

ORDINANCE NO. 2020-009

AN ORDINANCE ANNEXING TO THE TOWN OF CASTLE ROCK, COLORADO, FOUR PARCELS TOTALING 199.33 ACRES LOCATED IN ALL OR PORTIONS OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 SECTION 32, THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 SECTION 33, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH PRIME MERIDIAN, THE WEST HALF OF NORTHWEST 1/4 SECTION 4, NORTH HALF OF THE NORTHEAST 1/4 SECTION 5 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 SECTION 5, TOWNSHIP 8 SOUTH, RANGE 66 WEST OF THE 6TH PRIME MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO (GATEWAY 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, § 31-12-106 C.R.S. authorizes the governing body of a municipality to annex by ordinance without notice and hearing as provided in § 31-12-108 C.R.S. and § 31-12-109 C.R.S any unincorporated territory when the municipality is the sole owner of the area to be annexed, and said area is eligible for annexation as set out in § 31-12-104(1)(a) C.R.S. and § 31-12-105 C.R.S.;

WHEREAS, the provisions of Title 20, Chapter 20.02 of the Castle Rock Municipal Code do not apply to annexations for which no eligibility hearing is required;

WHEREAS, the annexation of these parcels is necessary for the Town owned property to be within the Town boundaries and within Town jurisdiction;

WHEREAS, the proposed annexation is consistent with the Town’s Vision 2030 and Comprehensive Master Plan; and

WHEREAS, the Planning Commission conducted a public hearing on the advisability of annexation of the subject parcel, and voted to recommend approval by a vote of 7 for and 0 against,

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

Section 1. Annexation of Property. The property described in the attached *Exhibit 1* (“Property”), which is unincorporated territory located in Douglas County, Colorado, is annexed to the Town of Castle Rock, Colorado as the Gateway 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, C.R.S. § 31-12-101, *et seq.*, 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 21st day of July, 2020 by a vote of 6 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 18th day of August, 2020, by the Town Council of the Town of Castle Rock by a vote of _____ for and _____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Michael J. Hyman, Town Attorney

Tara Vargish, Director, Development Services