

NOTICE OF PROPOSED ORDINANCE

Pursuant of Section 7-3 of the Town of Castle Rock Home Rule Charter, notice is hereby given that the Town Council will consider adoption of the following named and described ordinance during its meeting on December 15, 2015 at 6:00 P.M. at the Town of Castle Rock, Town Hall, 100 North Wilcox, Castle Rock, CO 80104.

Title of Proposed Ordinance:

An Ordinance Annexing to the Town of Castle Rock, Colorado, a 59.931-Acre Parcel in Sections 21 And 28, Township 7 South, Range 67 West of the 6th Principal Meridian, County of Douglas, State of Colorado (Lower East Plum Creek Park and Open Space Annexation)

Subject Matter Summary:

The proposed Ordinance provides for the annexation of certain real property to the Town of Castle Rock.

The entire text of the proposed ordinance is contained herein, and copies are available for public inspection at the office of the Town Clerk, 100 North Wilcox, Castle Rock, Colorado 80104 during normal working hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Publication date: December 10, 2015

ORDINANCE NO. 2015-

**AN ORDINANCE ANNEXING TO THE TOWN OF CASTLE ROCK, COLORADO,
A 59.931 ACRE PARCEL IN SECTIONS 21 AND 28, TOWNSHIP 7 SOUTH, RANGE 67
WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS,
STATE OF COLORADO
(LOWER EAST PLUM CREEK PARK AND OPEN SPACE ANNEXATION)
(FIRST READING)**

WHEREAS, the Town of Castle Rock owns the entire area proposed for annexation, which area is described in the attached *Exhibit 1* ("Property"),

WHEREAS, the Property is not solely a public street or right-of-way,

WHEREAS, the Property is eligible for annexation under Section 30(c) of Article II of the Colorado Constitution,

WHEREAS, not less than one-sixth of the perimeter boundary of the Property is contiguous with the municipal boundaries of the Town of Castle Rock as required by §31-12-104(1)(a), C.R.S.,

WHEREAS, in accordance with Section 30(I)(c) of Article II of the Colorado Constitution and §§31-12-104(I)(a) and 31-12-105, C.R.S., the Town Council may annex the Property to the municipality without notice and hearing as otherwise provided in §§31-12-108 and 31-12-109, C.R.S.,

WHEREAS, the provisions of Chapter 20.02 of Municipal Code do not apply to annexations for which no eligibility hearing is required, and

WHEREAS, the proposed annexation is consistent with the Town's Vision 2020 and Comprehensive Master Plan.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Annexation of Property. The property described in the attached *Exhibit 1*, which is unincorporated territory located in Douglas County, Colorado, is annexed to the Town of Castle Rock, Colorado as the Lower East Plum Park and Open Space Annexation.

Section 2. Statement of Ownership. The area proposed to be annexed is owned by the Town of Castle Rock.

Section 3. Required Filings. The Town Clerk shall file with the Douglas County Clerk and Recorder those documents required by the Municipal Annexation Act of 1965, as amended.

Section 4. Effective Date. With the effective date of this ordinance, the Property is subject to the municipal charter and all ordinances, resolutions, rules and regulations of the Town of Castle Rock.

Section 5. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 6. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this ____ day of _____, 2015 by a vote of ____ for and ____ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this ____ of _____, 2015 by the Town Council of the Town of Castle Rock, Colorado, by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare, Town Clerk

Paul Donahue, Mayor

Approved as to form:

Robert J. Slentz, Town Attorney

Bill Detweiler, Director, Development Services

**LOWER EAST PLUM CREEK ANNEXATION BOUNDARY
PROPERTY DESCRIPTION**

OUTLOTS 1 THROUGH 4, INCLUSIVE, LOWER PLUM CREEK REGIONAL WASTEWATER TREATMENT FACILITY, A PLANNED DEVELOPMENT, IN THE COUNTY OF DOUGLAS, STATE OF COLORADO, PER PLAT RECORDED DECEMBER 3, 1987 AT RECEPTION NO. 8734309 IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, TOGETHER WITH THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED RECORDED NOVEMBER 19, 1985 IN BOOK 609 AT PAGE 298, IN SAID OFFICE OF THE CLERK AND RECORDER, LYING WITHIN THE SOUTH HALF OF SECTION 21 AND THE NORTH HALF OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 67 WEST, SIXTH PRINCIPAL MERIDIAN, IN SAID COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 21;

THENCE ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21, SOUTH 00°04'11" EAST, 1578.70 FEET TO THE SOUTHWEST CORNER OF TRACT A, SAID LOWER PLUM CREEK REGIONAL WASTEWATER TREATMENT FACILITY, A PLANNED DEVELOPMENT AND THE **POINT OF BEGINNING**;

THENCE ALONG THE SOUTHWESTERLY LINE OF TRACT A AND TRACT B, SAID LOWER PLUM CREEK REGIONAL WASTEWATER TREATMENT FACILITY, A PLANNED DEVELOPMENT, SOUTH 60°04'21" EAST, 469.65 FEET TO THE WESTERLY CORNER OF SAID OUTLOT 1;

THENCE ALONG THE NORTHEASTERLY LINE OF SAID OUTLOT 1, SOUTH 66°03'54" EAST, 233.33 FEET TO THE MOST EASTERLY CORNER OF SAID OUTLOT 1;

THENCE ALONG THE NORTHERLY LINE OF SAID OUTLOT 2 THE FOLLOWING 3 COURSES:

- 1) SOUTH 65°47'20" EAST, 68.41 FEET;
- 2) SOUTH 83°35'29" EAST, 188.26 FEET;
- 3) NORTH 79°48'39" EAST, 265.22 FEET TO THE MOST EASTERLY CORNER OF SAID OUTLOT 2;

THENCE ALONG THE SOUTHERLY LINE OF TRACK D, SAID LOWER PLUM CREEK REGIONAL WASTEWATER TREATMENT FACILITY, A PLANNED DEVELOPMENT, THE FOLLOWING 2 COURSES:

- 1) NORTH 79°50'37" EAST, 113.94 FEET;
- 2) SOUTH 77°08'14" EAST, 106.01 FEET TO THE MOST EASTERLY CORNER OF SAID TRACT D;

THENCE ALONG THE NORTHERLY LINE OF SAID OUTLOT 3 THE FOLLOWING 2 COURSES:

- 1) SOUTH 83°43'47" EAST, 144.00 FEET;
- 2) SOUTH 61°52'53" EAST, 178.05 FEET TO THE MOST EASTERLY CORNER OF SAID OUTLOT 3;

THENCE ALONG THE SOUTHERLY LINE OF TRACT C, SAID LOWER PLUM CREEK REGIONAL WASTEWATER TREATMENT FACILITY, A PLANNED DEVELOPMENT, SOUTH 71°38'12" EAST, 457.39 FEET TO AN ANGLE POINT THEREIN;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE, SOUTH 65°13'43" EAST, 150.55 FEET TO THE MOST WESTERLY CORNER OF SAID OUTLOT 4;

THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID OUTLOT 4 THE FOLLOWING 5 COURSES:

- 1) NORTH 82°31'29" EAST, 28.79 FEET;
- 2) SOUTH 69°16'15" EAST, 88.40 FEET;
- 3) NORTH 66°28'46" EAST, 46.98 FEET;
- 4) NORTH 08°43'09" EAST, 113.63 FEET;
- 5) NORTH 08°28'37" WEST, 282.28 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY;

THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY, SOUTH 65°14'34" EAST, 1812.31 FEET TO THE EASTERLY LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 21 AND THE NORTHEAST CORNER OF THE LAND DESCRIBED IN SAID DEED RECORDED NOVEMBER 19, 1985 IN BOOK 609 AT PAGE 298;

THENCE ALONG THE EASTERLY LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER AND ALONG THE EASTERLY LINE OF SAID DEED, SOUTH 00°07'52" EAST, 50.07 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 21;

THENCE ALONG THE EASTERLY LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 28, CONTINUING ALONG THE EASTERLY LINE OF SAID DEED AND ALONG THE WESTERLY BOUNDARY OF THE TOWN OF CASTLE ROCK ANNEXATION OF THE MEADOWS, PARCEL 7, PER ANNEXATION MAP RECORDED DECEMBER 12, 1984 AT RECEPTION NO. 342948, IN SAID OFFICE OF THE CLERK AND RECORDER, SOUTH 00°11'44" WEST, 503.18 FEET TO THE SOUTHERLY BOUNDARY OF SAID DEED RECORDED NOVEMBER 19, 1985 IN BOOK 609 AT PAGE 298 AND THE NORTHERLY LINE OF THE TOWN OF CASTLE ROCK ANNEXATION OF THE MEADOWS, PARCEL 6, PER ANNEXATION MAP RECORDED DECEMBER 12, 1984 AT RECEPTION NO. 342951, IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID DEED AND THE NORTHERLY LINE OF SAID TOWN OF CASTLE ROCK ANNEXATION OF THE MEADOWS, PARCEL 6 THE FOLLOWING 11 COURSES:

- 1) NORTH 87°37'43" WEST, 393.72 FEET;
- 2) SOUTH 83°33'51" WEST, 382.09 FEET;
- 3) NORTH 75°03'39" WEST, 529.01 FEET;
- 4) NORTH 89°42'35" WEST, 820.02 FEET;
- 5) NORTH 57°41'52" WEST, 166.56 FEET;
- 6) NORTH 23°22'39" WEST, 335.61 FEET TO THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28;
- 7) CONTINUING NORTH 23°22'39" WEST, 76.84 FEET;
- 8) NORTH 58°56'54" WEST, 210.95 FEET;
- 9) NORTH 40°28'44" WEST, 248.39 FEET;

10) NORTH 79°14'06" WEST, 672.68 FEET;

11) NORTH 60°21'14" WEST, 667.54 FEET TO SAID WESTERLY LINE OF THE SOUTHWEST
QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE, NORTH 00°04'11" EAST, 235.76 FEET TO THE POINT OF
BEGINNING.

CONTAINING AN AREA OF 59.931 ACRES, OR 2,610,594 SQUARE FEET, MORE OR LESS.