

RESOLUTION NO. 2024-040

A RESOLUTION FINDING THAT THE PETITIONS FOR ANNEXATION SUBMITTED BY THE TOWN OF CASTLE ROCK ARE 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 PROPERTIES ARE ELIGIBLE FOR ANNEXATION UNDER ARTICLE II, SECTION 30 OF THE COLORADO CONSTITUTION AND SECTIONS 31-12-104 AND 31-12-105, C.R.S.

(Four Corners Annexation; South Ridge Road No. 1 Annexation; South Ridge Road No. 2 Annexation; Gilbert Street/Plum Creek Parkway Annexation)

WHEREAS, the Town of Castle Rock (the “Town”) has filed four separate petitions (the “Petitions”) to annex multiple parcels of land, all as more particularly described in the Petitions and the annexation maps presented at tonight’s meeting (collectively, the “Property”); and

WHEREAS, the Four Corners Annexation consists of eight parcels located north and west of the intersection of State Highway 86 and Founders Parkway/Ridge Road, totaling 1.37 acres; and

WHEREAS, the South Ridge Road No. 1 Annexation consists of one parcel located approximately 225 feet south of the South Ridge Road and Enderud Boulevard roundabout, on the east side of South Ridge Road, totaling 0.12 acres; and

WHEREAS, the South Ridge Road No. 2 Annexation consists of one parcel located approximately 220 feet north of the South Ridge Road and East Plum Creek Parkway roundabout, on the east side of South Ridge Road, totaling 0.022 acres; and

WHEREAS, the Gilbert Street/Plum Creek Parkway Annexation consists of one parcel located at the intersection of Gilbert Street/South Lake Gulch Road and Plum Creek Parkway, totaling 0.48 acres; and

WHEREAS, the Property consists solely of right-of-way or of land that will be used solely as right-of-way; and

WHEREAS, each 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, 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 Petitions are 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 Petitions request that the Town annex the Property;
- B. The Petitions are 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 Petitions substantially comply 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 are accompanied by a map containing the information required by Section 31-12-107(1)(d), C.R.S.; and
- E. No signature on the Petitions is dated more than 180 days prior to the date of filing of the Petitions 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 June 4, 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 16th day of April, 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