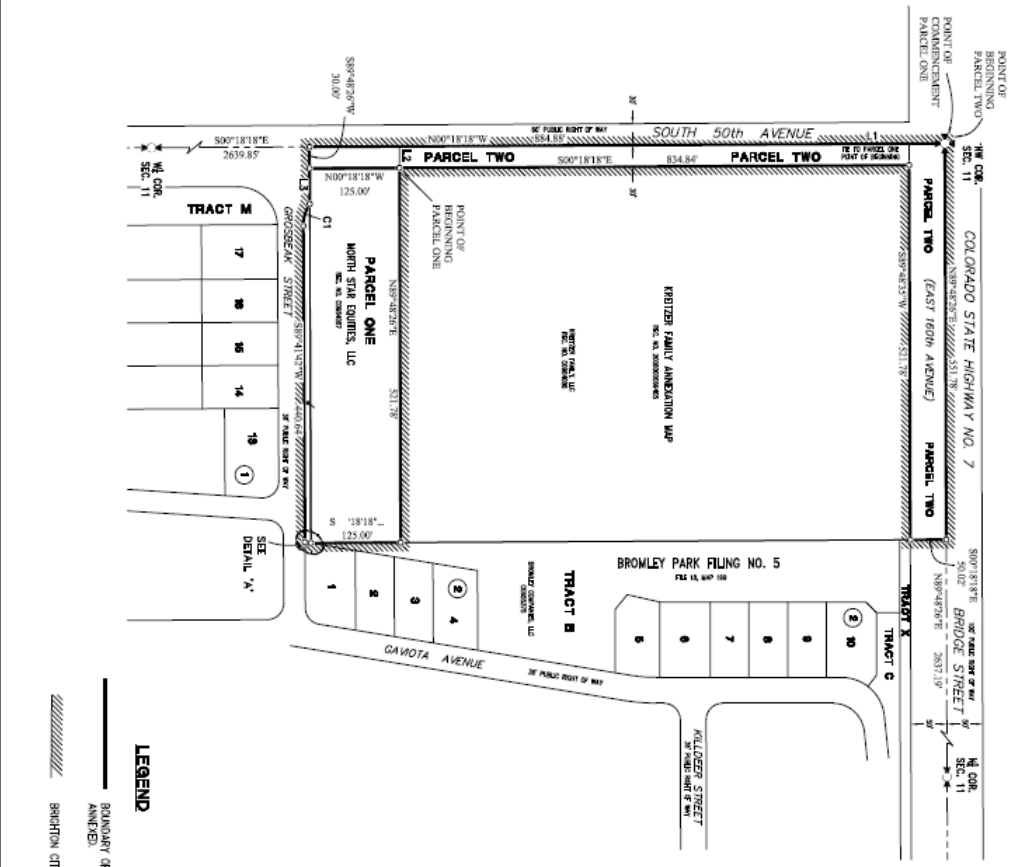
EXHIBIT B

ANNEXATION MAP

[Annexation Map begins on next page]

NORTH STAR ANNEXATION MAP TO THE CITY OF BRIGHTON, COLORADO

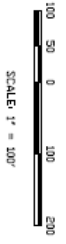
A PORTION OF THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH P.M.,
COUNTY OF ADAMS, STATE OF COLORADO



LEGEND

BOUNDARY OF LAND TO BE ANNEXED

BRIGHTON CITY LIMITS

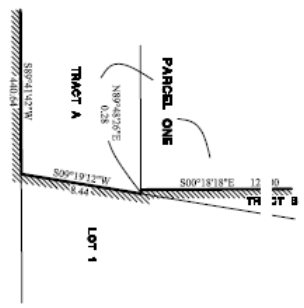


LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°18'18"E	759.88
L2	N89°48'26"E	30.00
L3	N89°48'26"E	49.48

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	Ch. B'g	Ch. Dis't
C1	58.00	32.36	33°42'29"	S7°57'44"E	31.89



NO.	DATE	BY	DESCRIPTION
1	4/15/15	JT GARDNER	FILE
2	5/26/11	JT GARDNER	FILE
3	1/25/10	JT GARDNER	FILE

FRONTIER SURVEYING, INC.

352 Norfolk Street
Aurora, CO 80011
Ofc: 303-340-0115
Fax: 303-340-0114

ANNEXATION MAP

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

SHEET NO. 13-189 2 OF 2