

ORDINANCE NO. 09-15

INTRODUCED BY:

Councilperson Clark

Councilperson Neely

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES NORTH, COLORADO
ANNEXING CERTAIN TERRITORY TO THE CITY OF CASTLE PINES
NORTH KNOWN AS CANYONS NORTH ANNEXATION NO. 2**

WHEREAS, the City Council of the City of Castle Pines North, Colorado (the "City"), received a Petition for Annexation ("Petition") and annexation map of certain real property known as The Canyons North Annexation No. 2, as more fully described in the attached **Exhibit A** (the "Property"), said Petition having heretofore been filed with the City Clerk of the City; and

WHEREAS, on April 23, 2009, the City Council found said Petition to be in substantial compliance with § 31-12-107(1), C.R.S., and set a public hearing pursuant to § 31-12-108(1), C.R.S., to determine whether the proposed annexation complied with the applicable parts of §§ 31-12-104 and 31-12-105, C.R.S., as required to establish the Property's eligibility for annexation; and

WHEREAS, following notice of public hearing given as required by § 31-12-108(2), C.R.S., the City Council held a public hearing on such eligibility for annexation in accordance with the requirements of §§ 31-12-108 and 31-12-109, C.R.S., as applicable; and

WHEREAS, in conformance with § 31-12-110, C.R.S., and at the conclusion of the public hearing, the City Council adopted Resolution No. 09-53 finding that the Property is eligible for annexation; and

WHEREAS, having made such determination of eligibility for annexation, the City Council finds that it is in the best interests of the City to annex the Property to the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines North, Colorado:

Section 1. The recitals contained herein above and the findings and determinations set forth in Resolution No. 09-53 are incorporated herein by reference.

Section 2. The Property as described herein is hereby annexed to and included within the corporate limits of the City of Castle Pines North, Colorado, in accordance with law.

Section 3. The City Council hereby directs staff to complete all necessary procedures required for annexation of said Property to the City including: (1) filing for recording three certified copies of this Annexation Ordinance and a map of the annexed Property containing a

legal description of the Property annexed hereby ("Annexation Map") with the Douglas County Clerk and Recorder, and (2) filing the original of this Annexation Ordinance together with a copy of the Annexation Map with the City Clerk of the City of Castle Pines North, Colorado.

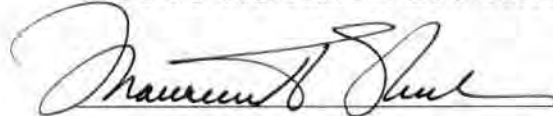
Section 4. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this Ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND PASSED, ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO the 27th day August, 2009.

READ, AND PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO the 22nd day of October, 2009.

CITY OF CASTLE PINES NORTH:



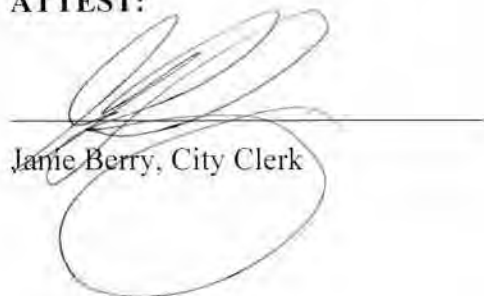
Maureen A. Shul, Mayor

Approved as to form:



Linda C. Michow, City Attorney


ATTEST:


Jamie Berry, City Clerk

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a regular meeting of the Castle Pines North City Council on August 27, 2009; published in full in the *Douglas County News-Press*; and finally passed and adopted by the City Council on October 22, 2009, following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on November 5, 2009.

ATTEST:



Janie Berry, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN A PORTION OF SECTIONS 1, 2, 11 AND 14, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, AND BEING A PORTION OF THOSE PARCELS OF LAND OF RECORD AT RECEPTION NUMBER 2006073538, RECORDS OF THE RECORDER'S OFFICE, DOUGLAS COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, MONUMENTED AT THE WEST ONE-QUARTER OF SAID SECTION 13 BY A RECOVERED AND ACCEPTED 2 INCH ALUMINUM CAP STAMPED "RMC, T7S, R67W, 1/4, S14/S13, 2002, PLS 23515" AND MONUMENTED AT THE NORTHWEST CORNER OF SAID SECTION 13 BY A RECOVERED AND ACCEPTED 2 INCH ALUMINUM CAP STAMPED "RMC, T7S, R67W, S11/S12/S14/S13, 2002, PLS 23515" WITH THE LINE CONSIDERED TO BEAR N00°06'11"W, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE S89°54'53"W ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 2672.88 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 11;

THENCE S89°54'53"W ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 14, A DISTANCE OF 1169.50 FEET TO THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 14;

THENCE S01°05'10"E ALONG THE EAST LINE OF SAID WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 14, A DISTANCE OF 675.92 FEET TO THE SOUTHEAST CORNER OF SAID WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 14;

THENCE S89°48'36"W ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 14, A DISTANCE OF 1494.10 FEET TO THE SOUTHWEST CORNER OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 14;

THENCE N01°53'13"W ALONG THE WEST LINE OF SAID NORTH ONE-HALF OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 14, A DISTANCE OF 678.88 FEET TO THE NORTHWEST CORNER OF SAID SECTION 14, ALSO BEING THE SOUTHWEST CORNER OF THAT PARCEL OF LAND OF RECORD IN BOOK 157 AT PAGE 30;

THENCE N89°54'53"E ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 11 AND ALSO BEING THE SOUTH LINE OF SAID PARCEL OF RECORD IN BOOK 157 AT PAGE 30, A DISTANCE OF 288.40 FEET;

THENCE N33°31'38"W ALONG THE EAST LINE OF SAID PARCEL OF RECORD IN BOOK 157 AT PAGE 30, A DISTANCE OF 525.50 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 11;

THENCE N00°14'30"W ALONG SAID WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 11, A DISTANCE OF 2172.89 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 11;

THENCE N00°14'21"W ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 2611.09 FEET TO THE NORTH WEST CORNER OF SAID SECTION 11;

THENCE S89°54'38"E ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 300.00 FEET;

THENCE N00°06'33"W ALONG A LINE 300.00 FEET EAST OF AND PARALLEL TO (AS MEASURED AT RIGHT ANGLES) THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 2587.81 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 2;

THENCE N00°07'46"W ALONG A LINE 300.00 FEET EAST OF AND PARALLEL TO (AS MEASURED AT RIGHT ANGLES) THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 1288.05 FEET TO A POINT ON THE SOUTH LINE OF GOVERNMENT LOT 2 OF SAID NORTHWEST ONE-QUARTER OF SECTION 2;

THENCE N89°40'49"E ALONG SAID SOUTH LINE OF GOVERNMENT LOT 2 OF SAID NORTHWEST ONE-QUARTER OF SECTION 2, A DISTANCE OF 2374.49 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2 OF THE NORTHWEST ONE-QUARTER OF SECTION 2;

THENCE N00°09'47"W ALONG THE EAST LINE OF SAID GOVERNMENT LOT 2 OF THE NORTHWEST ONE-QUARTER OF SECTION 2, A DISTANCE OF 1314.50 FEET TO THE NORTH ONE-QUARTER CORNER OF SECTION 2;

THENCE N89°12'20"E ALONG THE NORTH LINE OF GOVERNMENT LOT 1 OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 2250.99 FEET TO A POINT ON "PARCEL 1 REVISED" AS SHOWN ON THE "ORDER FOR IMMEDIATE POSSESSION", DISTRICT COURT, DOUGLAS COUNTY, STATE OF COLORADO CASE NUMBER 08-CV-1689 OF RECORD AT RECEPTION NUMBER 2008057654;

THENCE THE FOLLOWING FIFTY-FIVE (55) COURSES ALONG THE WESTERLY, SOUTHERLY AND EASTERLY BOUNDARY LINES OF SAID "PARCEL 1 REVISED";

1. S32°36'41"W, A DISTANCE OF 45.64 FEET;
2. S45°50'00"W, A DISTANCE OF 120.00 FEET;
3. S22°42'21"E, A DISTANCE OF 180.00 FEET;
4. S39°20'25"W, A DISTANCE OF 100.00 FEET;
5. N31°50'22"W, A DISTANCE OF 185.00 FEET;
6. N86°43'27"W, A DISTANCE OF 120.00 FEET;
7. S77°39'47"W, A DISTANCE OF 350.00 FEET;

8. N34°14'40"W, A DISTANCE OF 100.00 FEET;
9. N67°07'22"W, A DISTANCE OF 220.00 FEET;
10. S64°32'16"W, A DISTANCE OF 150.00 FEET;
11. S17°27'33"E, A DISTANCE OF 275.00 FEET;
12. S52°33'17"E, A DISTANCE OF 250.00 FEET;
13. S57°06'30"W, A DISTANCE OF 455.00 FEET;
14. S85°32'06"W, A DISTANCE OF 262.45 FEET;
15. S71°09'56"W, A DISTANCE OF 135.00 FEET;
16. N78°50'43"W, A DISTANCE OF 140.00 FEET;
17. S71°21'21"W, A DISTANCE OF 240.00 FEET;
18. S49°49'00"W, A DISTANCE OF 170.00 FEET;
19. S68°30'42"W, A DISTANCE OF 86.02 FEET;
20. S05°50'35"W, A DISTANCE OF 156.25 FEET;
21. S79°17'18"E, A DISTANCE OF 231.62 FEET;
22. S70°32'06"E, A DISTANCE OF 195.00 FEET;
23. S69°10'13"E, A DISTANCE OF 430.00 FEET;
24. S18°59'23"W, A DISTANCE OF 345.00 FEET;
25. S82°28'32"W, A DISTANCE OF 110.00 FEET;
26. S33°56'15"W, A DISTANCE OF 150.00 FEET;
27. S31°25'01"E, A DISTANCE OF 155.00 FEET;
28. S19°43'30"W, A DISTANCE OF 235.00 FEET;
29. S12°31'11"W, A DISTANCE OF 310.00 FEET;
30. S02°42'25"E, A DISTANCE OF 225.00 FEET;
31. S13°07'44"W, A DISTANCE OF 260.00 FEET;
32. S08°24'12"W, A DISTANCE OF 135.00 FEET;
33. S06°05'13"W, A DISTANCE OF 250.00 FEET;

- 34. S20°48'29"W, A DISTANCE OF 170.00 FEET;
 - 35. S39°21'53"W, A DISTANCE OF 221.31 FEET;
 - 36. S18°44'17"E, A DISTANCE OF 296.54 FEET;
 - 37. N67°10'35"E, A DISTANCE OF 278.16 FEET;
 - 38. N06°45'01"E, A DISTANCE OF 133.08 FEET;
 - 39. N46°05'31"E, A DISTANCE OF 91.67 FEET;
 - 40. N63°36'35"E, A DISTANCE OF 222.60 FEET;
 - 41. N20°28'12"E, A DISTANCE OF 240.39 FEET;
 - 42. N30°38'19"E, A DISTANCE OF 61.62 FEET;
 - 43. N24°59'03"E, A DISTANCE OF 115.00 FEET;
 - 44. N13°13'20"E, A DISTANCE OF 140.00 FEET;
 - 45. N82°45'32"E, A DISTANCE OF 130.00 FEET;
 - 46. N37°25'06"E, A DISTANCE OF 145.00 FEET;
 - 47. N52°50'09"W, A DISTANCE OF 150.00 FEET;
 - 48. N37°45'39"E, A DISTANCE OF 470.00 FEET;
 - 49. S81°39'48"E, A DISTANCE OF 150.00 FEET;
 - 50. N22°03'27"E, A DISTANCE OF 520.00 FEET;
 - 51. N35°41'01"E, A DISTANCE OF 315.00 FEET;
 - 52. N22°11'16"E, A DISTANCE OF 305.00 FEET;
 - 53. N57°52'06"E, A DISTANCE OF 325.00 FEET;
 - 54. S43°52'31"E, A DISTANCE OF 190.00 FEET;
 - 55. N61°52'03"E, A DISTANCE OF 157.02 FEET TO A POINT ON THE WEST LINE OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 1 AS SHOWN ON SAID "ORDER FOR IMMEDIATE POSSESSION", DISTRICT COURT, DOUGLAS COUNTY, STATE OF COLORADO CASE NUMBER 08-CV-1689 OF RECORD AT RECEPTION NUMBER 2008057654;
- THENCE S01°07'38"E ALONG SAID WEST LINE OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 1 A DISTANCE OF 1161.23 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 1;

THENCE N89°15'37"E ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1, A DISTANCE OF 1034.67 FEET TO A POINT ON "PARCEL 3 REVISED" AS SHOWN ON THE "ORDER FOR IMMEDIATE POSSESSION", DISTRICT COURT, DOUGLAS COUNTY, STATE OF COLORADO CASE NUMBER 08-CV-1689 OF RECORD AT RECEPTION NUMBER 2008057654;

THENCE THE FOLLOWING FORTY-TWO (42) COURSES ALONG THE WESTERLY, SOUTHERLY AND EASTERLY BOUNDARY LINES OF SAID "PARCEL 3 REVISED" OF RECORD AT RECEPTION NO. 2008057654;

1. S08°14'06"E, A DISTANCE OF 8.23 FEET;
2. S58°33'35"E, A DISTANCE OF 249.77 FEET;
3. S34°15'30"E, A DISTANCE OF 212.57 FEET;
4. S10°33'16"W, A DISTANCE OF 72.81 FEET;
5. S64°46'21"W, A DISTANCE OF 52.38 FEET;
6. N71°12'30"W, A DISTANCE OF 60.75 FEET;
7. S60°16'11"W, A DISTANCE OF 13.65 FEET;
8. S20°59'07"E, A DISTANCE OF 27.19 FEET;
9. S25°18'29"W, A DISTANCE OF 131.41 FEET;
10. S54°40'50"W, A DISTANCE OF 99.61 FEET;
11. S20°27'19"W, A DISTANCE OF 154.05 FEET;
12. S34°55'08"E, A DISTANCE OF 44.79 FEET;
13. N48°28'08"E, A DISTANCE OF 324.71 FEET;
14. S63°35'16"E, A DISTANCE OF 157.44 FEET;
15. S18°22'50"E, A DISTANCE OF 324.38 FEET;
16. S53°50'19"W, A DISTANCE OF 270.57 FEET;
17. S03°46'27"W, A DISTANCE OF 54.35 FEET;
18. N88°42'25"E, A DISTANCE OF 318.12 FEET;
19. S04°58'23"W, A DISTANCE OF 195.15 FEET;
20. S18°07'17"E, A DISTANCE OF 196.02 FEET;
21. S23°40'10"W, A DISTANCE OF 63.75 FEET;
22. S12°57'56"E, A DISTANCE OF 284.56 FEET;

23. S34°31'45"E, A DISTANCE OF 185.55 FEET;
24. S50°33'04"W, A DISTANCE OF 292.34 FEET;
25. S59°03'06"E, A DISTANCE OF 84.73 FEET;
26. N86°27'51"E, A DISTANCE OF 321.36 FEET;
27. S45°46'02"E, A DISTANCE OF 117.99 FEET;
28. S51°01'02"E, A DISTANCE OF 205.89 FEET;
29. N66°18'35"E, A DISTANCE OF 36.11 FEET;
30. N35°47'25"W, A DISTANCE OF 360.50 FEET;
31. N03°11'24"E, A DISTANCE OF 476.66 FEET;
32. N78°08'52"E, A DISTANCE OF 164.52 FEET;
33. N21°10'36"E, A DISTANCE OF 230.00 FEET;
34. N05°44'33"W, A DISTANCE OF 150.00 FEET;
35. N30°52'07"W, A DISTANCE OF 220.00 FEET;
36. N15°53'23"W, A DISTANCE OF 380.00 FEET;
37. N13°00'17"E, A DISTANCE OF 150.00 FEET;
38. N62°58'34"E, A DISTANCE OF 225.00 FEET;
39. N01°56'09"W, A DISTANCE OF 140.00 FEET;
40. N76°04'17"W, A DISTANCE OF 160.00 FEET;
41. N14°23'15"E, A DISTANCE OF 170.00 FEET;
42. N31°35'48"E, A DISTANCE OF 150.73 FEET TO A POINT ON SAID NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 1;

THENCE N89°15'37"E ALONG SAID NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1, A DISTANCE OF 295.62 FEET TO THE CENTER ONE-QUARTER CORNER OF SAID SECTION 1;

THENCE S00°17'45"E ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1, A DISTANCE OF 2638.43 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 1;

THENCE S89°55'16"W ALONG THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 1, A DISTANCE OF 2620.55 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 1;

THENCE S00°08'08"E ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 2602.89 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 11;

THENCE S00°07'37"E ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 11, A DISTANCE OF 2602.89 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 52,736,354 SQUARE FEET OR 1,210.660 ACRES, MORE OR LESS.