



February 22, 2017

VIA REGISTERED US MAIL

Ms. MEGHAN MCCANN, Clerk to Douglas County Commissioners
Douglas County
Office of the County Clerk & Recorder
100 Third Street
Castle Rock, CO 80104

SUBJECT: *Notification of Annexation Hearing by the Parker Town Council, In Accordance With Section 31-12-108(2), C.R.S.*

Name of Proposed Annexation: *Lot 2, Block 1, Parker Heights Filing No. 1 Property Annexation.*

Dear Ms. Pelletier:

The purpose of this letter is to inform Douglas County about the Public Hearing Date scheduled by the Town of Parker Town Council concerning the above referenced application. Under Colorado Law, municipalities conducting hearings on proposed annexations are required to notify County Governments, special taxing districts, schools and Title 32 districts of the proposed hearing. This notice satisfies the Town's requirement under Colorado Revised Statutes.

Please be advised that the hearing is scheduled for April 3, 2017. For reference, a copy of the following has been enclosed:

- *Public Hearing Notice & Vicinity Map*
- *Resolution No. 17-004.1 setting the Public Hearing Date for the Annexation Hearing*
- *Annexation Petition*

If you have any questions, please do not hesitate to contact me.

Sincerely,

Ryan McGee, Associate Planner
Town of Parker Community Development Department

PM
Enclosures

PUBLIC HEARING NOTICE FOR LOT 2, BLOCK 1,
PARKER HEIGHTS FILING NO. 1 ANNEXATION

Notice is hereby given that the Town Council of the Town of Parker, Colorado, will hold a public hearing regarding the Lot 2, Block 1, Parker Heights Filing No. 1 Annexation on April 3, 2017, at 7:00 p.m., or as soon thereafter as this matter can be heard, in the Town of Parker Town Hall, 20120 E. Mainstreet, Parker, Colorado 80138. The purpose of the public hearing is to determine if the petition for annexation for the property described in this public notice complies with Article II, Section 30 of the Colorado Constitution and meets the applicable requirements of C.R.S. §§ 31-12-104 and 31-12-105. The Town Council Substantial Compliance Resolution No. 17-004.1, Series of 2017, reads as follows:

RESOLUTION NO. 17-004.1, Series of 2017

A RESOLUTION AMENDING RESOLUTION NO. 17-004, SERIES OF 2017, THAT DETERMINED THAT LOT 2, BLOCK 1, PARKER HEIGHTS FILING NO. 1, PROPERTY ANNEXATION PETITION SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF THE ANNEXATION ACT OF 1965 AND TO SET A NEW PUBLIC HEARING DATE FOR APRIL 3, 2017

WHEREAS, the Petitioner owns certain real property in Douglas County commonly known as the Lot 2, Block 1, Parker Heights Filing No. 1 property, which is described on the attached **Exhibit A**, and incorporated by this reference (the "Property:");

WHEREAS, a petition for annexation of the Property (the "Petition") was filed by the Petitioner on October 16, 2016, which Petition is currently on file with the Town Clerk;

WHEREAS, the Petition requests the Town of Parker annex the Property; and

WHEREAS, pursuant to C.R.S. § 31-12-107, this Town Council, sitting as the governing body of the Town of Parker, Colorado, hereby determines that the Petition for the annexation of the Property is in substantial compliance with C.R.S. § 31-12-107(1).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Petition substantially complies with C.R.S. § 31-12-107(1).

Section 2. A public hearing on said annexation will be conducted before the Town Council on April 3, 2017, at 7:00 p.m. or as soon thereafter as this matter can be heard, at the Town of Parker Town Hall, which is located at 20120 East Mainstreet, Parker, Colorado, 80138, to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105 or such part thereof as may be required to establish eligibility under the terms of Title 31, Article 12, Part 1, as amended, known as the Municipal Annexation Act of 1965, and the Constitution of the State of Colorado, Article II, Section 30, as amended, and whether additional terms and conditions are to be imposed.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Douglas County, may appear at such hearing and present evidence upon any matter to be determined by the Town Council.

Section 4. The Town Clerk shall give notice of said hearing in the manner prescribed by C.R.S. § 31-12-108(2).

RESOLVED AND PASSED this 21st day of February, 2017.

TOWN OF PARKER, COLORADO

/s/
Mike Waid, Mayor
ATTEST:

/s/
Carol Baumgartner, Town Clerk

**EXHIBIT A
LEGAL DESCRIPTION**

A PARCEL OF LAND BEING LOT 2, BLOCK 1, PARKER HEIGHTS FILING N0.1 AS RECORDED UNDER RECEPTION NO. 113057 AS RECORDED IN THE DOUGLAS COUNTY CLERK AND RECORDERS OFFICE, LYING IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 15 BEING MONUMENTED WITH A FOUND 3.25" ALUMINUM CAP FLUSH WITH GROUND STAMPED PLS 30109, WHENCE THE NORTHWEST CORNER OF SAID SECTION 15 BEING MONUMENTED WITH A FOUND 3.25" ALUMINUM CAP IN RANGE BOX STAMPED PLS 19003, BEARS S 89°29'01" W, A DISTANCE OF 2643.42 FEET; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 S 89°29'01" W, A DISTANCE OF 441.80 FEET TO A POINT BEING THE NORTHWEST CORNER OF SAID LOT 2, BLOCK 1, SAID POINT BEING THE POINT OF BEGINNING:

THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2, BLOCK 1, SAID NORTHERLY LINE ALSO BEING THE NORTH LINE OF SAID NORTHWEST QUARTER, SAID NORTHERLY LINE ALSO BEING THE SOUTHERLY LINE OF THE LINCOLN PLAZA ANNEXATION AS RECORDED UNDER RECEPTION NO. 9305905 OF SAID CLERK'S OFFICE, N 89°29'01" E, A DISTANCE OF 90.48 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, BLOCK 1;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 2, BLOCK 1, THE FOLLOWING THREE

(3) COURSES:

1) S 00°40'06" E, A DISTANCE OF 125.07 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2, BLOCK 1;

2) S 89°30'45" W, A DISTANCE OF 19.80 FEET;

3) ALONG A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 15°31'22", AN ARC LENGTH OF 35.22 FEET, WHOSE CHORD BEARS S 81°45'04" W, A DISTANCE OF 35.11 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK 1, SAID CORNER ALSO BEING A CORNER OF THE PARKER HEIGHTS ANNEXATION MAP TO THE TOWN OF PARKER AS RECORDED UNDER RECEPTION NO. 2016031431 OF SAID CLERK'S OFFICE;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 2, BLOCK 1, ALSO BEING THE EASTERLY LINE OF SAID PARKER HEIGHTS ANNEXATION MAP TO THE TOWN OF PARKER, N 16°06'36" W, A DISTANCE OF 134.74 FEET TO THE POINT OF BEGINNING.

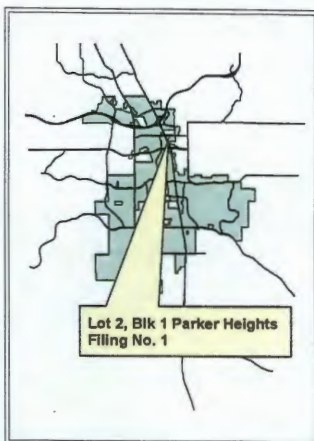
THE ABOVE DESCRIPTION CONTAINS 9,211.20 SQUARE FEET OR 0.211 ACRES MORE OR LESS.

Legal Notice No. _____

First Publication _____

Last Publication _____

Publisher: *Douglas County News-Press.*



Legend

- Town Boundary
- Site
- Roads

Narrative:
Resolution concerning substantial compliance with the requirements of the Annexation Act of 1965, and setting a Public Hearing for April 3, 2017

Planner: Ryan McGee
Hearing Schedules:

Town Council Consent Item:
February 21, 2017

Town Council Public Hearing:
April 3, 2017

Resolution 17-004.1
Annexation Compliance for Lot 2, Block 1, Parker Heights
Filing No. 1

Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**
20120 East Mainstreet
Parker, CO 80138

RE: PROPERTY KNOWN AS:

Lot 2 Block 1 Parker Heights Filing No. 1

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

(See Exhibit A attached hereto and incorporated herein by this reference.)

Your Petitioners further state as follows:

1. That it is desirable and necessary that such area be annexed to the Town of Parker, Colorado.
2. That the area sought to be annexed meets the requirements of Sections 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
 - a. Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the Town of Parker, Colorado.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Parker, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the Town of Parker, Colorado.
 - d. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
 - ii. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - e. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
 - f. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.
 - g. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Parker more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
 - h. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
 - i. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Parker.

Petition for Annexation

3. That attached hereto and incorporated herein by reference are four (4) prints of the annexation map, containing the following information:
 - a. A written legal description of the boundaries of the area proposed to be annexed.
 - b. A map showing the boundary of the area proposed to be annexed.
 - c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Parker and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
4. That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
9. No vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq., C.R.S., have been acquired by Petitioners from any governmental entity. Petitioners waive any vested land use rights attached to any or all of the property.
10. The Petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The property, the owners thereof, and the uses thereon are also bound by any voter authorization under Art. X, §20 of the Colorado Constitution adopted prior to annexation of the property. The Petitioners waive any claims they may have under Art. X, §20 of the Colorado Constitution related to such taxes and fees.

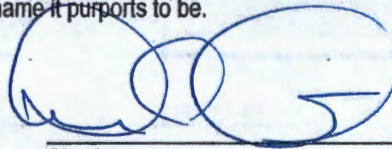
Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That he was the circulator of the foregoing Petition for Annexation of lands to the Town of Parker, Colorado, consisting of pages, including this page, and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.



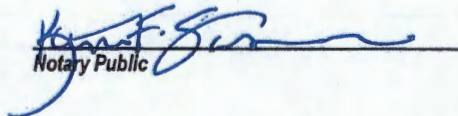
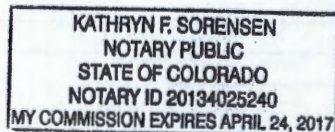
Circulator

STATE OF COLORADO)
) ss.
COUNTY OF Douglas

The foregoing Affidavit of Circulator was subscribed, sworn to, and acknowledged before me this 12th day of October, 2016 by Craig Anderson.

My commission expires: 4-24-2017

(SEAL)


Notary Public