

BRIGHTON CITY COUNCIL ORDINANCE

RIVERFRONT PROPERTY

ORDINANCE NO: _____

INTRODUCED BY: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 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.

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 July 24, 2014 signed by land owners of one hundred percent (100%) of the territory to be annexed.

Section 2. That the City Council, at a Regular Meeting on April 7, 2015, passed Resolution No. 2015-31 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 May 19, 2015.

Section 3. That at said public hearing, held on May 19, 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 April 15, 22, 29 and May 6, 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 April 20, 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 Riverfront Property 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 II 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 19TH DAY OF MAY, 2015.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
First Publication: May 27, 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

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

GENERAL NOTE OF DIMENSIONS

NOT ALL LOTS BY THESE PRESENTS. IT BEING THE OWNER OF CERTAIN LANDS IN ADAMS COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BRIGHTON, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 8, THENCE S89°23'27" W ALONG THE WEST LINE OF SAID NW 1/4 OF SECTION 8 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 64, ADAMS COUNTY, COLORADO RECORDS, AND THE POINT OF BEGINNING, THENCE ALONG THE ARC OF A CIRCLE HAVING A CENTRAL ANGLE OF 134°14'2" A RADIUS OF 564.59 FEET, AN ARC LENGTH OF 22.85 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BASELINE ROAD, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF BASELINE ROAD THE FOLLOWING SEVEN (7) COURSES:

- (1) THENCE S89°23'27" E A DISTANCE OF 183.45 FEET NON-TANGENT TO THE LAST DESCRIBED CURVE;
- (2) THENCE N84°18'52" E A DISTANCE OF 402.00 FEET;
- (3) THENCE S89°23'27" E A DISTANCE OF 53.94 FEET;
- (4) THENCE S89°23'27" E A DISTANCE OF 53.94 FEET;
- (5) THENCE S89°23'27" E A DISTANCE OF 203.00 FEET;
- (6) THENCE N83°57'31" E A DISTANCE OF 52.45 FEET;
- (7) THENCE N83°57'31" E A DISTANCE OF 52.45 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY 66 AS DESCRIBED IN DEED RECORDED AT BOOK 593 AT PAGE 197, ADAMS COUNTY, COLORADO RECORDS;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

THENCE S32°15'11" W A DISTANCE OF 363.81 FEET TO A POINT OF NON-TANGENT CURVE HAVING A CENTRAL ANGLE OF 43°42' FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 55°20'47" A RADIUS OF 564.59 FEET, AN ARC LENGTH OF 54.03 FEET TO A POINT OF TANGENT;

THENCE S85°13'51" W ALONG SAID TANGENT A DISTANCE OF 572.84 FEET;

THENCE N4°48'49" W A DISTANCE OF 150.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF US HIGHWAY 66;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

- (1) THENCE S28°13'37" W A DISTANCE OF 811.52 FEET TO A POINT OF CURVE;
- (2) THENCE N28°13'37" W A DISTANCE OF 811.52 FEET TO A POINT OF CURVE;
- (3) THENCE S28°13'37" W A DISTANCE OF 811.52 FEET TO A POINT OF CURVE;
- (4) THENCE S28°13'37" W A DISTANCE OF 811.52 FEET TO A POINT OF CURVE;

THENCE N87°12'17" W ALONG SAID SOUTH LINE A DISTANCE OF 12.00 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 37 AT PAGE 511, SAID ADAMS COUNTY, COLORADO RECORDS, THENCE NORTHWEST ALONG THE EAST LINE OF SAID PARCEL AND CONTINUING ALONG SAID EAST LINE A DISTANCE OF 80.45 FEET TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED IN BOOK 240 AT PAGE 148, THENCE S89°23'27" W A DISTANCE OF 794.00 FEET TO THE SOUTHWEST CORNER 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, 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 S11°15'31" E A DISTANCE OF 100.00 FEET;
- (4) THENCE S11°15'31" E A DISTANCE OF 82.32 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF AN UNPAVED PARKWAY;

THENCE NORTH ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 83.95 FEET TO A POINT ON THE CENTERLINE OF THE SOUTH PLATE RIVER, SAID CENTERLINE BEING THE EAST LINE OF THAT PARCEL OF LAND BEING PARCEL 2 OF THAT DEED RECORDED IN BOOK 2955 AT PAGE 65, SAID ADAMS COUNTY, COLORADO RECORDS, THENCE ALONG SAID CENTERLINE AND SAID EASTERLY LINE, THE FOLLOWING SEVEN (7) COURSES:

- (1) THENCE N37°16'18" E A DISTANCE OF 153.35 FEET;
- (2) THENCE N37°16'18" E A DISTANCE OF 153.35 FEET;
- (3) THENCE N37°16'18" E A DISTANCE OF 153.35 FEET;
- (4) THENCE N37°16'18" E A DISTANCE OF 153.35 FEET;
- (5) THENCE N37°16'18" E A DISTANCE OF 203.14 FEET;
- (6) THENCE N37°16'18" E A DISTANCE OF 203.00 FEET;
- (7) THENCE N37°16'18" E A DISTANCE OF 203.00 FEET TO A POINT ON THE WEST LINE OF SAID NW 1/4 OF SAID SECTION 8;

THENCE NORTH ALONG SAID WEST LINE OF SAID NW 1/4 A DISTANCE OF 473.83 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 57,421 SQUARE FEET OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY, EASEMENTS AND/OR PUBLIC RECORDS.

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BRIGHTON, COLORADO, STATE OF COLORADO.

SHEET 1 OF 2



MANAGER CERTIFICATE

I, **MARK D. CAMPBELL**, AS MANAGER OF BRIGHTON INVESTMENTS, LLC, PROPERTY OWNER DO SO APPROVE THE ANNEXATION MAP FOR REVIEW AND APPROVAL BY THE CITY OF BRIGHTON.

THIS _____ DAY OF _____, 20____

MARK D. CAMPBELL, MANAGER
STATE OF _____
COUNTY OF _____
THE FOREGOING INSTRUMENT WAS KNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY **MARK D. CAMPBELL**, MANAGER OF BRIGHTON INVESTMENTS, LLC, A COLORADO LIMITED LIABILITY COMPANY.
WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC: _____
MY COMMISSION EXPIRES: _____
NOTARY ADDRESS: _____

STATEMENT OF AREA PERIMETER

THE AREA DESCRIBED LAND IS CONTIGUOUS TO THE CITY OF BRIGHTON AND MEETS THE REQUIREMENTS OF C.R.S. §31-12-101(1)(A) THAT ONE-SIXTH (1/6TH) OR MORE OF THE PERIMETER OF THE AREA TO BE ANNEXED BE CONTIGUOUS WITH THE ANNEXING MUNICIPALITY.

TOTAL PERIMETER OF AREA CONSIDERED FOR ANNEXATION: 644.52 FEET
ONE-SIXTH OF TOTAL PERIMETER OF AREA: 107.42 FEET
PERIMETER OF THE AREA CONTIGUOUS WITH EXISTING BRIGHTON CITY LIMITS: 1952.82 FEET

NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE NW 1/4 OF SECTION 8, T1S, R66W, OF THE 6TH P.M. BEARING S89°23'27" E, BOUNDED BY THE MONUMENTS SHOWN HEREON.
2. THE ANNEXATION DESCRIPTION AND AREA SHOWN HEREON WERE PREPARED FOR ANNEXATION PURPOSES ONLY.
3. THIS IS NOT A NON-CONVEYED LAND SURVEY.
4. DATE OF PREPARATION: JULY 1, 2014.
5. ALL DISTANCES ARE AS MEASURED OR CALCULATED AND UNITS ARE U.S. SURVEY FEET.

SURVEYORS CERTIFICATE

I, **CHARLES N. BECKSTROM** BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP OF RIVERFRONT SUBDIVISION DESCRIBED HEREON WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THE DESCRIPTION SHOWN HEREON WAS PREPARED FOR ANNEXATION PURPOSES ONLY.

CHARLES N. BECKSTROM
COLORADO P.L.S. NO. 33302
FOR AND ON THE BEHALF OF
ENGINEERING SERVICE COMPANY

NOTICE

ACCORDING TO COLORADO LAW YOU MUST COMEBARE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS INSTRUMENT TO THE SURVEYOR OR ENGINEER WHO PREPARED THIS INSTRUMENT AND ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMEBARED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

ANY PERSON WHO KNOWINGLY SIGNATURE, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT, LAND BOUNDARY MONUMENT, OR ACCESSORY MARKERS CLASSIFIED AS A MISDEMEANOR, SUBJECT TO STATE STATUTE 18-4-508 OF THE COLORADO REVISED STATUTES.

CITY ACCEPTANCE

ACCEPTED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON

THIS _____ DAY OF _____, 20____

RICHARD N. WILSON, MAYOR

ATTEST: **WYNELINE HIGEL**, CITY CLERK

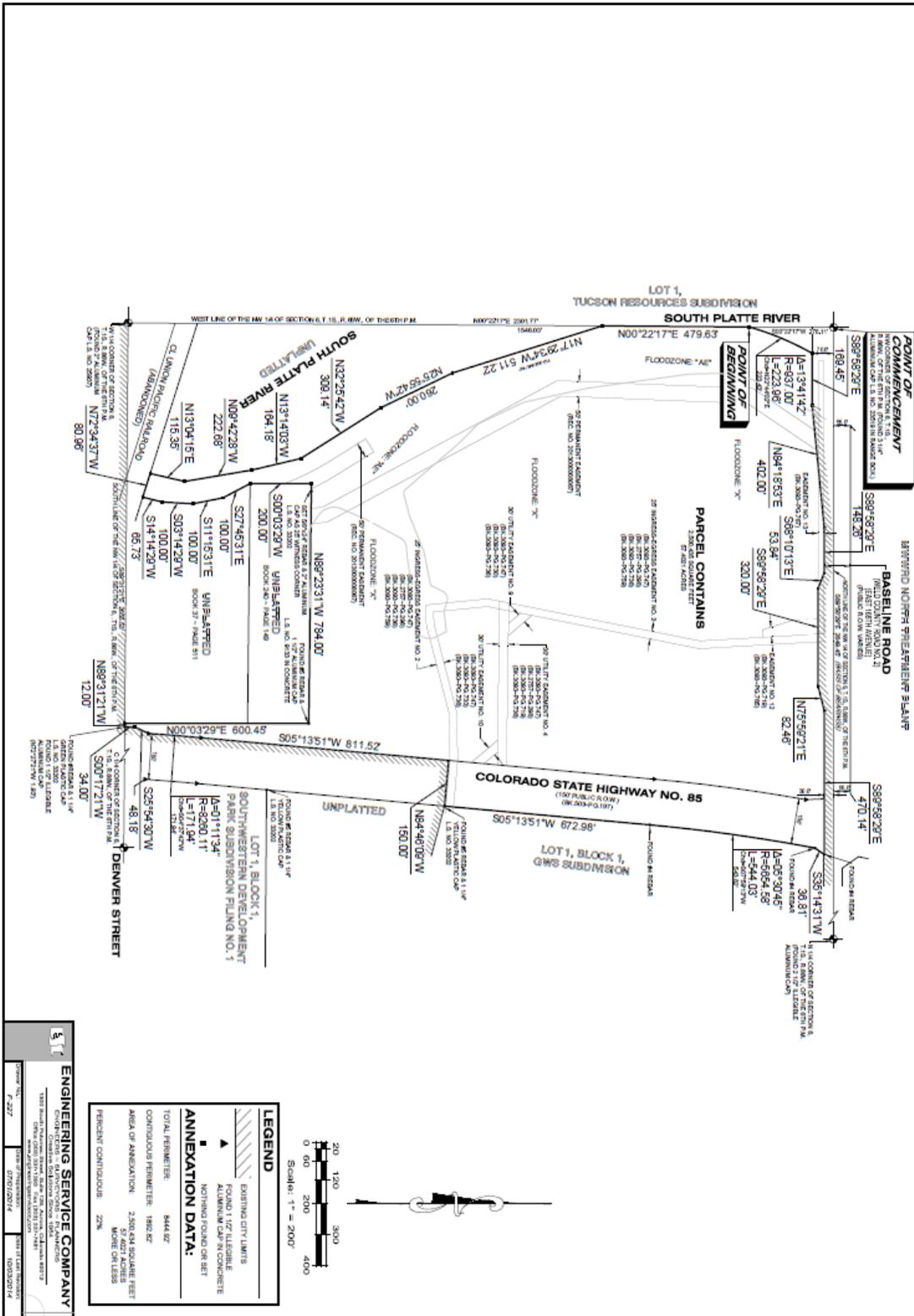
OWNER AND RECORDING CERTIFICATE

RECEPTION NO. _____
ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ADAMS COUNTY AT BRIGHTON, COLORADO ON THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK _____ A.M.
OWNER COUNTY CLERK AND RECORDER _____
BY: _____ PRINTED NAME _____

ENGINEERING SERVICE COMPANY
1400 SOUTH UNIVERSITY AVENUE, SUITE 100
DENVER, COLORADO 80202
TEL: 303.733.1100 FAX: 303.733.1100
WWW.ESCOMPANY.COM
STATE OF COLORADO
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 33302
DATE: 07/01/14

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
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 2 OF 2



ENGINEERING SERVICE COMPANY
 1325 1/2 PINE STREET, SUITE 100, DENVER, CO 80202
 PHONE: (303) 733-1111 FAX: (303) 733-1112
 WWW.ESCSERVICE.COM
 PROJECT NO. F-227
 DATE: 08/20/2014
 DRAWN BY: DORIS/STW

LEGEND

- EXISTING CITY LIMITS
- BOUNDARY OF TILS/BLM
- ALUMINUM CAP OR SET
- NON-TYPED FOUND OR SET
- ANNEXATION DATA:
- TOTAL PERIMETER: 5444.67'
- CONTIGUOUS PERIMETER: 1882.82'
- AREA OF ANNEXATION: 2,565.63 SQUARE FEET
- MOORE CMT. LESS
- PERCENT CONTIGUOUS: 22%

