



July 17, 2019

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: *Chambers Road and PSCO Right-of-Way Property*

Dear Ms. Wrenn:

The purpose of this letter is to give notice to Douglas County as required by Section 31-12-108(2), C.R.S. Please be advised that the hearing is scheduled for August 19, 2019, as described in the attachments. Enclosed are the following:

- *Resolution No. 19-045. A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE CHAMBERS ROAD AND PUBLIC SERVICE COMPANY OF COLORADO RIGHT-OF-WAY PROPERTY'S ANNEXATION PETITION WITH C.R.S. § 31-12-107 AND SETTING A PUBLIC HEARING ON AUGUST 19, 2019, FOR THE PURPOSE OF CONSIDERING SAID ANNEXATION*
- *Annexation Petition*
- *Vicinity Map*

Sincerely,

Chris Vanderpool

Deputy Town Clerk, Town of Parker

RESOLUTION NO. 19-045, Series of 2019

TITLE: A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE CHAMBERS ROAD AND PUBLIC SERVICE COMPANY OF COLORADO RIGHT-OF-WAY PROPERTY'S ANNEXATION PETITION WITH C.R.S. § 31-12-107 AND SETTING A PUBLIC HEARING ON AUGUST 19, 2019, FOR THE PURPOSE OF CONSIDERING SAID ANNEXATION

WHEREAS, Public Service Company of Colorado (the "Petitioner") owns certain real property in Douglas County commonly known as the Chambers Road and Public Service Company of Colorado Right-of-Way 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 on June 14, 2019;

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:

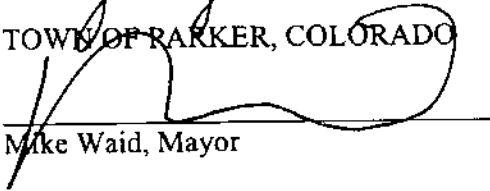
Section 1. The Annexation Petition for the proposed annexation of the Real Property into the Town substantially complies with the requirements of C.R.S. § 31-12-107(1).

Section 2. A public hearing on the eligibility of the Real Property to be annexed into the Town will be conducted on August 19, 2019, 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 8th day of July, 2019.

TOWN OF PARKER, COLORADO


Mike Waid, Mayor

ATTEST:

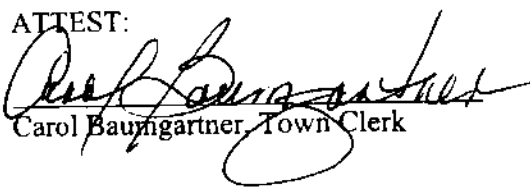

Carol Baumgartner, Town Clerk

EXHIBIT A

**Legal Description for Chambers Road and Public Service
Company of Colorado Right-of-Way Property**

A PARCEL OF LAND BEING A PART OF THAT CERTAIN PARCEL AS DESCRIBED IN BOOK 154 AT PAGE 240 AND IN BOOK 157 AT PAGE 487 IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO, CLERK AND RECORDER, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 19, WHENCE THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19 BEARS NORTH 00°31'09" WEST, WITH ALL BEARINGS REFERENCED HEREIN RELATIVE THERETO:

THENCE ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER AND THE SOUTHERLY BOUNDARY OF SAID CERTAIN PARCEL OF LAND, SOUTH 88°12'28" WEST, A DISTANCE OF 784.27 FEET TO THE WESTERLY BOUNDARY OF A ROADWAY EASEMENT AS DESCRIBED AT RECEPTION NO. 2009013410 IN SAID RECORDS;

THENCE DEPARTING SAID SOUTH LINE, ALONG THE SAID WESTERLY BOUNDARY, NORTH 02°31'00" EAST, A DISTANCE OF 231.88 FEET TO THE NORTHERLY BOUNDARY OF THAT SAID CERTAIN PARCEL OF LAND;

THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 87°33'37" EAST, A DISTANCE OF 772.03 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID EAST LINE, SOUTH 00°33'58" EAST, A DISTANCE OF 240.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 4.207 ACRES, (183,264 SQUARE FEET), MORE OR LESS.

Petition for Annexation

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

RE: PROPERTY KNOWN AS:
Public Service Company Property Annexation and Zoning

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.

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.

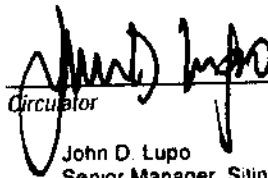
Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

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 or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Parker, Colorado, consisting of 4 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

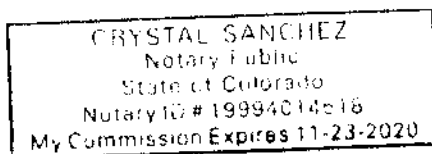
John D. Lupo
Senior Manager, Siting & Land Rights
Xcel Energy Services, Inc.
as Authorized Agent for Public Service Company of Colorado

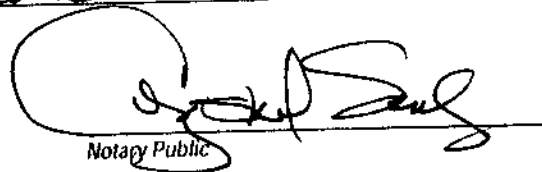
STATE OF COLORADO)
COUNTY OF Danville) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 14th day of June, 2019 by John D. Lupo.

My commission expires: 11/23/2020

(SEAL)




Notary Public

