

ORDINANCE NO. 2015-56

**AN ORDINANCE ANNEXING TO THE TOWN OF CASTLE ROCK, COLORADO,
A 59.931 ACRE PARCEL IN SECTIONS 21 AND 28, TOWNSHIP 7 SOUTH, RANGE 67
WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS,
STATE OF COLORADO
(LOWER EAST PLUM CREEK PARK AND OPEN SPACE ANNEXATION)**

WHEREAS, the Town of Castle Rock owns the entire area proposed for annexation, which area is described in the attached *Exhibit 1* (“Property”),

WHEREAS, the Property is not solely a public street or right-of-way,

WHEREAS, the Property is eligible for annexation under Section 30(c) of Article II of the Colorado Constitution,

WHEREAS, not less than one-sixth of the perimeter boundary of the Property is contiguous with the municipal boundaries of the Town of Castle Rock as required by §31-12-104(1)(a), C.R.S.,

WHEREAS, in accordance with Section 30(1)(c) of Article II of the Colorado Constitution and §§31-12-104(I)(a) and 31-12-105, C.R.S., the Town Council may annex the Property to the municipality without notice and hearing as otherwise provided in §§31-12-108 and 31-12-109, C.R.S.,

WHEREAS, the provisions of Chapter 20.02 of Municipal Code do not apply to annexations for which no eligibility hearing is required, and

WHEREAS, the proposed annexation is consistent with the Town’s Vision 2020 and Comprehensive Master Plan.

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Annexation of Property. The property described in the attached *Exhibit 1*, which is unincorporated territory located in Douglas County, Colorado, is annexed to the Town of Castle Rock, Colorado as the Lower East Plum Park and Open Space Annexation.

Section 2. Statement of Ownership. The area proposed to be annexed is owned by the Town of Castle Rock.

Section 3. Required Filings. The Town Clerk shall file with the Douglas County Clerk and Recorder those documents required by the Municipal Annexation Act of 1965, as amended.

Section 4. Effective Date. With the effective date of this ordinance, the Property is subject to the municipal charter and all ordinances, resolutions, rules and regulations of the Town of Castle Rock.

Section 5. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 6. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 15th day of December, 2015 by a vote of - 5 - for and - 0 - against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this ____ of _____, 2016 by the Town Council of the Town of Castle Rock, Colorado, by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare, Town Clerk

Paul Donahue, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Bill Detweiler, Director, Development Services