

## RESOLUTION NO. 9-R-2000

### A RESOLUTION REGARDING THE LAKE RIDGE ANNEXATION NO. 3 HEARING ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE ANNEXATION.

WHEREAS, the Board of Trustees of the Town of Mead, Colorado, held a public hearing on Monday, June 12, 2000, pursuant to the published notice, on the petition of William E. Harper, 5425 WCR 32, Longmont, Colorado 80504, for the annexation of the following real property; to wit:

A PARCEL OF LAND LOCATED IN SECTIONS THIRTEEN, FOURTEEN, TWENTY-THREE, AND TWENTY-FOUR OF TOWNSHIP THREE NORTH, RANGE SIXTY-EIGHT WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD, COLORADO, as follows:

#### Findings of Fact.

**Section 1.** The applicant's petition is in substantial compliance with subsection (1) of C.R.S § 31-12-107. It contains the required allegations, the dated signatures of more than 50 % of the landowners of the property requested to be annexed exclusive of streets and alleys, the required affidavit of circulation, the required legal description of the area to be annexed, and the required annexation boundary map. As a petition of the owners of more than 50 % of the property to be annexed and a petition pursuant to C.R.S § 31-12-107 (2) was not filed at least 10 days prior to the hearing date set for the annexation petition filed pursuant to subsection (1) of C.R.S § 31-12-107, it is eligible for annexation by ordinance as provided by C.R.S. § 31-12-107 (1) (g). This finding was made and duly adopted by the Mead Board of Trustees in Ordinance No. 388, adopted on April 10, 2000.

- a. With respect to compliance with C.R.S. § 31-12-104, the Board of Trustees makes the following findings of fact:
  - i. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality.
  - ii. A community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality. The fact that the area proposed to be annexed has the required 1/6 th contiguity with the annexing municipality shall be a basis for a finding of compliance with these requirements.

- iii. Because the petition was signed by 100% of the owners of the property to be annexed, the standard contained in C.R.S. § 31-12-104 (1) (b) ( I ) does not invoke the exception contained in C.R.S. § 31-12-104 (1) (b).
  - iv. Because the petition was signed by 100% of the owners of the property to be annexed, the standard contained in C.R.S. § 31-12-104 (1) (b) ( II ) does not invoke the exception contained in C.R.S. § 31-12-104 (1) (b).
  - v. Because municipal water utilities are not requested and the Town has the ability to provide all other municipal services to the area to be annexed on the same terms and conditions as such services are made available to all of its citizens, the standard contained in C.R.S. § 31-12-104 (1) (b) ( III ) does not invoke the exception contained in C.R.S. § 31-12-104 (1) (b).
- b. With respect to compliance with C.R.S. § 31-12-105, the Board of Trustees makes the following findings of fact:
- i. No land held in identical ownership has been divided into separate parts or parcels without the written consent of the landowners thereof.
  - ii. No land held in identical ownership, whether consisting on one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty acres or more (which, together with the buildings and improvements situated thereon has a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year next preceding the annexation) is included in the proposed annexation without the written consent of the landowners.
  - iii. No land is proposed to be annexed for which annexation proceedings have been commenced for the annexation of part or all of such territory to another municipality.
  - iv. The proposed annexation will not result in the detachment of the area from any school district and the attachment of the same to another school district.
  - v. The proposed annexation will not have the effect of extending a municipality boundary more than three miles in any direction from any point of such municipal boundary in any one year.
  - vi. The proposed annexation is in conformance with the “Three Mile Annexation Plan” duly adopted by the Planning Commission of the Town of Mead on March 19, 1997.
  - vii. The proposed annexation will not result in the annexation of a portion of a platted street without the annexation of the entire width of the street.
  - viii. The municipality will not deny reasonable access to landowners, owner of an easement, or the owner of a franchise adjoining a platted street or alley which has

been annexed by the municipality but is not bounded on both sides by the municipality.

- c. With respect to compliance with C.R.S. § 31-12-107 (2), the Board of Trustees makes the following findings of fact:
  - i. A petition pursuant to C.R.S § 31-12-107 (2) was not filed at least 10 days prior to the hearing date set for the annexation petition filed pursuant to subsection (1) of C.R.S § 31-12-107, therefore the area is eligible for annexation by ordinance as provided by C.R.S. § 31-12-107 (1) (g).

**Section 2. Conclusions and Order Annexing a Parcel of Land Located in Sections Thirteen, Fourteen, Twenty-three, And Twenty-four of Township Three North, Range Sixty-eight West of The Sixth Principal Meridian, County of Weld, State of Colorado.**

- a. That the proposed Lake Ridge Annexation No. 3, annexation to the Town of Mead, Weld County, Colorado complies with the applicable sections of the Municipal Annexation Act of 1965.
- b. That the most appropriate zoning for the property shall be Single Family Residential and Multi-Family Senior Housing in Performance District PD-1.
- c. That a detailed Annexation Agreement shall be prepared and signed before the annexation process is completed.

INTRODUCED, READ, PASSED AND ADOPTED THIS 12<sup>th</sup> DAY OF June, 2000.

ATTEST:

TOWN OF MEAD

By Judy L. Hegwood  
Judy L. Hegwood, Town Clerk

By [Signature]  
Richard Kraemer, Mayor Pro-Tem

Exhibit A

LAKE RIDGE ANNEXATION NO. 3 TO THE TOWN OF MEAD

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTIONS THIRTEEN, FOURTEEN, TWENTY-THREE, AND TWENTY-FOUR OF TOWNSHIP THREE NORTH, RANGE SIXTY-EIGHT WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION THIRTEEN, TOWNSHIP THREE NORTH, RANGE SIXTY-EIGHT WEST OF THE SIXTH PRINCIPAL MERIDIAN, FROM WHENCE THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER BEARS S90°00'00"E, 166.20 FEET, AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO:

THENCE S00°00'00"E A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY OF WELD COUNTY ROAD NO. 32; THENCE ALONG SAID SOUTH RIGHT-OF-WAY, N90°00'00"W A DISTANCE OF 2500.53 FEET; THENCE N89°04'49"W A DISTANCE OF 2646.05 FEET; THENCE S00°01'43"W A DISTANCE OF 4.99 FEET; THENCE S89°51'07"W A DISTANCE OF 1215.42 FEET; THENCE S00°01'43"W A DISTANCE OF 8.00 FEET; THENCE N89°20'46"W A DISTANCE OF 1382.18 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 23, T3N, R68W 6TH P.M.; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY OF WELD COUNTY ROAD NO. 32, N88°35'47"E A DISTANCE OF 349.64 FEET; THENCE S89°53'26"E A DISTANCE OF 1441.44 FEET; THENCE N88°48'07"W A DISTANCE OF 1441.44 FEET; THENCE N72°47'47"W A DISTANCE OF 364.97 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 14, T3N, R68W 6TH P.M.; THENCE S89°32'52"E A DISTANCE OF 50.00 FEET; THENCE S76°33'15" E A DISTANCE OF 379.72 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF WELD COUNTY ROAD NO. 32; THENCE ALONG SAID NORTH RIGHT-OF-WAY, S89°20'46"E A DISTANCE OF 878.58 FEET; THENCE N00°01'43"E A DISTANCE OF 6.84 FEET; THENCE CONTINUING ALONG THE APPARENT NORTH RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 32, N89°51'07"E A DISTANCE OF 1298.51 FEET; THENCE N00°01'43"E A DISTANCE OF 5.00 FEET; THENCE S89°04'49"E A DISTANCE OF 2646.50 FEET; THENCE N90°00'00"E A DISTANCE OF 1139.70 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY, N00°00'00"E A DISTANCE OF 327.11 FEET; THENCE N90°00'00"E A DISTANCE OF 430.04 FEET; THENCE S63°00'00"E A DISTANCE OF 232.87 FEET; THENCE N78°00'00"E A DISTANCE OF 340.50 FEET; THENCE N00°00'00"E A DISTANCE OF 64.10 FEET; THENCE N88°00'00"E A DISTANCE OF 146.00 FEET; THENCE N68°00'00"E A DISTANCE OF 263.00 FEET; THENCE S00°00'00"E A DISTANCE OF 489.90 FEET TO THE POINT OF BEGINNING.

THUS DESCRIBED PARCEL OF LAND CONTAINS 19.994 ACRES OR 870925 SQUARE FEET, MORE OR LESS.