

ORDINANCE NO. 2020-009

AN ORDINANCE ANNEXING TO THE TOWN OF CASTLE ROCK, COLORADO, FOUR PARCELS TOTALING 199.33 ACRES LOCATED IN ALL OR PORTIONS OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 SECTION 32, THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 33, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRIME MERIDIAN, THE WEST HALF OF NORTHWEST 1/4 SECTION 4, NORTH HALF OF THE NORTHEAST 1/4 SECTION 5 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 SECTION 5, TOWNSHIP 8 SOUTH, RANGE 66 WEST OF THE 6TH PRIME MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO (GATEWAY ANNEXATION)

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, § 31-12-106 C.R.S. authorizes the governing body of a municipality to annex by ordinance without notice and hearing as provided in § 31-12-108 C.R.S. and § 31-12-109 C.R.S any unincorporated territory when the municipality is the sole owner of the area to be annexed, and said area is eligible for annexation as set out in § 31-12-104(1)(a) C.R.S. and § 31-12-105 C.R.S.;

WHEREAS, the provisions of Title 20, Chapter 20.02 of the Castle Rock Municipal Code do not apply to annexations for which no eligibility hearing is required;

WHEREAS, the annexation of these parcels is necessary for the Town owned property to be within the Town boundaries and within Town jurisdiction;

WHEREAS, the proposed annexation is consistent with the Town's Vision 2030 and Comprehensive Master Plan; and

WHEREAS, the Planning Commission conducted a public hearing on the advisability of annexation of the subject parcel, and voted to recommend approval by a vote of 7 for and 0 against,

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

Section 1. Annexation of Property. The property described in the attached *Exhibit 1* ("Property"), which is unincorporated territory located in Douglas County, Colorado, is annexed to the Town of Castle Rock, Colorado as the Gateway 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, C.R.S. § 31-12-101, *et seq.*, 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 21st day of July, 2020 by a vote of 6 for and 0 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 18th day of August, 2020, by the Town Council of the Town of Castle Rock by a vote of 7 for and 0 against.

ATTEST:

TOWN OF CASTLE ROCK




Lisa Anderson, Town Clerk



Jason Gray, Mayor

Approved as to form:



Michael J. Hyman, Town Attorney



Tara Vargish, Director, Development Services



Gateway Mesa Legal Description

A METES AND BOUNDS PARCEL OF LAND LOCATED IN ALL OR PORTIONS OF THE SE 1/4 OF THE SW 1/4 SECTION 32, THE SW 1/4 OF THE SW 1/4 SECTION 33, T 7 S, R 66 W OF THE 6TH P.M., THE WEST HALF OF NW 1/4 SECTION 4, NORTH HALF OF THE NE 1/4 SECTION 5 AND THE NE 1/4 OF THE NW 1/4 SECTION 5, T 8 S, R 66 W OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO AS DESCRIBED IN A WARRANTY DEED RECORDED UNDER RECEPTION NO. 99076429 DATED AUGUST 25, 1999 OF THE DOUGLAS COUNTY CLERK AND RECORDERS OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE NORTH LINE OF THE NORTHEAST QUARTER SECTION 5, BEING MONUMENTED AT BOTH ENDS WITH A 3.25" ALUMINUM CAP STAMPED PLS 17669. SAID LINE IS ASSUMED TO BEAR N 89°23'25" E, A DISTANCE OF 2654.63 FEET.

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 5, SAID CORNER BEING THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED UNDER RECEPTION NO. 2003060698 OF SAID CLERK'S OFFICE,

THENCE ALONG THE COMMON LINE OF SAID REC. NO. 99076429 AND REC. NO. 2003060698, SAID COMMON LINE BEING THE TOWN OF CASTLE ROCK ANNEXATION CONTIGUITY LINE OF HERITAGE FARM ANNEXATION MAP AS DESCRIBED UNDER REC. NO. 366643 THE FOLLOWING THREE COURSES:
1) N 89°23'25" E, ALONG THE NORTH LINE NE 1/4 SECTION 5, A DISTANCE OF 2654.63 FEET TO THE NORTHWEST CORNER OF SAID SECTION 4; 2) N 00°29'43" W, ALONG THE WEST LINE SW 1/4 OF THE SW 1/4 SAID SECTION 33, A DISTANCE OF 1322.64 FEET TO THE NORTHWEST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 33; 3) N 89°04'23" E, ALONG THE NORTH LINE OF THE SW 1/4 OF THE SW 1/4 SAID SECTION 33, A DISTANCE OF 1317.42 FEET TO THE NORTHEAST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 33;

THENCE ALONG THE COMMON LINE OF SAID REC. NO. 99076429 AND REC. NO. 2011058282 OF SAID CLERK'S OFFICE, SAID COMMON LINE BEING THE EAST LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 33, S 00°10'51" W, A DISTANCE OF 1324.52 FEET TO THE SOUTHEAST CORNER OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 33;

THENCE ALONG THE COMMON LINE OF SAID REC. NO. 99076429 AND REC. NO. 99045243 AND REC. NO. 2017072630 OF SAID CLERK'S OFFICE, SAID COMMON LINE BEING THE EAST LINE OF THE WEST HALF OF THE NW 1/4 OF SAID SECTION 4 S 00°04'34" E, A DISTANCE OF 2581.42 FEET TO THE SOUTHEAST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 4, SAID CORNER BEING A POINT ON THE TOWN OF CASTLE ROCK ANNEXATION CONTIGUITY LINE OF BELLA MESA ANNEXATION MAP AS DESCRIBED UNDER REC. NO. 2016004149 OF SAID CLERK'S OFFICE;

THENCE ALONG THE COMMON LINE OF SAID REC. NO. 99076429 AND REC. NO. 2014010035 OF SAID CLERK'S OFFICE, SAID COMMON LINE BEING THE SOUTH LINE OF THE WEST HALF OF THE NW 1/4 OF SAID SECTION 4, SAID LINE ALSO BEING ON SAID CONTIGUITY LINE OF BELLA MESA ANNEXATION MAP, S 89°29'05" W, A DISTANCE OF 1315.37 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 4;

THENCE ALONG THE COMMON LINE OF SAID REC. NO. 99076429 AND REC. NO. 8819876 OF SAID CLERK'S OFFICE, ALONG THE WEST LINE OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 4, N 00°13'01" E, A DISTANCE OF 1300.35 FEET TO THE NORTHWEST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 4;

THENCE ALONG THE COMMON LINE OF SAID REC. NO. 99076429 AND SAID REC. NO. 8819876 AND REC. NO. 99087862 OF SAID CLERK'S OFFICE, SAID COMMON LINE BEING THE SOUTH LINE OF THE NORTH HALF OF THE NE 1/4 OF SAID SECTION 5 S 89°18'45" W, A DISTANCE OF 2633.50 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 86, SAID POINT BEARS S 89°18'45" W, A DISTANCE OF 13.73 FEET +/- TO THE SOUTHWEST CORNER OF THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 5;

THENCE ALONG THE COMMON LINE OF SAID REC. NO. 99076429 AND SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING THREE COURSES: 1) ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 1984.71 FEET, A CENTRAL ANGLE OF 09°44'57", AN ARC LENGTH OF 337.71 FEET, WHOSE CHORD BEARS N 14°29'49" W, A DISTANCE OF 337.30 FEET; 2) N 19°22'17" W, A DISTANCE OF 320.50 FEET; 3) ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 880.02 FEET, A CENTRAL ANGLE OF 61°03'39", AN ARC LENGTH OF 937.85 FEET, WHOSE CHORD BEARS N 11°09'32" E, A DISTANCE OF 894.09 FEET TO A POINT ON THE EASTERLY LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 32, SAID POINT ALSO BEING ON SAID CONTIGUITY LINE OF HERITAGE FARM ANNEXATION MAP;

THENCE ALONG SAID EASTERLY LINE AND SAID CONTIGUITY LINE OF HERITAGE FARM ANNEXATION MAP S 00°28'13" E, A DISTANCE OF 229.25 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION CONTAINS 8,682,905 SQUARE FEET OR 199.33 ACRES MORE OR LESS.