RESOLUTION NO. 16-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, ACCEPTING AN ANNEXATION PETITION, MAKING CERTAIN FINDINGS OF FACT, FINDING SUBSTANTIAL COMPLIANCE FOR SUCH PETITION, AND SETTING A PUBLIC HEARING FOR PROPERTY KNOWN AS THE SAGE VILLAGE PROPERTIES, LLC ANNEXATION

WHEREAS, the City Council of the City of Castle Pines, Colorado has received and examined the filings and the Petition for Annexation requesting the annexation of certain real estate more fully described in said petition and in **Exhibit 1** ("Sage Village Properties Annexation"), which exhibit is attached to this Resolution and is incorporated herein by reference (the "Property"); and

WHEREAS, the Property includes certain property owned by Sage Village Properties, LLC, together with certain public rights-of-way as more particularly described in the Petition for Annexation; and

WHEREAS, said Petition for Annexation has been filed of record with the City Clerk of the City of Castle Pines, State of Colorado, and

WHEREAS, the City Council finds as follows:

1. That the Petition contains the following:

   (a) An allegation that the requirements of C.R.S. §§ 31-12-104 and 31-12-105 exist or are met.

   (b) An allegation that the Petitioner comprises one hundred percent (100%) of the landowners of the area proposed to be annexed and owns one hundred percent (100%) of the area proposed to be annexed, exclusive of public streets and alleys and any land owned by the City of Castle Pines.

   (c) A request that the City of Castle Pines approve the annexation of the Property.

   (d) The signature of the landowner that executed the petition.

   (e) The mailing address of the landowner.

   (f) The legal description of the Property and a legal description of the specific real property owned by the Petitioner, being Sage Village Properties, LLC, a Colorado limited liability company.

   (g) The date that the landowner executed the petition.

(h) The affidavit of the petition circulator; stating that the signature of the landowner therein is the signature of the person whose name it purports to be.

2. That four (4) copies of the annexation map corresponding to the Property have been submitted to the City with the Petition, and that the annexation map contains the following information:

(a) A written legal description of the boundaries of the Property proposed to be annexed.

(b) A map showing the boundary of the Property proposed to be annexed.

(c) Within the map, the boundaries and the plat numbers of plots or of lots and blocks.

(d) Next to the boundary of the Property proposed to be annexed is drawn the contiguous boundary of the City of Castle Pines.

3. That no signature on the Petition is dated more than one hundred eighty (180) days prior to the date of filing of the Petitions for Annexation with the City Clerk of the City of Castle Pines, State of Colorado.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THAT:

Section 1. That the foregoing recitals and findings are incorporated herein as findings and conclusions of the City Council.

Section 2. That the Petition for Annexation to the City of Castle Pines of the Property commonly referred to as the "Sage Village Properties Annexation", which Petition was officially filed of record with the City Clerk of the City of Castle Pines on or about February 1, 2016, substantially comply with the requirements of C.R.S. § 31-12-107(1).

Section 3. No election is required under C.R.S. § 31-12-107(2).

Section 4. No additional terms and conditions are to be imposed except as provided in the Petition for Annexation and in any annexation agreement which may be entered into by and between the City of Castle Pines and the Petitioner, which are not to be considered additional terms and conditions within the meaning of §31-12-112, C.R.S.

Section 5. That a public hearing shall be held on Tuesday, the 12th day of April, 2016, at 6:00 p.m. at the CPN Community Center, 7404 Yorkshire Drive, Castle Pines, Colorado or at 360 Village Square Lane, Castle Pines, Colorado, for the purpose of determining and finding whether the proposed annexation complies with section 30 of article II of the Colorado Constitution and the applicable provisions of C.R.S. §§ 31-12-104 and 31-12-105.

Section 6. Any person may appear at such hearing and present evidence pertaining to the eligibility of the proposed annexation of the Property to the City of Castle Pines.

Section 7. The City Clerk shall provide notice of the April 12th public hearing in accordance with the requirements of C.R.S. §31-12-108(2), C.R.S. Notice of the public hearing shall notify the public that the public hearing may be held at 7404 Yorkshire Drive or at 360 Village Square Lane in Castle Pines, Colorado (location of hearing dependent on the issuance of the certificate of occupancy for the new Castle Pines Library), and shall advise members of the public to check the City's website at http://www.castlepinesgov.com/ or call the City at (303) 705-0226 in order to confirm the location of the April 12th public hearing.

Section 8. **Effective Date**. This Resolution shall take effect on Monday, February 15, 2016 at 12:00 noon.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES by a vote of 5 in favor and 2 against this 9th day of February, 2016.

CITY OF CASTLE PINES CORPORATE SEAL 2008 COLORADO

Jeffrey T. Huff, Mayor

ATTEST:

Sharon Washington, CMC, City Clerk

APPROVED AS TO FORM:

Linda C. Michow, City Attorney

Exhibit 1

Annexation Parcel Description

A tract of land situated in the Northeast ¼ of Section 3, Township 7 South, Range 67 West of the 6th Principal Meridian, Douglas County Colorado, more particularly described as follows:
Commencing at the West ¼ corner of Section 3 and considering the South line of the North ½ of Section 3 to bear S 89°46'20"E with all bearings contained herein relative thereto;
Thence S 89°46'20"E along said South line a distance of 3047.14 feet to the Southeast corner of Tract C, Charter Oaks (Reception No. 261854);
Thence N 00°37'13"W along the boundary of Charter Oaks a distance of 368.58 feet;
Thence S 86°29'43"E along said boundary a distance of 153.06 feet; Thence N 03°30'17"E along said boundary a distance of 70.00 feet to the Southeast corner of Tract E, Charter Oaks and to the True Point of Beginning;
Thence N 15°22'47"E along the East boundary of Tract E a distance of 292.40 feet to the Northeast corner of Tract E;
Thence N 89°22'47"E a distance of 52.01 feet to the West boundary of Lot 22, Block 1, Beverly Hills Estates Filing No. 1;
Thence N 15°22'47"E a distance of 72.92 feet to the Northwest corner of Lot 22, Block 1;
Thence S 74°37'13"E a distance of 265.10 feet to the Northeast corner of Lot 22, Block 1;
Thence S 15°27'17"W a distance of 277.50 feet to the Southeast corner of Lot 24, Block 1;
Thence S 87°23'49"W along the South line of Lot 24, Block 1 and the Westerly extension thereof a distance of 330.90 feet to the Point of Beginning;
Containing 2.28 acres, more or less.