

2023-33

A RESOLUTION

MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF CERTAIN PROPERTY TO BE KNOWN AS THE STEVINSON ANNEXATIONS NO. 22 & 23, LOCATED IN THE COUNTY OF JEFFERSON, STATE OF COLORADO

WHEREAS, the City Council of the City of Lakewood found a Petition for the Annexation of the hereinafter described parcels of land to be in substantial compliance with the requirements of Section 31-12-107(1), C.R.S.;

WHEREAS, the City Clerk provided notice of public hearing on the proposed annexation by publication once a week for four (4) successive weeks with the first notice published at least thirty (30) days prior to the hearing;

WHEREAS, the City Clerk provided copies of the published notice, resolution, and petition by registered mail to the Jefferson County Board of County Commissioners, the Jefferson County Attorney, and to any special district or school district having territory in the area to be annexed at least twenty-five (25) days prior to the hearing;

WHEREAS, the City Clerk provided an impact report to the Jefferson County Board of County Commissioners at least twenty (20) days prior to the hearing; and

WHEREAS, the City Council completed a public hearing on May 22, 2023 and determined that the proposed annexation complies with Sections 31-12-104 and 31-12-105, C.R.S. establishing eligibility for annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, that:

SECTION 1. The City Council of the City of Lakewood hereby finds and determines with regard to the annexation of the territory described in Attachment A attached hereto and incorporated herein, that the area sought to be annexed to the City of Lakewood meets the requirements of the Municipal Annexation Act of 1965, Sections 31-12-104 and 31-12-105, in that:

- A. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Lakewood.
- B. A community of interest exists between the area proposed to be annexed and the City of Lakewood.
- C. The area proposed to be annexed is urban or will be urbanized in the near future.

- D. The area proposed to be annexed is integrated with, or is capable of being integrated within, the City of Lakewood.

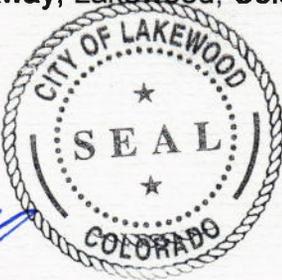
SECTION 2. The City Council further finds and determines that:

- A. No land within the area proposed to be annexed and held in identical ownership is divided into separate tracts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
- B. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of such area to another school district.
- C. No annexation proceedings have been commenced for the annexation to another municipality of any part or all of the area proposed to be annexed to the City hereunder nor is any part of said area presently a part of any incorporated city, town, or city and county.
- D. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the City of Lakewood more than three miles in any direction from any point of the City's boundary in any one year.
- E. In establishing the boundaries of the area proposed to be annexed, where a portion of a platted street or alley is annexed, the entire width of said street or alley is included within the area annexed.
- F. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining a platted street or alley to be annexed by the City that is not bounded on both sides by the City.
- G. Due to the fact that the total land proposed to be annexed is more than ten (10) acres in total area, an Annexation Impact Report was prepared and timely filed with the Jefferson County Board of County Commissioners.

Section 3. The City Council further finds and determines that the Petitioners comprise more than fifty percent (50%) of the landowners of more than fifty percent (50%) of the area proposed to be annexed, exclusive of streets and alleys; an election is not required, and no additional terms or conditions are to be imposed upon the area to be annexed.

Section 4. This Resolution shall become effective immediately upon its adoption.

INTRODUCED, READ AND ADOPTED by a vote of 9 for and 0 against at a hybrid regular meeting of the City Council on May 22, 2023, at 7 o'clock p.m. at Lakewood City Hall, 480 South Allison Parkway, Lakewood, Colorado.



Adam Paul, Mayor

ATTEST:

Jay Robb, City Clerk

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney

EXHIBIT A
LEGAL DESCRIPTIONS
STEVINSON ANNEXATION NO. 22

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 69 WEST AND A PORTION OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW 1/4, BEING IN COMMON WITH THE SOUTHEAST CORNER OF SAID SE1/4;

THENCE S89°51'11"W, ALONG THE SOUTH LINE OF SAID SE1/4, A DISTANCE OF 42.50 FEET, MORE OR LESS, TO THE WESTERLY CORPORATE BOUNDARY LINE OF THE CITY OF LAKEWOOD, AS DEFINED BY ANNEXATION MAP OF STEVINSON ANNEXATION NO. 5, RECORDED IN PLAT BOOK 119, PAGE 56, AT RECEPTION NO. 94164854 IN THE RECORDS OF THE JEFFERSON COUNTY CLERK AND RECORDER, APPROVED BY ORDINANCE O-1994-56, RECORDED AT RECEPTION NO. 94164853 OF SAID RECORDS;

THENCE N00°06'53"W, ALONG SAID WESTERLY LINE AND ALONG A PORTION OF THE EASTERLY CORPORATE BOUNDARY LINE OF THE CITY OF LAKEWOOD AS DEFINED BY THE ANNEXATION MAP OF DENVER WEST ANNEXATION NO. 20, RECORDED IN PLAT BOOK 156, PAGE 37, AT RECEPTION NO. F1108033 OF SAID RECORDS, APPROVED BY ORDINANCE O-2000-28, RECORDED AT RECEPTION NO. F1108032 OF SAID RECORDS, A DISTANCE OF 390.50 FEET TO AN ANGLE POINT OF SAID STEVINSON ANNEXATION NO. 5, AND THE POINT OF BEGINNING;

THENCE DEPARTING THE WESTERLY LINE OF SAID STEVINSON ANNEXATION NO. 5 AND CONTINUING ALONG THE EASTERLY LINE OF SAID DENVER WEST ANNEXATION NO. 20, N00°06'53"W, A DISTANCE OF 63.22 FEET TO AN ANGLE POINT OF SAID DENVER WEST ANNEXATION NO. 20;

THENCE DEPARTING THE EASTERLY LINE OF SAID DENVER WEST ANNEXATION NO. 20 AND PROCEEDING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF DENVER WEST COLORADO MILLS BOULEVARD, N00°06'53"W, A DISTANCE OF 26.78 FEET TO AN ANGLE POINT IN THE WESTERLY LINE OF SAID STEVINSON ANNEXATION NO. 5;

THENCE ALONG THE SOUTHERLY, WESTERLY, AND NORTHERLY BOUNDARY LINES OF SAID STEVINSON ANNEXATION NO. 5, THE FOLLOWING THREE (3) COURSES:

- 1) N89°57'49"E, ALONG SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF 222.33 FEET;
- 2) THENCE S00°08'27"E, ALONG SAID WESTERLY BOUNDARY LINE, A DISTANCE OF 90.00 FEET;
- 3) THENCE S89°57'49"W, ALONG SAID NORTHERLY BOUNDARY LINE, A DISTANCE OF 222.37 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

CONTAINING AN AREA OF 20,011 SQUARE FEET OR 0.459 ACRE, MORE OR LESS.

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6 IS ASSUMED TO BEAR N 00°08'27" W, MONUMENTED ON THE SOUTH BY A FOUND 3-1/4 INCH DIAMETER BRASS CAP IN RANGE BOX STAMPED PLS 34989, 2002, AND MONUMENTED ON THE NORTH BY A 3-1/4 INCH ALUMINUM CAP IN RANGE BOX STAMPED LS 24966, 1998.

EXHIBIT A CONTINUED

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LEGAL DESCRIPTION
STEVINSON ANNEXATION NO. 23

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER (SW $\frac{1}{4}$) AND THE SOUTHEAST ONE-QUARTER (SE $\frac{1}{4}$) OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN; COUNTY OF JEFFERSON, STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 6;

THENCE N00°13'46"W, A DISTANCE OF 92.00 FEET TO AN ANGLE POINT IN THE CORPORATE BOUNDARY LINE OF THE CITY OF LAKEWOOD AS DEFINED BY THE ANNEXATION MAP OF STEVINSON ANNEXATION NO. 1, RECORDED IN PLAT BOOK 119, PAGE 52, AT RECEPTION NO. 94164846 OF THE RECORDS OF THE JEFFERSON COUNTY CLERK AND RECORDER, APPROVED BY ORDINANCE, O-1994-52, RECORDED AT RECEPTION NO. 94164845 OF SAID RECORDS, SAID ANGLE POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE CORPORATE BOUNDARY THE FOLLOWING COURSES:

A) ALONG THE EASTERLY AND NORTHERLY BOUNDARY LINES OF SAID STEVINSON ANNEXATION NO. 1 THE FOLLOWING TWO (2) COURSES:

1) N00°13'46"W (N00°01'30"W (R)), ALONG THE EAST LINE OF SAID SW $\frac{1}{4}$, A DISTANCE OF 238.05 FEET TO THE CALLED NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SW $\frac{1}{4}$;

2) THENCE S89°57'53"W (N89°49'53"W (R)) ALONG THE CALLED NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SW $\frac{1}{4}$ AND THE CALLED NORTH LINE OF THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SW $\frac{1}{4}$, A DISTANCE OF 349.31 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF STEVINSON ANNEXATION NO. 2, RECORDED IN PLAT BOOK 119, PAGE 53, AT RECEPTION NO. 94164848 OF SAID RECORDS, APPROVED BY ORDINANCE, O-1994-53, RECORDED AT RECEPTION NO. 94164847 OF SAID RECORDS;

B) THENCE ALONG THE NORTHERLY AND WESTERLY BOUNDARY LINES OF SAID STEVINSON ANNEXATION NO. 2 THE FOLLOWING TWO (2) COURSES:

1) S89°57'53"W (N89°49'53"W (R)), ALONG THE CALLED NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SW $\frac{1}{4}$ AND ALONG THE CALLED NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-

QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SW $\frac{1}{4}$, A DISTANCE OF 803.80 FEET (850.75 FEET (R)), MORE OR LESS, TO THE CALLED NORTHWEST CORNER OF THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SW $\frac{1}{4}$;

- 2) THENCE S00°13'35"E, (S00°31'26"W (R)), ALONG THE CALLED WEST LINE OF THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SW $\frac{1}{4}$, A DISTANCE OF 195.83 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF STEVINSON ANNEXATION NO. 3, RECORDED IN PLAT BOOK 119, PAGE 54, AT RECEPTION NO. 94164850 OF SAID RECORDS, APPROVED BY ORDINANCE, O-1994-54, RECORDED AT RECEPTION NO. 94164849 OF SAID RECORDS;
- C) THENCE ALONG THE NORTHERLY, EASTERLY, NORTHERLY AND WESTERLY BOUNDARY LINE OF SAID STEVINSON ANNEXATION NO. 3 THE FOLLOWING ELEVEN (11) COURSES:
- 1) N81°17'33"W (N81°19'07"W (R)), A DISTANCE OF 165.50 FEET (173.42 FEET (R));
 - 2) THENCE S75°32'41"W (S75°32'51"W (R)), A DISTANCE OF 121.95 FEET (65.44 FEET (R));
 - 3) THENCE N00°16'57"W (N00°04'00"W (R)), A DISTANCE OF 35.80 FEET (35.04 FEET (R)) TO A POINT OF CURVATURE;
 - 4) THENCE 101.77 FEET (102.47 FEET (R)) ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 175.00 FEET AND A CENTRAL ANGLE OF 33°19'14" (33°33'00" (R)), THE LONG CHORD OF WHICH BEARS N16°56'34"W, A LENGTH OF 100.34 FEET TO POINT OF REVERSE CURVATURE;
 - 5) THENCE 73.29 FEET (73.19 FEET (R)) ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF 33°35'33" (33°33'00" (R)), THE LONG CHORD OF WHICH BEARS N16 48'25"W, A LENGTH OF 72.24 FEET TO POINT OF TANGENCY;
 - 6) THENCE N00°00'38"W (N00°04'00"W (R)), A DISTANCE OF 89.48 FEET (89.36 FEET (R));
 - 7) THENCE S89°57'20"W (N89°50'24"W (R)), A DISTANCE OF 50.00 FEET TO POINT OF CURVATURE;
 - 8) THENCE 5.51 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 45.00 FEET AND A CENTRAL ANGLE OF 07°01'12",

THE LONG CHORD OF WHICH BEARS S86°26'51"W, A LENGTH OF 5.51 FEET;

- 9) THENCE N00°28'34"E (N00°40'50"E (R)), ALONG THE CALLED WEST LINE OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SW¼, A DISTANCE OF 62.77 FEET, MORE OR LESS, TO THE CALLED NORTHEAST ONE-CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SW¼;
 - 10) THENCE S89°57'55"W (N89°49'36"W (R)), A DISTANCE OF 173.67 FEET (171.21 FEET (R)), MORE OR LESS, TO THE CALLED NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SW¼;
 - 11) THENCE S00°33'15"W (S00°45'31"W (R)), ALONG THE CALLED NORTH-SOUTH CENTERLINE OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SW¼, A DISTANCE OF 151.81 FEET, MORE OR LESS, TO AN ANGLE POINT IN THE NORTHERLY LINE OF STEVINSON ANNEXATION NO. 4, RECORDED IN PLAT BOOK 119, PAGE 55, AT RECEPTION NO. 94164852 OF SAID RECORDS, APPROVED BY ORDINANCE O-1994-55, RECORDED AT RECEPTION NO. 94164851 OF SAID RECORDS;
- D) THENCE ALONG THE NORTHERLY AND EASTERLY BOUNDARY LINES OF SAID STEVINSON ANNEXATION NO. 4, THE FOLLOWING TWO (2) COURSES:
- 1) S89°57'59"W (N89°49'45"W(R)), A DISTANCE OF 110.40 FEET;
 - 2) THENCE N00°04'50"W (N00°07'26"E (R)), A DISTANCE OF 330.30 FEET TO THE SOUTHERLY LINE OF STEVINSON ANNEXATION NO. 21, RECORDED IN PLAT BOOK 170, PAGE 29, AT RECEPTION NO. F1694460 OF SAID RECORDS, APPROVED BY ORDINANCE, O-2003-2, RECORDED AT RECEPTION NO. F1694459 OF SAID RECORDS;
- E) THENCE ALONG THE SOUTHERLY, EASTERLY AND SOUTHERLY BOUNDARY LINES OF SAID STEVINSON ANNEXATION NO. 21, THE FOLLOWING THREE (3) COURSES:
- 1) N89°58'26"E (N89°58'03"E (R)), A DISTANCE OF 164.70 FEET;
 - 2) THENCE N00°08'27"W, A DISTANCE OF 330.36 FEET;
 - 3) THENCE N89°58'47"E, A DISTANCE OF 176.01 FEET;

THENCE DEPARTING THE CORPORATE BOUNDARY OF THE CITY OF LAKEWOOD, S00°02'18"W, A DISTANCE OF 305.34 FEET, MORE OR LESS, TO THE NORTHERLY RIGHT-OF-WAY OF WEST 7TH AVENUE BEING 25.00 FEET NORTHERLY OF THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF SAID SW¼;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY OF WEST 7TH AVENUE N89°58'26"E, A DISTANCE OF 715.43 FEET TO A POINT ON A CURVE;

THENCE 108.40 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 142.00 FEET, A CENTRAL ANGLE OF 43°44'26", THE LONG CHORD OF WHICH BEARS N47°56'12"E, A LENGTH OF 105.79 FEET;

THENCE NOT TANGENT TO THE PREVIOUSLY DESCRIBED COURSE, N89°58'26"E, A DISTANCE OF 50.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF FIG STREET;

THENCE S00°13'35"E, ALONG SAID EAST RIGHT-OF-WAY LINE OF FIG STREET, A DISTANCE OF 95.84 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF SAID SW¼;

THENCE N89°58'26"E, ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF SAID SW¼, A DISTANCE OF 310.00 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THAT RIGHT-OF-WAY DESCRIBED IN RECEPTION NO. 90031503 OF SAID RECORDS;

THENCE ALONG THE WESTERLY AND NORTHERLY LINES OF SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES:

- 1) N00°13'46"W, A DISTANCE OF 25.00 FEET;
- 2) THENCE N89°58'26"E, A DISTANCE OF 330.00 FEET TO THE SOUTHWEST CORNER OF LOT 49, BROWNE'S SUBDIVISION, THE PLAT OF WHICH IS RECORDED IN PLAT BOOK 13, PAGE 3, AT RECEPTION NO. 54578496 OF SAID RECORDS;

THENCE N89°54'24"E ALONG THE SOUTH LINE OF SAID LOT 49 AND THE NORTH LINE OF WEST 7TH AVENUE, AS SHOWN AND DEDICATED ON SAID BROWNE'S SUBDIVISION, A DISTANCE OF 30.00 FEET, MORE OR LESS, TO THE NORTHERLY EXTENDED EAST RIGHT-OF-WAY LINE OF ELDRIDGE STREET AS SHOWN AND PLATTED ON SAID BROWNE'S SUBDIVISION;

THENCE S00°13'36"E ALONG SAID EAST RIGHT OF WAY LINE AND VARIOUS EXTENSIONS THEREOF, A DISTANCE OF 578.13 FEET TO A POINT OF CURVATURE;

THENCE 23.53 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 89°52'00", THE LONG CHORD OF WHICH BEARS S45°09'36"E, A LENGTH OF 21.19 FEET, MORE OR

LESS, TO THE NORTHERLY BOUNDARY LINE OF SAID STEVINSON ANNEXATION NO. 1;

THENCE S89°54'19"W ALONG THE NORTHERLY LINE OF SAID STEVINSON ANNEXATION NO. 1, A DISTANCE OF 44.97 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

EXCEPTING LOT 2, CURLING CLUB SUBDIVISION, THE PLAT OF WHICH IS RECORDED AT RECEPTION NO. 2014006194 OF SAID RECORDS;

CONTAINING AN AREA OF 654,155 SQUARE FEET OR 15.017 ACRES, MORE OR LESS.

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6 IS ASSUMED TO BEAR N 89°57'20" E, MONUMENTED ON THE WEST BY A FOUND 3-1/4 INCH DIAMETER BRASS CAP IN RANGE BOX STAMPED PLS 34989, 2002, AND MONUMENTED ON THE EAST BY A 3 INCH ALUMINUM CAP IN RANGE BOX STAMPED CITY OF LAKEWOOD LS 19591, 1986.