

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 JUNE 23, 2015, TO DETERMINE IF THE PROPOSED APPROXIMATE 38.101 ACRE PARCEL, TO BE KNOWN AS THE ORCHARD CHURCH ANNEXATION, COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION.

RESOLUTION NO.: 2015-39

WHEREAS, on February 20, 2015, 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 38.101 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; and

WHEREAS, Doug Dameron, representing The Orchard Church, owner 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 Owner, 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, June 23, 2015, 6:00 p.m.
Study Session Room
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 5TH DAY OF MAY, 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

LEGAL DESCRIPTION OF LAND TO BE ANNEXED:

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 $N00^{\circ}41'12''W$ ALONG THE WEST LINE OF SAID SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER, A DISTANCE OF 65.00 FEET; THENCE $N89^{\circ}48'22''E$ 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 $N00^{\circ}41'12''W$ 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 $N89^{\circ}55'13''E$ 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 $S00^{\circ}36'04''E$ 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 $S89^{\circ}48'22''W$ 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.

EXHIBIT C

Annexation Petition

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