

RESOLUTION NO. 16-___

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE ANNEXATION PETITIONS REGARDING THE ANNEXATION OF CERTAIN PROPERTIES IN BOULDER COUNTY, COLORADO TO THE TOWN OF ERIE, SAID ANNEXATION TO BE KNOWN AS THE SCHMIDT ANNEXATION TO THE TOWN OF ERIE.

WHEREAS, petitions for annexation of certain properties has been filed with the Board of Trustees of the Town of Erie, Colorado by the landowners; TI Residential, LLC and the Estate of Sue Owen Schmidt; and

WHEREAS, the Board of Trustees has reviewed the petitions; and

WHEREAS, the Board of Trustees wishes to consider annexation of the subject properties; and

WHEREAS, the Board of Trustees has reviewed the petitions and desires to adopt by Resolution its findings in regard to the petitions;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, as follows:

1. The petitions, whose legal descriptions are attached hereto as “Exhibit A” and incorporated by reference herein, are in substantial compliance with the applicable laws of the State of Colorado.
2. No election is required under C.R.S. §31-12-107(2).
3. No additional terms and conditions are to be imposed as may require an election under C.R.S. §31-12-112.
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 with C.R.S. §31-12-105, and will hold a public hearing to determine the appropriate zoning of the subject property, at the Erie Town Hall, 645 Holbrook Street, Erie, Colorado 80516, at the following time and date:

6:30 PM

October 11, 2016

5. Any person may appear at such hearing and present evidence relative to the proposed annexation.
6. Upon completion of the hearing, the Board of Trustees shall 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.

7. The appropriate Town Officials are hereby authorized to sign and bind the Town to this Resolution of Substantial Compliance.

INTRODUCED, READ, SIGNED AND APPROVED this 23rd day of August 2016.

TOWN OF ERIE

By: _____
Tina Harris, Mayor

ATTEST:

Nancy J. Parker, CMC, Town Clerk

Exhibit A

TI Residential, LLC

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,
THENCE NORTH 00 DEGREES 10 MINUTES 48 SECONDS EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;
THENCE NORTH 89 DEGREES 24 MINUTES 12 SECONDS WEST, A DISTANCE OF 666.10 FEET;
THENCE NORTH 88 DEGREES 05 MINUTES 06 SECONDS WEST, A DISTANCE OF 258.00 FEET;
THENCE NORTH 2 DEGREES 11 MINUTES 05 SECONDS EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8" REPAIR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 86 DEGREES 53 MINUTES 01 SECOND WEST, A DISTANCE OF 493.00 FEET;
THENCE NORTH 84 DEGREES 46 MINUTES 00 SECONDS WEST, A DISTANCE OF 929.46 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 84 DEGREES 10 MINUTES 43 SECONDS, AN ARC DISTANCE OF 440.76 FEET, (CHORD BEARS NORTH 42 DEGREES 40 MINUTES 38 SECONDS WEST, A DISTANCE OF 402.17 FEET) TO A POINT OF TANGENT;
THENCE NORTH 00 DEGREES 35 MINUTES 17 SECONDS WEST, A DISTANCE OF 708.07 FEET;
THENCE NORTH 00 DEGREES 07 MINUTES 43 SECONDS EAST, A DISTANCE OF 156.84 FEET;
THENCE NORTH 89 DEGREES 54 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.13 FEET TO A POINT ON THE WEST LINE OF THE SAID NORTHEAST QUARTER OF SECTION 13 FROM WHENCE THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION BEARS SOUTH 00 DEGREES 07 MINUTES 34 SECONDS WEST, A DISTANCE OF 65.45 FEET;
THENCE NORTH 00 DEGREES 07 MINUTES 34 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 1264.78 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 13, EVIDENCED BY A 4" BRASS CAP SET IN CONCRETE, PLS 13446;
THENCE NORTH 89 DEGREES 08 MINUTES 12 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 1789.05 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH;
THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING FIVE COURSES:

1. SOUTH 05 DEGREES 18 MINUTES 53 SECONDS WEST, A DISTANCE OF 85.95 FEET;
2. SOUTH 09 DEGREES 21 MINUTES 45 SECONDS WEST, A DISTANCE OF 18.85 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 171.00 FEET AND A CENTRAL ANGLE OF 71 DEGREES 01 MINUTE 12 SECONDS, AN ARC DISTANCE OF 211.96

FEET; (CHORD BEARS SOUTH 44 DEGREES 52 MINUTES 21 SECONDS WEST, A DISTANCE OF 198.65 FEET) TO A POINT OF TANGENT;

4. SOUTH 80 DEGREES 22 MINUTES 57 SECONDS WEST, A DISTANCE OF 39.94 FEET;
5. SOUTH 84 DEGREES 33 MINUTES 07 SECONDS WEST, A DISTANCE OF 110.15 FEET TO A POINT ON THE NORTH LINE OF AN EASEMENT FOR THE LOWER BOULDER IRRIGATION CANAL, AS RECORDED AT BOOK 986, PAGES 266 AND 269, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE NORTH LINE OF SAID EASEMENT THE FOLLOWING TWO COURSES:

1. NORTH 76 DEGREES 17 MINUTES 21 SECONDS WEST, A DISTANCE OF 116.57 FEET;
2. SOUTH 67 DEGREES 06 MINUTES 39 SECONDS WEST, A DISTANCE OF 46.92 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE SOUTH 00 DEGREES 09 MINUTES 11 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 846.84 FEET TO A POINT, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716;

THENCE NORTH 89 DEGREES 29 MINUTES 13 SECONDS EAST, A DISTANCE OF 104.55 FEET;
THENCE SOUTH 00 DEGREES 09 MINUTES 16 SECONDS WEST, A DISTANCE OF 17.93 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH;

THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING NINE COURSES:

1. SOUTH 87 DEGREES 53 MINUTES 01 SECOND EAST, A DISTANCE OF 96.53 FEET;
2. SOUTH 54 DEGREES 47 MINUTES 37 SECONDS EAST, A DISTANCE OF 37.79 FEET;
3. SOUTH 35 DEGREES 58 MINUTES 27 SECONDS EAST, A DISTANCE OF 46.95 FEET;
4. SOUTH 30 DEGREES 22 MINUTES 26 SECONDS EAST, A DISTANCE OF 187.12 FEET;
5. SOUTH 27 DEGREES 11 MINUTES 53 SECONDS EAST, A DISTANCE OF 237.04 FEET;
6. SOUTH 20 DEGREES 56 MINUTES 33 SECONDS EAST, A DISTANCE OF 133.69 FEET;
7. SOUTH 08 DEGREES 05 MINUTES 21 SECONDS EAST, A DISTANCE OF 67.96 FEET;
8. SOUTH 01 DEGREES 39 MINUTES 24 SECONDS EAST, A DISTANCE OF 209.10 FEET;
9. SOUTH 00 DEGREES 14 MINUTES 08 SECONDS WEST, A DISTANCE OF 273.40 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE NORTH 89 DEGREES 36 MINUTES 22 SECONDS WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8" REBAR AND ALUMINUM CAP, PLS 4846;

THENCE SOUTH 00 DEGREES 14 MINUTES 06 SECONDS WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;

THENCE NORTH 73 DEGREES 58 MINUTES 04 SECONDS WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;

THENCE SOUTH 02 DEGREES 13 MINUTES 11 SECONDS WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.

Estate of Sue Owen Schmidt

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,
THENCE NORTH 00° 10'48" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;
THENCE NORTH 89° 24'12" WEST, A DISTANCE OF 666.10 FEET;
THENCE NORTH 88° 05'06" WEST, A DISTANCE OF 258.00 FEET;
THENCE NORTH 2° 11'05" EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE ALONG THE NORTH RIGHT OF WAY LINE OF JAY ROAD, NORTH 86° 53'01" WEST, A DISTANCE OF 400.00 FEET;
THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 03° 06'59" EAST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 26° 20'43", AN ARC DISTANCE OF 241.40 FEET (CHORD BEARS NORTH 16° 17'21" EAST, A DISTANCE OF 239.28 FEET) TO A POINT OF COMPOUND CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 65° 46'18", AN ARC DISTANCE OF 22.96 FEET (CHORD BEARS NORTH 62° 20'51" EAST, A DISTANCE OF 21.72 FEET);
THENCE SOUTH 84° 46'00" EAST, A DISTANCE OF 128.96 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 82° 34'31", AN ARC DISTANCE OF 72.06 FEET (CHORD BEARS NORTH 53° 56'45" EAST, A DISTANCE OF 65.98 FEET);
THENCE SOUTH 87° 31'40" EAST, A DISTANCE OF 246.29 FEET;
THENCE SOUTH 00° 14'08" WEST, A DISTANCE OF 94.50 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;
THENCE NORTH 89° 36'22" WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8" REBAR AND ALUMINUM CAP, PLS 4846;
THENCE SOUTH 00° 14'06" WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE NORTH 73° 58'04" WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE SOUTH 02° 13'11" WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.