

**RESOLUTION NO. 2023-108**

**A RESOLUTION FINDING THAT THE PETITION FOR ANNEXATION SUBMITTED BY THE TOWN OF CASTLE ROCK 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.**

**(Crowfoot Valley Road Annexation)**

**WHEREAS**, the Town of Castle Rock, Colorado (the “Town”) has filed a petition (the “Petition”) to annex four Town-owned parcels that comprise a portion of the Crowfoot Valley Road right-of-way located east of the Crowfoot Valley Road and Tower Road intersection and west of the Crowfoot Valley Road and Macanta Boulevard intersection as more particularly described on the attached *Exhibit A* (the “Property”); and

**WHEREAS**, the proposed annexation is part of a larger effort to incorporate eligible Town-owned property into the Town boundaries; and

**WHEREAS**, the Petition: (i) formally requests that the Property be annexed to the Town; (ii) states that it is signed by the Town as the sole owner of the Property, and (iii) is, in fact, signed by the Town Manager, as the legal representative of the Town, 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 October 17, 2023, 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 \_\_\_\_ day of \_\_\_\_\_, 2023, 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**

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Lisa Anderson, Town Clerk

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Jason Gray, Mayor

**Approved as to form:**

**Approved as to Content:**

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Michael J. Hyman, Town Attorney

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Tara Vargish, Director of Development Services