

RESOLUTION NO. 09-91

INTRODUCED BY:

Councilperson Clark

Councilperson Coppola

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CASTLE PINES NORTH, COLORADO
SETTING FORTH CERTAIN FINDINGS OF FACT AND CONCLUSIONS AS TO THE
ELIGIBILITY FOR ANNEXATION OF CERTAIN PROPERTY KNOWN AS THE
LAGAE SOUTH ANNEXATION**

WHEREAS, the City Council of the City of Castle Pines North, Colorado, received a Petition for Annexation ("Petition") and annexation map of certain real property known as Lagae South, as more fully described in Exhibit 1 to said Petition (the "Property"), said Petition having heretofore been filed with the City Clerk of the City of Castle Pines North, State of Colorado on September 23, 2009; and

WHEREAS, on November 12, 2009, the City Council found said Petition to be in substantial compliance with § 31-12-107(1), C.R.S., and set a public hearing pursuant to § 31-12-108(1), C.R.S., to determine whether the proposed annexation complies with the applicable parts of §§ 31-12-104 and 31-12-105, C.R.S., as required to establish the Property's eligibility for annexation; and

WHEREAS, following notice of public hearing given as required by § 31-12-108(2), C.R.S., the City Council held a public hearing on such eligibility for annexation in accordance with the requirements of §§ 31-12-108 and 31-12-109, C.R.S., as applicable; and

WHEREAS, in conformance with § 31-12-110, C.R.S., the City Council examined the Petition, annexation map and related filings for the Property and wishes to make certain findings of fact and conclusions as more fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO:

Section 1. The above findings and recitals are incorporated herein as findings and determinations of the City Council.

Section 2. The City Council further finds as follows:


- a. That the proposed annexation meets the applicable requirements of §§ 31-12-104 and 31-12-105, C.R.S.; and
- b. That an election is not required under § 31-12-107(2), C.R.S.; and
- c. That no additional terms or conditions are to be imposed except as provided in the Petition and in an annexation and development agreement

to be entered into between the petitioner and the City of Castle Pines North, which are not to be considered additional terms and conditions within the meaning of §§ 31-12-107(1)(g), 31-12-110(2) or 31-12-112, C.R.S.; and

- d. That the Property is eligible for annexation to the City of Castle Pines North.

Section 3. This resolution shall be effective immediately upon approval by the City Council.


INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH by a vote of five (5) in favor, none against and two (2) absent this 17th day of December, 2009.



Maureen A. Shul, Mayor

ATTEST:

Approved as to form:



Janie Berry, City Clerk



Linda C. Michow, City Attorney