

RESOLUTION NO. 2024-071

**A RESOLUTION FINDING THAT THE PETITION FOR ANNEXATION
SUBMITTED BY CASTLE ROCK VENTURES, LLC, IS IN SUBSTANTIAL
COMPLIANCE WITH ARTICLE II, SECTION 30(1)(B) OF THE COLORADO
CONSTITUTION AND SECTION 31-12-107(1), C.R.S.; AND SETTING A DATE,
TIME AND PLACE FOR THE HEARING PRESCRIBED UNDER SECTION 31-
12-108, C.R.S. TO DETERMINE IF THE SUBJECT PROPERTY IS ELIGIBLE
FOR ANNEXATION UNDER ARTICLE II, SECTION 30 OF THE COLORADO
CONSTITUTION AND SECTIONS 31-12-104 AND 31-12-105, C.R.S.
(Terra Monte Annexation)**

WHEREAS, Castle Rock Ventures, LLC (the “Petitioner”), has filed a petition (the “Petition”) with the Town of Castle Rock (the “Town”) to annex a parcel of land located at the northwest corner of Plum Creek Parkway and South Ridge Road totaling 32.29 acres in size (the “Property”), all as more particularly described in the Petition and Annexation Map presented at tonight’s meeting; and

WHEREAS, the Petition: (i) formally requests that the Property be annexed to the Town; (ii) states that it is signed by the Petitioner as the sole owner of the Property, and (iii) is, in fact, signed by the Petitioner, all as required by Article II, Section 30(1)(b) of the Colorado Constitution; and

WHEREAS, pursuant to Section 31-12-107(1)(f), C.R.S., the Town Council, without undue delay, is required to determine if the Petition is in substantial compliance with the requirements set forth in Article II, Section 30(1)(b) of the Colorado Constitution and Section 31-12-107(1), C.R.S.; and

WHEREAS, upon such determination, the Town Council is required to set a date, time, and place for a hearing to determine whether the Property is eligible for annexation to the Town in accordance with the requirements of Article II, Section 30 of the Colorado Constitution and Sections 31-12-104 and 31-12-105, C.R.S.

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

Section 1. Findings. The Town Council finds and determines that:

- A. The Petition requests that the Town annex the Property;
- B. The Petition is signed by persons: (i) comprising more than fifty percent (50%) of the landowners of the Property and (ii) owning more than fifty percent (50%) of the Property;
- C. The Petition substantially complies with the requirements of Section 30(1)(b) of Article II of the Colorado Constitution and Section 31-12-107(1), C.R.S.;

- D. The Petition is accompanied by a map containing the information required by Section 31-12-107(1)(d), C.R.S.; and
- E. No signature on the Petition is dated more than 180 days prior to the date of filing of the Petition with the Town Clerk.

Section 2 Public Hearing. Pursuant to Section 31-12-108, C.R.S., a public hearing is scheduled before the Town Council on August 20, 2024, at 6:00 P.M., at the Castle Rock Town Hall, 100 N. Wilcox Street, Castle Rock, Colorado, for the purpose of enabling the Town Council to determine whether:

- A. The Property is eligible for annexation to the Town in accordance with the requirements of Article II, Section 30 of the Colorado Constitution and Sections 31-12-104 and 31-12-105, C.R.S.;
- B. Whether an election of the landowners and registered electors in the area to be annexed is required under Article II, Section 30(1)(a) of the Colorado Constitution and Section 31-12-107(2), C.R.S.; and
- C. Whether additional terms and conditions are to be imposed upon the proposed annexation.

Section 3. Notice of Hearing. The Town Clerk shall give notice of said hearing in the manner prescribed by Section 31-12-108(2), C.R.S.

Section 4. Effective Date. This Resolution shall become effective on the date and at the time of its adoption.

PASSED, APPROVED AND ADOPTED this 2nd day of July, 2024, by the Town Council of the Town of Castle Rock, Colorado on first and final reading by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to Content:

Michael J. Hyman, Town Attorney

Tara Vargish, Director of Development Services