

**Town of Erie  
Resolution No. 21-123**

**A Resolution of the Board of Trustees of the Town of Erie Making  
Certain Findings of Fact Regarding the Proposed Erie Gateway  
South Annexation No. 8 Annexation**

**Whereas**, a petition for annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in Boulder County and described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference, also known as Erie Gateway South Annexation No. 8 Annexation (the "Property");

**Whereas**, by resolution adopted on August 10, 2021, the Board of Trustees found the petition to be in substantial compliance with C.R.S. § 31-12-107(1); and

**Whereas**, on September 28, 2021, the Board of Trustees conducted a properly-noticed public hearing to determine if the Property is eligible for annexation to the Town.

**Now Therefore be it Resolved by the Board of Trustees of the Town of Erie, Colorado, that:**

**Section 1.** The applicable provisions of C.R.S. § 31-12-104 have been met, in that not less than one-sixth of the perimeter of the Property is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the Town.

**Section 2.** The applicable provisions of C.R.S. § 31-12-105 have been met, in 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; 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 Town boundary more than three miles; the Town has in place a plan for said three-mile area; and, in establishing the boundaries of the Property, the entire width of any street or alley is included within the Property.

**Section 3.** An annexation election is not required under C.R.S. § 31-12-107(2) and no additional terms or conditions are to be imposed upon the area to be annexed other than as contained in the Annexation Agreement, which has been considered and approved by separate resolution.

**Section 4.** The Property is eligible for annexation to the Town, and all requirements of law have been met, including the requirements of C.R.S. §§ 31-12-104 and 31-12-105.

**Section 5.** An ordinance annexing the Property to the Town will be considered by the Board of Trustees pursuant to C.R.S. § 31-12-111.

**Adopted this 28<sup>th</sup> day of September, 2021.**

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Jennifer Carroll, Mayor

**Attest:**

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Heidi Leatherwood, Town Clerk

## Exhibit A

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 36 BEING S 89°36'44" W AND MONUMENTED AS FOLLOWS:

-SOUTHWEST CORNER OF SECTION 36, BEING A FOUND 2.25" ALUMINUM CAP IN RANGE BOX, PLS 28656 PER MON REC DATED 12-2-93.

-SOUTH 1/4 CORNER OF SECTION 36, BEING A FOUND 3.25" ALUMINUM CAP, AS A 75' WC. RLS 4846 PER MON REC DATED 9-10-08.

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 36;

THENCE N 00°20'01" W ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 36 A DISTANCE OF 75.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 7 (BASELINE ROAD) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF ERIE GATEWAY SOUTH ANNEXATION NO. 1, ORD. NO. 330016, RECEPTION NO. 03573283 AND THE POINT OF BEGINNING;

THENCE S 89°36'44" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 576.06 FEET TO THE SOUTHEAST CORNER OF ERIE GATEWAY SOUTH ANNEXATION NO. 7, ORD. NO. 05-2018, RECEPTION NO. 3649284;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID ERIE GATEWAY SOUTH ANNEXATION NO. 7 THE FOLLOWING TWO (2) COURSES;

1. N 00°01'08" W A DISTANCE OF 1209.44 FEET;

2. S 87°03'19" E A DISTANCE OF 573.88 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID ERIE GATEWAY SOUTH ANNEXATION NO. 1, ORD. NO. 33-2016, RECEPTION NO. 03573283;

THENCE S 00°20'01" E ALONG SAID WESTERLY BOUNDARY A DISTANCE OF 1 176.06 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF 685,260 SQUARE FEET OR 15.7314 ACRES MORE OR LESS.