

Councilperson Hoffman

Councilperson Neely

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF CASTLE PINES NORTH, 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 CANYONS NORTH ANNEXATION NO. 1**

WHEREAS, the City Council of the City of Castle Pines North, Colorado has received and examined the filings and the Petition for Annexation of certain real estate more fully described in said petition and in Exhibit A attached hereto (the "Property"); said petition having heretofore been filed with the City Clerk of the City of Castle Pines North, State of Colorado, and FINDS AS FOLLOWS:

1. That such petition contains the following:
  - (a) An allegation that the requirements of §§31-12-104 and 31-12-105 C.R.S. exist or are met.
  - (b) An allegation that the signers of the petition comprise the landowners of more than fifty percent of the territory included in the Property proposed to be annexed, exclusive of streets and alleys.
  - (c) A request that the City of Castle Pines North approve the annexation of the Property.
  - (d) The signature of such landowners.
  - (e) The mailing address of such signers.
  - (f) The legal description of the land owned by such signers.
  - (g) The date of signing of each signature.
  - (h) The affidavits of the circulators of the petition; stating that each signature therein is the signature of the person whose name it purports to be.
  
2. That accompanying such petition have been filed four copies of an annexation map containing 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) Next to the boundary of the Property proposed to be annexed is drawn the contiguous boundary of the City of Castle Pines North, and that the dimensions of the contiguous boundary are shown on the map.

3. That no signatures on the petition are dated more than 180 days prior to the date of filing of the Petition for Annexation with the City Clerk of the City of Castle Pines North, State of Colorado.
4. That on its face, the petition is in substantial compliance with §31-12-107(1) C.R.S.

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

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 North of the Property substantially complies with the requirements of §31-12-107(1) C.R.S.

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

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

Section 5. Pursuant to §31-12-115, C.R.S., the City of Castle Pines North may institute the procedure outlined in state statutes to make the Property subject to zoning.

Section 6. That a public hearing shall be held on the 11<sup>th</sup> day of June, 2009 at 7:00 p.m. at Castle Pines North Community Center, 7404 Yorkshire Drive, in the City of Castle Pines North for the purpose of determining and finding whether the Property proposed to be annexed meets the applicable requirements of §§31-12-104 and 31-12-105 C.R.S. and is considered eligible for annexation under the terms of §31-12-108(1) C.R.S.

Section 7. Any person may appear at such hearing and present evidence relative to the eligibility of the proposed annexation.

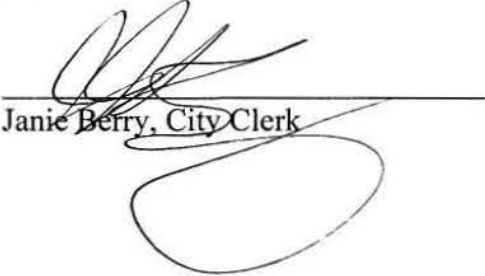
Section 8. This resolution shall be effective immediately upon approval by the City Council.

INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH by a vote of six (6) in favor and none against this 23<sup>rd</sup> day of April, 2009.



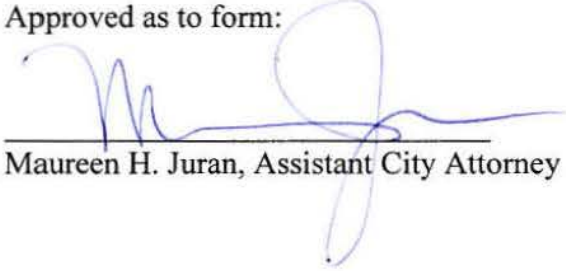
Maureen A. Shul, Mayor

ATTEST:



Janie Berry, City Clerk

Approved as to form:



Maureen H. Juran, Assistant City Attorney

**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE PROPERTY**

A PARCEL OF LAND LOCATED IN PORTIONS OF THE WEST ONE-HALF OF SECTION 2, THE EAST ONE-HALF OF SECTION 3, THE EAST ONE-HALF OF SECTION 10 AND THE NORTHEAST ONE-QUARTER OF SECTION 15, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, AND BEING A PORTION OF THOSE PARCELS OF LAND OF RECORD AT RECEPTION NUMBER 2006073538 AND IN BOOK 471 AT PAGE 536, 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 6<sup>TH</sup> 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.

**COMMENCING** AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN;

THENCE N64°04'52"W ACROSS SECTION 11, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN A DISTANCE OF 5956.12 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 10 AND THE **POINT OF BEGINNING**;

THENCE S00°14'30"E ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 10, A DISTANCE OF 2611.39 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 10;

THENCE S01°53'13"E ALONG THE EAST LINE OF THE NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 15, A DISTANCE OF 678.88 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF HAPPY CANYON FILING NO. 3 OF RECORD AT RECEPTION NO. 117522 AND BEING THE SOUTHEAST CORNER OF NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 15;

THENCE N89°20'06"W ALONG SAID NORTHERLY BOUNDARY LINE OF HAPPY CANYON FILING NO. 3, AND ALONG THE SOUTH LINE OF SAID NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 15, A DISTANCE OF 1306.50 FEET TO THE SOUTHWEST CORNER OF SAID NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 15;

THENCE N01°02'28"W ALONG THE WEST LINE OF SAID NORTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 15 AND ALONG THE EAST BOUNDARY LINE OF HAPPY CANYON FILING NO. 1, SECOND AMENDMENT OF RECORD AT RECEPTION NO. 9014294, A DISTANCE OF 674.06 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 15;

THENCE N89°31'53"W ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 15, A DISTANCE OF 5.81 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE U.S. INTERSTATE No. 25 CORRIDOR;

THENCE THE FOLLOWING TWENTY-THREE (23) COURSES ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF THE U.S. INTERSTATE No. 25 CORRIDOR:

1. N02°06'30"E, A DISTANCE OF 89.03 FEET;
2. N87°53'30"W, A DISTANCE OF 200.00 FEET;
3. N80°46'00"W, A DISTANCE OF 403.10 FEET;
4. N12°22'00"W, A DISTANCE OF 694.62 FEET;
5. N15°42'55"E, A DISTANCE OF 286.49 FEET;
6. N13°10'36"E, A DISTANCE OF 219.82 FEET;
7. N64°02'52"W, A DISTANCE OF 145.35 FEET;
8. N02°06'30"E, A DISTANCE OF 369.49 FEET TO A POINT OF CURVATURE;
9. ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 11360.00 FEET, A CENTRAL ANGLE OF 05°02'00", A DISTANCE OF 997.96 FEET TO A POINT OF TANGENCY;
10. N07°08'30"E, A DISTANCE OF 1478.18 FEET;
11. N17°30'02"E, A DISTANCE OF 119.03 FEET;
12. N36°16'28"E, A DISTANCE OF 78.57 FEET;
13. N75°42'58"E, A DISTANCE OF 52.95 FEET;
14. N38°27'09"E, A DISTANCE OF 78.12 FEET;
15. N36°39'22"W, A DISTANCE OF 38.26 FEET;
16. N60°50'11"W, A DISTANCE OF 62.80 FEET;
17. N26°07'43"W, A DISTANCE OF 72.63 FEET;
18. N07°08'30"E, A DISTANCE OF 540.25 FEET;
19. S83°30'59"E, A DISTANCE OF 299.66 FEET;
20. N48°16'26"E, A DISTANCE OF 114.63 FEET;
21. N24°38'27"W, A DISTANCE OF 293.06 FEET;
22. N52°10'54"W, A DISTANCE OF 256.60 FEET;
23. N07°08'30"E, A DISTANCE OF 482.14 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 1 OF RECORD AT RECEPTION NO. 2003135860;

THENCE THE FOLLOWING FOUR (4) COURSES ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL 1 OF RECORD AT RECEPTION NO. 2003135860:

1. N26°01'01"E, A DISTANCE OF 411.99 FEET;
2. N07°09'27"E, A DISTANCE OF 185.00 FEET TO A POINT OF CURVATURE;

3. ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF 40°39'11", A DISTANCE OF 567.62 FEET TO A POINT OF TANGENCY;
4. N47°48'38"E, A DISTANCE OF 651.62 TO THE SOUTHEAST CORNER OF PARCEL 2 OF RECORD AT RECEPTION NO. 2003135858;

THENCE N31°53'34"E ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL 2 OF RECORD AT RECEPTION NO. 2003135858 A DISTANCE OF 399.07 FEET TO A POINT ON A NON-TANGENT CURVE AT THE SOUTHWESTERLY CORNER OF PARCEL 2B OF RECORD AT RECEPTION NUMBER 2003135858;

THENCE THE FOLLOWING TWO (2) COURSES ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL 2B;

1. ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S21°27'40"W, HAVING A RADIUS OF 1920.00 FEET, A CENTRAL ANGLE OF 05°53'33", A DISTANCE OF 197.46 FEET TO A POINT OF TANGENCY;
2. S62°38'47"E, A DISTANCE OF 171.27 FEET TO THE SOUTHWESTERLY CORNER OF PARCEL 1A OF RECORD AT RECEPTION NUMBER 2003135860;

THENCE THE FOLLOWING TWO (2) COURSES ALONG THE SOUTHERLY AND EASTERLY BOUNDARY LINE OF SAID PARCEL 1A:

1. S62°38'47"E, A DISTANCE OF 191.88 FEET;
2. N27°21'13"E, A DISTANCE OF 160.00 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL 1A, ALSO BEING THE SOUTHEASTERLY CORNER OF SAID PARCEL 2B OF RECORD AT RECEPTION NUMBER 2003135858;

THENCE THE FOLLOWING FOUR (4) COURSES ALONG THE NORTHERLY AND EASTERLY BOUNDARY LINE OF SAID PARCEL 2B;

1. N62°38'47"W, A DISTANCE OF 363.16 FEET TO A POINT OF CURVATURE;
2. ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2080.00 FEET, A CENTRAL ANGLE OF 00°11'07", A DISTANCE OF 6.73 FEET TO A POINT ON A NON-TANGENT CURVE;
3. ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N67°25'02"W, HAVING A RADIUS OF 580.00 FEET, A CENTRAL ANGLE OF 49°35'58", A DISTANCE OF 502.09 FEET TO A POINT OF TANGENCY;
4. N27°01'00"W, A DISTANCE OF 709.99 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 3;

THENCE S89°46'20"E ALONG SAID NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 3, A DISTANCE OF 422.92 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 3;

THENCE N89°40'49"E ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 300.00 FEET;

THENCE S00°07'46"E, 300.00 FEET EASTERLY OF AND PARALLEL TO (AS MEASURED AT RIGHT ANGLES) THE WEST LINE OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 2, A DISTANCE OF 1288.05 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 2;

THENCE S00°06'33"E, 300.00 FEET EASTERLY 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 SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 2;

THENCE N89°54'38"W ALONG SAID SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 2, A DISTANCE OF 300.00 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 2;

THENCE S00°14'21"E ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 10, A DISTANCE OF 2611.09 FEET TO THE **POINT OF BEGINNING**,

CONTAINING A CALCULATED AREA OF 14,979,542 SQUARE FEET OR 343.883 ACRES, MORE OR LESS.