

ORDINANCE NO. 2466
INTRODUCED BY: Fiedler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 2.859 ACRES OF CONTIGUOUS LAND, KNOWN AS THE PETERS ANNEXATION, IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO

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

Section 1. Pursuant to C.R.S. § 31-12-107, a Petition for Annexation (the "Petition") was filed with the City of Brighton on February 8, 2023, signed by the landowner, William E. Peters, which owns one hundred percent (100%) of the territory to be annexed.

Section 2. The City Council, at a Regular Meeting on December 3, 2024, passed Resolution No. 2024-93, accepting said Petition as shown in EXHIBIT C as compliant with C.R.S. § 31-12-107, and setting the matter of the annexation for a public hearing on January 21, 2025 ("Public Hearing").

Section 3. At a Public Hearing held on January 21, 2025, the City Council found and determined that the applicable provisions of C.R.S. § 31-12-101 *et seq.*, "The Municipal Annexation Act" ("Act"), and more particularly, Sections 31-12-104 and 31-12-105, have been met and further determined that an election was not required under the Act, and that no additional terms or conditions to the annexation are to be imposed.

Section 4. Notice of the Public Hearing for the annexation ordinance was published in *The Brighton Standard Blade* on December 19, 2024, December 26, 2024, January 2, 2025, and January 9, 2025, 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. Further, a copy of the published notice, resolution of eligibility, and petition as filed with the City, were sent by registered mail to the Board of County Commissioners of Adams County, the County Attorney, School District 27J, the Central Colorado Water Conservancy District, Brighton Fire Rescue District, Rangeview Library District, Regional Transportation District, Urban Drainage and Flood Control District, Urban Drainage South Platte, and South Beebe Draw Metropolitan District on December 20, 2024, and no less than twenty-five (25) days prior to the Public Hearing, as required by C.R.S. § 31-12-108.

Section 5. 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 (the "Property"), attached hereto and incorporated herein, situated, lying, and being in the County of Adams, State of Colorado, to be known as the Peters Property Annexation, is hereby approved.

Section 6. Pursuant to C.R.S. § 31-12-115, rezoning of the Property, more particularly described in EXHIBIT A and shown in EXHIBIT B, attached hereto, shall be completed within ninety (90) days from the effective date of this Ordinance.

Section 7. The Property annexed herein shall be made a part of the Ward 1 territory as shown on the City's official Ward Map and the map shall be updated to reflect said change.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS 21ST DAY OF JANUARY 2025.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 4TH DAY OF FEBRUARY 2025.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

Published in the *Brighton Standard Blade*

First Publication: January 30, 2025

Final Publication: February 13, 2025

APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, 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 SOUTH QUARTER CORNER OF SAID SECTION 10, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 00°46'00" WEST, A DISTANCE OF 2,638.77 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 00°46'00" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 10, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°19'46" WEST, A DISTANCE OF 205.00 FEET;

THENCE NORTH 00°46'00" WEST, A DISTANCE OF 260.00 FEET;

THENCE SOUTH 89°19'46" WEST, A DISTANCE OF 97.00 FEET;

THENCE NORTH 00°46'00" WEST, A DISTANCE OF 235.86 FEET;

THENCE NORTH 89°19'46" EAST, A DISTANCE OF 302.00 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 10;

THENCE SOUTH 00°46'00" EAST, ALONG SAID EAST LINE, A DISTANCE OF 495.86 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 2.859 ACRES, (124,530 SQUARE FEET), MORE OR LESS.

ANNEXATION PETITION

**PETITION FOR ANNEXATION OF UNINCORPORATED TERRITORY
IN THE COUNTY OF ADAMS/WELD, STATE OF COLORADO,
TO THE CITY OF BRIGHTON, STATE OF COLORADO
(100% OF LANDOWNERS)**

**TO THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BRIGHTON,
COLORADO:**

The undersigned, in accordance with the Municipal Annexation Act of 1965, Chapter 31, Article 12, of the Colorado Revised Statutes, 1973, as amended, hereby petition the City Council of the City of Brighton for annexation to the City of Brighton of the following described land located in the County of (strike non-applicable county) Adams/Weld, State of Colorado, and further state:

1. The legal description of the land which the landowner(s) request to be annexed to the City of Brighton is attached hereto as **EXHIBIT "A"**, hereinafter referred to as the "Property"
2. It is desirable and necessary that the Property be annexed to the City of Brighton, Colorado;
3. The following requirements of C.R.S. Section 31-12-104 exists or have been met:
 - A. Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the City of Brighton, Colorado;
 - B. A community of interest exists between the Property and the City of Brighton, Colorado. The Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the City of Brighton, Colorado;
4. The signers of the Petition comprise the landowners of one hundred percent (100%) of the Property (exclusive of streets and alleys) and said landowners attesting to the facts and agreeing to the conditions herein contained will negate the necessity of any annexation election;
5. None of the limitations provided in C.R.S. Section 31-12-105 are applicable and the requirements of that statute have been met because of the following:
 - A. The annexation of the Property will not result in the Property being divided into separate parts or parcels under identical ownership without the written consent of the landowners thereof;
 - B. No land area within the Property held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of

real estate comprising 20 acres or more and having a valuation for assessment in excess of \$200,000 for ad valorem tax purposes has been included in the area of the Property to be annexed without the written consent of the landowners thereof;

- C. No annexation proceedings have been commenced for annexation of any part of the Property by any other municipality;
 - D. The entire width of all streets and alleys to be included within the Property are included;
 - E. The annexation of the Property will not result in the detachment of area from any school district or the attachment of same to another school district;
 - F. Annexation by the City of the Property will not have the effect of, and will not result in, the denial of reasonable access to landowners, owners of an easement, or owners of a franchise adjoining a platted street or alley, inasmuch as annexation of the Property will not result in annexation of a platted street or alley which is not bounded on both sides by the City.
6. The annexation of the Property will not have the effect of extending a boundary of the City more than three miles in any direction from any point of the municipal boundary in the past twelve (12) months.
7. The area proposed to be annexed is comprised of (check one):

MORE THAN TEN ACRES AND THE BOARD OF COUNTY COMMISSIONERS OF ADAMS/WELD (circle appropriate jurisdiction) COUNTY HAS AGREED TO WAIVE THE REQUIREMENT OF AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-108.5, C.R.S., AS AMENDED. (Copy of resolution approving such waiver is provided.)

MORE THAN TEN ACRES AND AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-105.5, C.R.S., AS AMENDED, IS REQUIRED.

TEN ACRES OR FEWER AND AN IMPACT REPORT AS PROVIDED FOR IN SECTION 31-12-105.5, C.R.S., AS AMENDED, IS NOT REQUIRED.

8. The Property is located within special districts as indicated on **EXHIBIT "B"**, attached hereto, and within the County of (check one):

Adams

_____ Weld

and no others;

9. The mailing address of each signer, the legal description of the land owned by each signer, and the date of signing of each signature are all shown on this Petition;
10. Accompanying this Petition are (4) four copies of the annexation boundary map in the form required by C.R.S. Section 31-12-102(1)(d) and attached hereto as **EXHIBIT "C"**, containing the following information:
 - A. A written legal description of the boundaries of the Property;
 - B. A map showing the boundary of the Property, such map prepared and containing the seal of a registered engineer or land surveyor;
 - C. Within the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area be platted, then the boundaries and the plat number of plots or of lots and blocks are shown;
 - D. Next to the boundary of the Property is drawn the contiguous boundary of the City of Brighton and the contiguous boundary of any other municipality abutting the area proposed to be annexed; and
 - E. The dimensions of the contiguous boundaries are shown on the map.
11. The Property is not presently a part of any incorporated city, city and county or town;
12. The undersigned agree to the following conditions, which shall be covenants running with the land, and which shall, at the option of the City, appear on the annexation map:
 - A. All water rights associated with the Property shall be transferred to the City, pursuant to City ordinances;
 - B. The undersigned and the City may enter into an Annexation Agreement prior to the effective date of this annexation, as provided for in Chapter 31-12-112(2), *Colorado Revised Statutes, as amended*.
13. Petitioner represents that: (Check one)

No part of the property to be annexed is included within any site-specific development plan approved by Adams/Weld County, Colorado.

A site-specific development plan has been approved by Adams/Weld County, Colorado, which has created a vested right.

EXECUTED this 18th day of November, 2022.

[SIGNATURE PAGES FOLLOW THIS PAGE]

PROPERTY OWNER/PETITIONER SIGNATURES

The signatures affixed hereon represent property owners within the Annexation Boundary who desire Annexation to the City of Brighton, Colorado.

Page ____ of ____

Name of Owner (print):	William E. Peters
Address of Parcel within the Annexation Boundary (number, street, city):	19261 E. 152 nd Avenue Brighton, Co.
Legal Description(s) (Lot, Block, Subdivision Name) or Parcel Number(s):	0156900000019
Signature of Owner:	<i>William E. Peters</i>
Date of Signature:	11-16-22
Initials of Circulator:	EC
Name of Owner (print):	
Address of Parcel within the Annexation Boundary	
Legal Description(s) (Lot, Block, Subdivision Name) or Parcel Number(s)	
Signature of Owner:	
Date of Signature	
Initials of Circulator	
Name: (print)	
Address of Parcel within the Annexation Boundary	
Legal Description(s) (Lot, Block, Subdivision Name) or Parcel Number(s)	
Signature	
Date of Signature	
Initials of Circulator	

Note to Circulator(s): Please make copies of this page to collect signatures and necessary information, attach all signature sheets and note the quantity of pages of signature pages in the area provided above.)

EXHIBIT "A"

PETERS ANNEXATION LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, 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 SOUTH QUARTER CORNER OF SAID SECTION 10, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 00°46'00" WEST, A DISTANCE OF 2,638.77 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 00°46'00" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 10, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°19'46" WEST, A DISTANCE OF 205.00 FEET;

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THENCE SOUTH 00°46'00" EAST, ALONG SAID EAST LINE, A DISTANCE OF 495.86 FEET TO THE **POINT OF BEGINNING**.

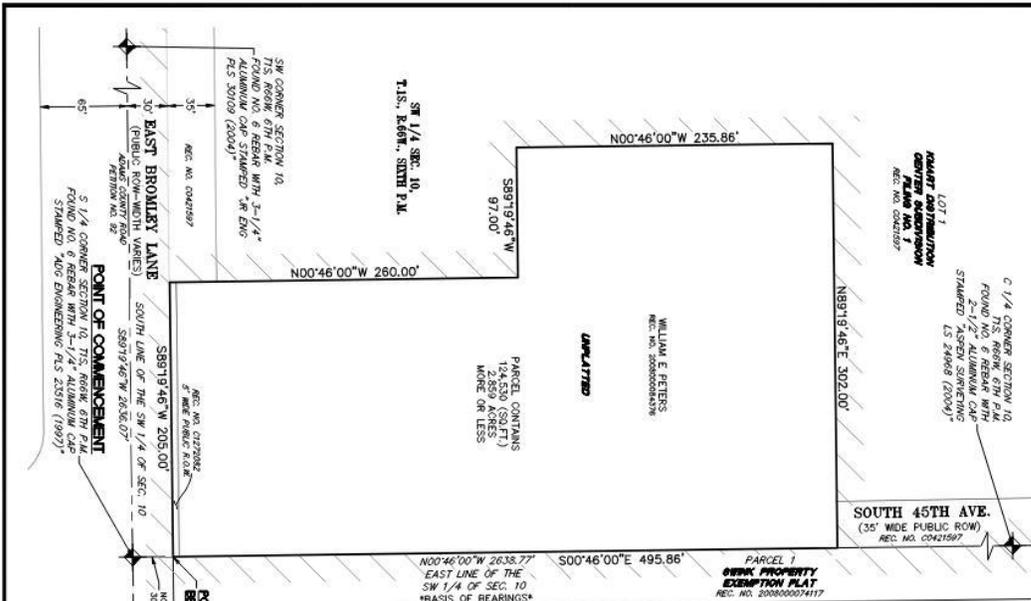
CONTAINING AN AREA OF 2.859 ACRES, (124,530 SQUARE FEET), MORE OR LESS.

Exhibit "B"

- Rangeview Library District
 - Central Colorado Water Conservancy District
 - Brighton Fire Rescue District
 - School District 27J
 - Urban Drainage and Flood Control District
 - South Beebe Draw Metropolitan District
 - Regional Transportation District
-

Exhibit "C"

PETERS ANNEXATION TO THE CITY OF BRIGHTON
 SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10,
 TOWNSHIP 1 SOUTH RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 COUNTY OF ADAMS, STATE OF COLORADO



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, 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 SOUTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 10, IS BEARING NORTH 00°46'00\"/>

ANNEXATION TABLE

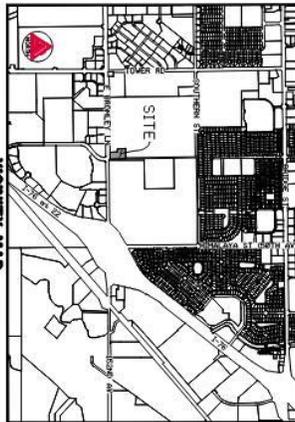
TOTAL PERMETER:	1,595.72 FEET
REQUIRED 1/8 CONTIGUOUS PERMETER:	265.95 FEET
CONTIGUOUS SQUAREAGE:	1,595.72 FEET (100%)

GENERAL NOTES

- PER C.A.S. 26-91-106, "ALL LINEAL UNITS DERIVED ON THIS EQUALS 360/72 U.S. SURVEY FEET EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
- BEARINGS SHOWN HEREON ARE OMB BEARINGS DERIVED FROM GPS OBSERVATION BASED UPON THE COLORADO COORDINATE REFERENCE SYSTEM (NAD 83) WITH THE CENTER QUARTER CORNER OF SECTION 10, TOWNSHIP 1 SOUTH RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING THE POINT OF BEGINNING.
- PER THE STATE OF COLORADO BOARD OF LANDSHELF FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL SURVEYORS, THIS ANNEXATION MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE SURVEYOR AT THE TIME OF SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE. THE SURVEYOR HAS BEEN INFORMED BY THE OWNER BY DIRECT OBSERVATION AND BY REVIEW OF RECORDS THAT THE PROPERTY IS PRIVATELY OWNED AND IS BASED UPON HIS KNOWLEDGE, INFORMATION AND BELIEF.
- THIS ANNEXATION MAP HAS BEEN PREPARED FROM RECORD SHARED.

LEGEND

- ANNEXATION BOUNDARY
- SECTION LINE
- RECORDS PRESENT CITY OF BRIGHTON LANDS



PURPOSE AND INTENT

THE PURPOSE AND INTENT OF THE ANNEXATION MAP IS TO ANNEX THE PROPERTY INTO THE CITY OF BRIGHTON.

SURVEYOR'S CERTIFICATE

JAMES E. LYNCH, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE ANNEXATION MAP REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THE PLAT ACCURATELY REPRESENTS THE SURVEY AND THE INFORMATION THEREON. I HAVE REVIEWED THIS MAP AND DO NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FROM RECORDS THIS CERTIFICATE THAT AT LEAST ONE-SEVEN (1/7) OF THE PROPERTY IS PRIVATELY OWNED AND IS BASED UPON HIS KNOWLEDGE, INFORMATION AND BELIEF.



JAMES E. LYNCH
 COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, P.L.S. 37933
 500 EAST GEMERAL AVENUE, SUITE 100
 LITTLETON, CO. 80122
 (303) 715-1888
 (303) 715-1889
 NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION TO RECOVER SUCH BENEFIT IN NO EVENT LATER THAN TEN YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.

AZTEC CONSULTANTS, INC.
 3931 Via Verde, Suite 100, Littleton, CO 80120
 Phone: (303) 733-1318
 Fax: (303) 733-1319
 Email: info@aztecconsultants.com
 www.aztecconsultants.com

DATE OF PREPARATION	10/26/2022
SCALE	1"=40'
SHEET 1 OF 1	