

CITY OF WHEAT RIDGE, COLORADO
Resolution No. 37
Series of 2010

TITLE: A RESOLUTION MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF TWO REMNANT PARCELS OF RIGHT-OF-WAY LOCATED IN THE EAST HALF OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO (CASE NO. ANX-10-02/CITY OF WHEAT RIDGE)

WHEREAS, the City Council of the City of Wheat Ridge, Colorado, has found a petition for annexation of the hereinafter described parcel of land to be in substantial compliance with the requirements of Section 31-12-107(1), Colorado Revised Statutes; and

WHEREAS, the City Clerk has provided notice of public hearing on the proposed annexation by publication once per week for four successive weeks and by certified mail to the Clerk of the Board of County Commissioners, the County Attorney, the school district and to any special district having territory in the area to be annexed; and

WHEREAS, the City Council has completed a public hearing to determine if the proposed annexation complies with Sections 31-12-104 and 105, Colorado Revised Statutes, to establish eligibility for annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO, AS FOLLOWS:

That the City Council hereby finds and concludes with regard to the annexation of the territory described in **Exhibit A** attached hereto and incorporated herein, that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the City; and therefore, because of such contiguity, a community of interest exists between the territory proposed to be annexed and the City; the territory proposed to be annexed is urban or will be urbanized in the near future, and that the territory proposed to be annexed is integrated or is capable of being integrated with the City; and

BE IT FURTHER RESOLVED:

That the City Council finds and determines that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; that

the annexation will not result in the detachment of area from a school district, that the annexation will not result in the extension of a municipal boundary more than three miles; that the City has in place a plan for said three mile area; and that in establishing the boundaries of the area to be annexed the entire width of any street or alley is included with the area annexed.

BE IT FURTHER RESOLVED:

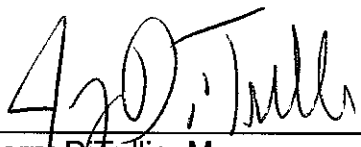
That an election is not required and no additional terms or conditions are to be imposed upon the area to be annexed.

RESOLVED AND PASSED by the City Council this 9th day of August, 2010.

For: _____

Against: _____

Abstain: _____

By: 

Jerry DiJulio, Mayor

ATTEST:



Michael Snow, City Clerk

EXHIBIT 'A'
CASE NO. ANX-10-02/50TH & KIPLING STREET
LEGAL DESCRIPTION

A portion of the Ridge Home Annexation, Recorded at Reception No. 85089854, consisting of Tracts 1, 2 and 4, as platted in Arvada Ridge, according to the Recorded plat thereof, and a portion of Kipling Street, located in the east half of Section 16, Township 3 South, Range 69 West of the 6th P.M., city of Arvada, County of Jefferson, State of Colorado, being described by the following two parcels:

Parcel 1: Tracts 1 and 2, Arvada Ridge, according to the recorded plat therefore, and a portion of Kipling Street, located in the east half of said Section 16, being described as follows:

Commencing at the east quarter corner of said Section 16, and considering the east line of the SE1/4 of said Section 16 to bear South 00°12'10" east, with all bearings contained herein, relative thereto; Thence along said East line, South 00°12'10" East, 287.00 feet to the northeast corner of said Tract 1, being on the boundary of said Ridge Home Annexation and the point of beginning; Thence along said Ridge Home Annexation boundary the following two courses:

(1) Along said east line of the SE1/4, South 00°12'10" East, 1010.94 feet to the Northwesternly line of the Public Service Company easement, as described in Colorado State Board of Land Commissioner's Book 10, R.O.W. No. 1049; (2) Thence along said Northwesternly line, South 73°52'54" West, 67.80 feet to the westerly corner of said Tract 2;

Thence departing said Ridge Home Annexation boundary, along the westerly boundary of said Tract 2 the following two courses:

(1) Along a non-tangent curve to the left having a delta of 71° 40'06", a Radius of 25.00 feet, an arc of 31.27 feet and a chord which bears north 38°02'51" east, 29.27 feet; (2) Then north 02°12'49" east, 306.77 feet to the East boundary of said Arvada Ridge;

Thence along said East boundary the following two courses:

(1) north 00° 14'00" west, 65.10 feet; (2) thence along a curve to the right having a delta of 02°58'17", a radius of 3859.70 feet, an arc of 200.16 feet and a chord which bears north 01°14'30" East, 200.14 feet to the southerly corner of said Tract 1;

Thence along the westerly boundary of said Tract 1 the following two courses:

(1) North 00°38'47" East, 346.85 feet; (2) Thence North 00°51'51" East, 90.01 feet to the northwest corner of said Tract 1;

Thence along the north line of said Tract 1, South 85°15'17" East, 22.40 feet to the point of beginning.

The above described parcel contains 0.76 acres, more or less.

Parcel 2: Tract 4, Arvada Ridge, according to the recorded plat thereof, Jefferson County, Colorado.

The above described tract contains 0.03 acres, more or less.