



July 25, 2018

VIA REGISTERED US MAIL

Ms. Emily Wrenn, 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: *Parker Pointe*

Dear Ms. Wrenn:

The purpose of this letter is to give notice as required by Section 31-12-108(2), C.R.S. Please be advised that the hearing is scheduled for August 20, 2018, as described in the attachments. Enclosed are the following:

- *Resolution No. 18-048.* A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE PARKER POINTE PROPERTY'S ANNEXATION PETITION WITH C.R.S. § 31-12-107 AND SETTING A PUBLIC HEARING ON AUGUST 20, 2018, FOR THE PURPOSE OF CONSIDERING SAID ANNEXATION
- *Public Notice*
- *Annexation Petition*
- *Vicinity Map*

Sincerely,


Carol Baumgartner
Town Clerk, Town of Parker

RESOLUTION NO. 18-048, Series of 2018

TITLE: A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE PARKER POINTE PROPERTY'S ANNEXATION PETITION WITH C.R.S. § 31-12-107 AND SETTING A PUBLIC HEARING ON AUGUST 20, 2018, FOR THE PURPOSE OF CONSIDERING SAID ANNEXATION

WHEREAS, the Petitioner owns certain real property in Douglas County commonly known as the Parker Pointe Property, which is described on attached **Exhibit A** (the "Real Property");

WHEREAS, the Petitioner submitted to the Town a Petition for Annexation (the "Annexation Petition") concerning the Real Property;

WHEREAS, pursuant to C.R.S. § 31-12-107, this Town Council, sitting as the governing body of the Town, shall determine whether the Annexation Petition is in substantial compliance with the requirements of C.R.S. § 31-12-107(1); and

WHEREAS, the Town Council of the Town of Parker, Colorado (the "Town"), has satisfied itself concerning the compliance for the Annexation Petition with the requirements of C.R.S. § 31-12-107(1) and must now proceed to consider the proposed annexation of the Real Property to and by the Town.

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

Section 1. The Annexation Petition for the proposed annexation of the Real Property into the Town substantially complies with the requirements of C.R.S. § 31-12-107(1).

Section 2. A public hearing on the eligibility of the Real Property to be annexed into the Town will be conducted on August 20, 2018, 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 Colorado Revised Statutes, 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.

Section 3. Any person may appear at such hearing and present evidence upon any matter to be determined by the Town Council.

RESOLVED AND PASSED this 16th day of July, 2018.

TOWN OF PARKER, COLORADO


Mike Waid, Mayor

7/5/2018

G:\LEGAL\ANNEX\PARKER POINTE 2018\PARKER POINTE ANNEX-HEARING-RFS-20180716 TC MTG.DOCX

EXHIBIT A**Legal Description**

A TRACT OF LAND LOCATED IN SECTION 3, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH P.M., DOUGLAS COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE RUNNING WEST, 486 FEET; THENCE SOUTH 2°20' WEST, 1330 FEET; THENCE SOUTH 78°30' EAST, 535 FEET; THENCE NORTH, 1444 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PORTION THEREOF LYING WITHIN EAST STROH ROAD AND EXCEPT THAT PORTION THEREOF TAKEN BY THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO BY RULE AND ORDER, CASE NO. 90CV484 RECORDED MAY 11, 1993 IN BOOK 1124 AT PAGE 853, COUNTY OF DOUGLAS, STATE OF COLORADO.

PARCEL CONTAINS (638,911 SQUARE FEET) 14.6674 ACRES MORE OR LESS.

7/5/2018

G:\LEGAL\ANNEX\PARKER POINTE 2018\PARKER POINTE ANNEX-HEARING-RES-20180716 TC MTG DOCX

PUBLIC HEARING NOTICE FOR PARKER POINTE ANNEXATION

Notice is hereby given that the Town Council of the Town of Parker, Colorado, has by resolution set a public hearing regarding the Parker Pointe Annexation on August 20, 2018, 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 proposed 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 Resolution No. 18-042, Series of 2018, reads as follows:

RESOLUTION NO. 18-048, Series of 2018

TITLE: A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE PARKER POINTE PROPERTY'S ANNEXATION PETITION WITH C.R.S. § 31-12-107 AND SETTING A PUBLIC HEARING ON AUGUST 20, 2018, FOR THE PURPOSE OF CONSIDERING SAID ANNEXATION

WHEREAS, THE PETITIONER OWNS CERTAIN REAL PROPERTY IN DOUGLAS COUNTY COMMONLY KNOWN AS THE PARKER POINTE PROPERTY, WHICH IS DESCRIBED ON ATTACHED **EXHIBIT A** (THE "REAL PROPERTY");

WHEREAS, THE PETITIONER SUBMITTED TO THE TOWN A PETITION FOR ANNEXATION (THE "ANNEXATION PETITION") CONCERNING THE REAL PROPERTY;

WHEREAS, PURSUANT TO C.R.S. § 31-12-107, THIS TOWN COUNCIL, SITTING AS THE GOVERNING BODY OF THE TOWN, SHALL DETERMINE WHETHER THE ANNEXATION PETITION IS IN SUBSTANTIAL COMPLIANCE WITH THE REQUIREMENTS OF C.R.S. § 31-12-107(1); AND

WHEREAS, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO (THE "TOWN"), HAS SATISFIED ITSELF CONCERNING THE COMPLIANCE FOR THE ANNEXATION PETITION WITH THE REQUIREMENTS OF C.R.S. § 31-12-107(1) AND MUST NOW PROCEED TO CONSIDER THE PROPOSED ANNEXATION OF THE REAL PROPERTY TO AND BY THE TOWN.

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

SECTION 1. THE ANNEXATION PETITION FOR THE PROPOSED ANNEXATION OF THE REAL PROPERTY INTO THE TOWN SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF C.R.S. § 31-12-107(1).

SECTION 2. A PUBLIC HEARING ON THE ELIGIBILITY OF THE REAL PROPERTY TO BE ANNEXED INTO THE TOWN WILL BE CONDUCTED ON AUGUST 20, 2018, 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 COLORADO REVISED STATUTES, TITLE

Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**

*20120 East Mainstreet
Parker, CO 80138*

RE: PROPERTY KNOWN AS:

Parker Pointe

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.)

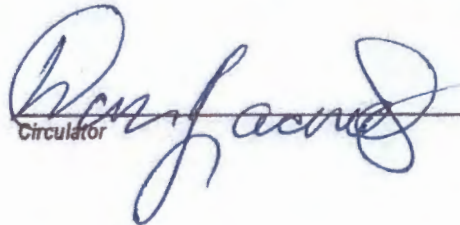
Your Petitioners further state as follows:

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.

AFFIDAVIT OF CIRCULATOR

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

That (he or she) 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.

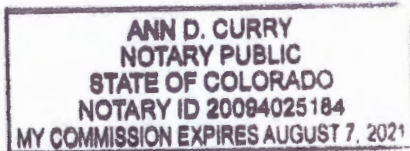

Circulator

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

The foregoing Affidavit of Circulator was acknowledged before me this 7 day of June, 2018, by Daniel Yacovetta.

My commission expires: August 7, 2021.

(SEAL)




Notary Public

Exhibit A

Legal Description

A part of a Tract of land situated in the NE 1/4 of Section 3, T.7S., R.66W., of the 6th P.M., Town of Parker, State of Colorado, and being more particularly described as follows:

Commencing at the NE Corner of said Section 3;

Thence S00°16'55"W along the East Line of said NE 1/4 of Section 3, a distance of 30.00 feet to a point on the South R.O.W. Line of Stroh Road and the **Point of**

Beginning;

Thence S00°16'55"W along said East Line, a distance of 1414.00 feet;

Thence N78°38'39"W a distance of 490.67 feet to a point on the Easterly R.O.W. Line of South Parker Road (State Highway 83);

Thence N01°30'59"E along said Easterly R.O.W., a distance of 1317.76 feet to the intersection of the Easterly Line of South Parker Road and the South R.O.W. Line of Stroh Road;

Thence N89°59'29"E along said South R.O.W. Line, a distance of 453.15 feet to the **Point of Beginning.**

Parcel Contains (638,911 Square Feet) 14.6674 Acres

Date prepared: May 2, 2016

Date of last revision:

Prepared by: Charles N. Beckstrom, PLS No. 33202

for and on behalf of

Engineering Service Company

1300 South Potomac Street, Suite 126

Aurora, Colorado 80012

Phone: 303-337-1393

cbeckstrom@engineeringserviceco.com



Vicinity Map

