

RESOLUTION NO. 2018-05

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR AN ANNEXATION PETITION FILED WITH THE TOWN OF KEENESBURG, COLORADO, KNOWN AS THE ERGER ANNEXATION TO THE TOWN OF KEENESBURG, AND SETTING A PUBLIC HEARING THEREON.

WHEREAS, a petition for annexation of certain property to be known as the **Erger Annexation** has been filed with the Town Clerk of the Town of Keenesburg, Colorado, and referred to the Board of Trustees of the Town for a determination of substantial compliance with applicable law; and

WHEREAS, the Board of Trustees wishes to permit simultaneous consideration of the subject property for annexation and zoning, if requested in the petition; and

WHEREAS, the Board of Trustees has reviewed the petition and desires to adopt by this resolution its findings with regard to the petition.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:

Section 1. The petition, the legal descriptions for which are set forth in Exhibit A attached hereto and incorporated herein by reference, is in substantial compliance with the applicable laws of the State of Colorado.

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

Section 3. No additional terms and conditions are to be imposed except any provided for in the petitions.

Section 4. The Board of Trustees will hold a public hearing for the purpose of determining if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105, and will hold a public hearing to determine the appropriate zoning of the subject property, if requested in the petition, at the Keenesburg Town Hall, 140 S. Main, Keenesburg, Colorado 80643, on **Monday, March 19, 2018 at 6:00 P.M.**

Section 5. Any person may appear at such hearing and present evidence relative to the proposed annexation, or the proposed zoning if requested in the petitions.

Section 6. Upon completion of the hearing, the Board of Trustees will set forth, by resolution, its findings and conclusions with reference to the eligibility of the proposed annexation, and whether the statutory requirements for the proposed annexation have been met, and further, will determine the appropriate zoning of the subject property if requested in the petitions.

Section 7. If the Board of Trustees concludes, by resolution, that all statutory requirements have been met and that the proposed annexation is proper under the laws of the State of Colorado, the Board of Trustees may pass one or more ordinances annexing the subject property to the Town of Keenesburg, and will pass one or more ordinances zoning the subject property if requested in the petitions.

INTRODUCED, READ, and ADOPTED this 5th day of February, 2018.

Ken Gfeller, Mayor

ATTEST:

Toni Pearl, Town Clerk

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**EXHIBIT A
LEGAL DESCRIPTION**

EXHIBIT A

DESCRIPTION – ANNEXATION NO. 1

A PARCEL LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 23 AND THE NORTHWEST ONE-QUARTER OF SECTION 26, TOWNSHIP 02 NORTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 23 BEING A 3.25 INCH ALUMINUM CAP MARKED PLS 37971, THENCE NORTH 89°26'14" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 660.28 FEET, MORE OR LESS TO THE SOUTHERNMOST SOUTHWEST CORNER OF LOT B, RECORDED EXEMPTION NO. 1305-23-3-RE1979 ACCORDING TO THE MAP OR PLAT THEREOF FILED FOR RECORD IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT RECEPTION NO. 2540139 AND THE **POINT OF BEGINNING**;

THENCE OVER AND ACROSS SAID LOT B THE FOLLOWING TWO (2) COURSES AND DISTANCES;

1. NORTH 11°42'03" EAST A DISTANCE OF 1050.15 FEET;
2. SOUTH 22°02'54" EAST A DISTANCE OF 946.60 FEET, MORE OR LESS, TO THE EAST LINE OF SAID LOT B;

THENCE SOUTH 01°36'33" WEST, ALONG SAID LINE, PASSING AT A DISTANCE OF 145.48 FEET THE SOUTHEAST CORNER OF SAID LOT B AND THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, CONTINUING FOR A TOTAL DISTANCE OF 175.50 FEET, MORE OR LESS, TO THE SOUTH RIGHT OF WAY LINE OF WELD COUNTY ROAD NO. 18 AND THE NORTH LINE OF THE EXISTING TOWN OF KEENESBURG LIMITS ACCORDING TO THE MAP OR PLAT THEREOF FILED FOR RECORD IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT RECEPTION NO.1592212;

THENCE SOUTH 89°26'14" WEST, 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 460.83 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF SAID ANNEXATION;

THENCE SOUTH 89°26'14" WEST, CONTINUING 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 101.84 FEET;

THENCE NORTH 01°25'39" WEST A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 7.669 ACRES (334050 SQUARE FEET) OF LAND, MORE OR LESS. THE PERIMETER OF THE ABOVE DESCRIBED PARCEL BEING 2764.92 FEET.

DESCRIPTION – ANNEXATION NO. 2

A PARCEL LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 22, THE SOUTHWEST ONE-QUARTER OF SECTION 23, THE NORTHWEST ONE-QUARTER OF SECTION 26 AND THE NORTHEAST ONE-QUARTER OF SECTION 27, TOWNSHIP 02 NORTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AGAIN AT THE SOUTHWEST CORNER OF SAID SECTION 23 BEING A 3.25 INCH ALUMINUM CAP MARKED PLS 37971, NORTH 89°26'14" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 660.28 FEET, MORE OR LESS TO THE SOUTHERNMOST SOUTHWEST CORNER OF LOT B, RECORDED EXEMPTION NO. 1305-23-3-RE1979 ACCORDING TO THE MAP OR PLAT THEREOF FILED FOR RECORD IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT RECEPTION NO. 2540139 AND THE **POINT OF BEGINNING**;

THENCE NORTH 01°25'39" WEST, ALONG A WEST LINE OF SAID LOT B, A DISTANCE OF 1078.65 FEET;

THENCE SOUTH 89°27'33" WEST A DISTANCE OF 650.56 FEET, MORE OR LESS, TO THE WESTERNMOST SOUTHWEST CORNER OF SAID LOT B AND THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23;

THENCE SOUTH 00°41'49" WEST A DISTANCE OF 1079.04 FEET, MORE OR LESS, TO THE WEST RIGHT OF WAY LINE OF WELD COUNTY ROAD NO. 57 AND A POINT AT THE INTERSECTION OF A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 AND A LINE 30.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23;

THENCE NORTH 00°53'46" WEST, ALONG SAID RIGHT OF WAY LINE, 30.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 2672.43 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 EXTENDED;

THENCE NORTH 89°27'54" EAST, ALONG SAID LINE, A DISTANCE OF 1349.61 FEET, MORE OR LESS, TO THE CENTER-WEST ONE-SIXTEENTH CORNER OF SAID SECTION 23;

THENCE NORTH 89°28'46" EAST, CONTINUING ALONG SAID LINE, A DISTANCE OF 125.26 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID LOT B;

THENCE OVER AND ACROSS THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 AND ALONG THE EAST LINE OF SAID LOT B THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES;

1. SOUTH 49°37'18" EAST A DISTANCE OF 88.22 FEET;
2. SOUTH 41°13'29" EAST A DISTANCE OF 45.70 FEET;
3. SOUTH 27°32'46" EAST A DISTANCE OF 67.65 FEET;
4. SOUTH 09°44'29" EAST A DISTANCE OF 42.18 FEET;
5. SOUTH 06°05'18" WEST A DISTANCE OF 66.47 FEET;
6. SOUTH 11°00'39" WEST A DISTANCE OF 225.58 FEET;
7. SOUTH 25°48'48" WEST A DISTANCE OF 189.78 FEET;
8. SOUTH 16°35'13" WEST A DISTANCE OF 249.60 FEET;
9. SOUTH 31°43'46" WEST A DISTANCE OF 238.82 FEET;
10. SOUTH 23°14'17" WEST A DISTANCE OF 212.96 FEET;
11. SOUTH 02°18'45" EAST A DISTANCE OF 667.65 FEET;
12. SOUTH 07°53'58" EAST A DISTANCE OF 240.03 FEET;
13. SOUTH 10°27'06" EAST A DISTANCE OF 204.46 FEET;
14. SOUTH 03°19'14" EAST A DISTANCE OF 102.88 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF THE ABOVE DESCRIBED ANNEXATION NO. 1;

THENCE NORTH 22°02'54" WEST, ALONG SAID LINE, A DISTANCE OF 946.60 FEET;

THENCE SOUTH 11°42'03" WEST, CONTINUING ALONG SAID LINE, A DISTANCE OF 1050.15 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 56.995 ACRES (2482706 SQUARE FEET) OF LAND, MORE OR LESS. THE PERIMETER OF THE ABOVE DESCRIBED PARCEL BEING 11564.28 FEET.

DESCRIPTION – ANNEXATION NO. 3

A PARCEL LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 22, THE SOUTHWEST ONE-QUARTER OF SECTION 23, THE NORTHWEST ONE-QUARTER OF SECTION 26 AND THE NORTHEAST ONE-QUARTER OF SECTION 27, TOWNSHIP 02 NORTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AGAIN AT THE SOUTHWEST CORNER OF SAID SECTION 23 BEING A 3.25 INCH ALUMINUM CAP MARKED PLS 37971, NORTH 89°26'14" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 660.28 FEET, MORE OR LESS TO THE SOUTHERNMOST SOUTHWEST CORNER OF LOT B, RECORDED EXEMPTION NO. 1305-23-3-RE1979 ACCORDING TO THE MAP OR PLAT THEREOF FILED FOR RECORD IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT RECEPTION NO. 2540139 AND THE **POINT OF BEGINNING**;

THENCE SOUTH 01°25'39" EAST, ALONG THE EAST LINE OF THE ABOVE DESCRIBED ANNEXATION NO. 1, A DISTANCE OF 30.00 FEET, MORE OR LESS, TO THE SOUTH RIGHT OF WAY LINE OF WELD COUNTY ROAD NO. 18;

THENCE SOUTH 89°26'14" WEST, ALONG SAID RIGHT OF WAY LINE, 30.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 690.55 FEET TO A POINT AT THE INTERSECTION OF SAID LINE AND A LINE 30.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23 AND AN EAST LINE OF THE ABOVE DESCRIBED ANNEXATION NO. 2;

THENCE NORTH 00°41'49" EAST, ALONG SAID LINE, A DISTANCE OF 1079.04 FEET, MORE OR LESS, TO THE NORTHERNMOST SOUTHWEST CORNER OF SAID LOT B;

THENCE NORTH 89°27'33" EAST, CONTINUING ALONG SAID LINE, A DISTANCE OF 30.00 FEET, MORE OR LESS, TO THE TO THE EAST RIGHT OF WAY LINE OF WELD COUNTY ROAD NO. 57;

THENCE SOUTH 00°53'46" EAST, ALONG SAID RIGHT OF WAY LINE, 30.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 1018.78 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF WELD COUNTY ROAD NO. 18;

THENCE NORTH 89°26'14" EAST, ALONG SAID LINE, 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 630.00 FEET, MORE OR LESS, TO A WEST LINE OF SAID LOT B AND A WEST LINE OF THE ABOVE DESCRIBED ANNEXATION NO. 2;

THENCE SOUTH 01°25'39" EAST, ALONG SAID LINE, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1.982 ACRES (86357 SQUARE FEET) OF LAND, MORE OR LESS. THE PERIMETER OF THE ABOVE DESCRIBED PARCEL BEING 3508.37 FEET.