

RESOLUTION NO. 16-__

A RESOLUTION REGARDING THE ERIE HIGH SCHOOL ANNEXATION NO. 2; ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE ANNEXATION.

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, considered the annexation of property owned by the St. Vrain Valley School District, on the petition of the St. Vrain Valley School District, for the annexation of the following real property (“Property”); to wit:

See attached “Exhibit A.”

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. Findings of Fact.

- a. As unincorporated municipally owned land, the Property to be annexed is eligible for annexation by ordinance as provided by C.R.S. 31-12-106 (3).
- b. With respect to compliance with C.R.S. 31-12-104(1)(a), the Board of Trustees makes the following findings of fact:
 1. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality.
- c. With respect to compliance with C.R.S. 31-12-105, the Board of Trustees makes the following findings of fact:
 1. No land held in identical ownership has been divided into separate parts or parcels without the written consent of the landowners thereof.
 2. No land held in identical ownership, whether consisting on one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty acres or more (which, together with the buildings and improvements situated thereon has a valuation for assessment in excess of two hundred thousand dollars for ad valorem tax purposes for the year next preceding the annexation) is included in the proposed annexation without the written consent of the landowners.
 3. No land is proposed to be annexed for which annexation proceedings have been commenced for the annexation of part or all of such territory to another municipality.
 4. The proposed annexation will not result in the detachment of the area from any school district and the attachment of the same to another school district.
 5. The proposed annexation will not have the effect of extending a municipality boundary more than three miles in any direction from any point of such municipal boundary in any one year.

6. The proposed annexation is in conformance with the “Three Mile Annexation Plan” duly updated and adopted by the Board of Trustees of the Town of Erie on January 12, 2016.
 7. The proposed annexation will not result in the annexation of a portion of a platted street without the annexation of the entire width of the street.
 8. The municipality will not deny reasonable access to landowners, owner of an easement or the owner of a franchise adjoining a platted street or alley which has been annexed by the municipality but is not bounded on both sides by the municipality.
- d. With respect to compliance with C.R.S. 31-12-108, the Board of Trustees makes the following findings of fact:
 1. Notice was provided of the August 23, 2016, hearing as provided in C.R.S. 31-12-108(2) and as evidenced by certificates of the owner, editor or manager of the Colorado Hometown Weekly.
 - e. With respect to compliance with C.R.S. 31-12-108.5, the Board of Trustees makes the following findings of fact:
 1. An annexation impact report was filed with the Board of County Commissioners of the County of Boulder as required by C.R.S. 31-12-108.5.

Section 2. Conclusions

- a. The requirements of the applicable parts C.R.S. 31-12-104(1)(a) and 31-12-105 have been met.
- b. No election is required under C.R.S. 31-12-107(2).
- c. No additional terms and conditions are to be imposed.
- d. The proposed Annexation to the Town of Erie, Colorado, complies with the applicable sections of the Municipal Annexation Act of 1965.
- e. The most appropriate zoning for the property shall be “Public Lands and Institutions (PLI).”

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

TOWN OF ERIE,
a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy J. Parker, Town Clerk

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 16,
THENCE ALONG THE CENTERLINE OF THE SAID SECTION 16, NORTH 89°31'06" EAST A
DISTANCE OF 30.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WELD
COUNTY ROAD 5, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE ALONG THE SAID EAST LINE OF ROAD 5 NORTH 00°12'52" WEST, A DISTANCE
OF 243.22 FEET;
THENCE DEPARTING SAID WEST LINE, NORTH 89°31'06" EAST, A DISTANCE OF 1,032.00
FEET;
THENCE SOUTH 03°21'55" WEST, A DISTANCE OF 545.00 FEET;
THENCE SOUTH 44°31'51" EAST, A DISTANCE OF 339.83 FEET;
THENCE NORTH 89°38'27" EAST, A DISTANCE OF 48.00 FEET;
THENCE SOUTH 04°46'24" EAST, A DISTANCE OF 110.00 FEET TO A POINT ON THE
NORTHERLY LINE EXTENDED OF A PARCEL OF LAND AS DESCRIBED IN THE RECORDS
OF WELD COUNTY, RECORDED ON DECEMBER 1, 2005 AT RECEPTION NO. 3343856;
THENCE ALONG SAID NORTH LINE, SOUTH 89°38'27" WEST 1,292.00 FEET TO A POINT
ON THE EAST RIGHT OF WAY LINE OF SAID ROAD 5;
THENCE ALONG SAID EAST LINE, NORTH 00°13'31" WEST, A DISTANCE OF 651.84 FEET
TO THE TRUE POINT OF BEGINNING.
SAID PARCEL CONTAINING 964,230 SQ. FT. OR 22.136 ACRES, MORE OR LESS.