

RESOLUTION NO. 2021-059

**A RESOLUTION FINDING THAT THE PETITION FOR ANNEXATION SUBMITTED BY CANYONS SOUTH, LLC 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 A HEARING 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.
(Canyons South Annexation)**

WHEREAS, on April 16, 2021, a petition (the "Petition") was filed with the Town Clerk by Canyons South, LLC (the "Petitioner") for the annexation of a 409-acre parcel of land located east of Founders Parkway, north of Crimson Sky Drive, west of Castle Oaks Drive, and south of the Macanta development currently under construction on Crowfoot Valley Road as more particularly described on the attached *Exhibit A* (the "Property"); and

WHEREAS, the Petition requests that the Town of Castle Rock (the "Town") annex the Property; and

WHEREAS, the Petition states that it is signed by persons: (i) comprising more than fifty percent of the landowners in the area to be annexed and (ii) owning more than fifty percent of the area to be annexed, excluding public streets, and alleys and any land owned by the Town, as required by Article II, Section 30(1)(b) of the Colorado Constitution; and

WHEREAS, pursuant to §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 §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 §§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. The Town Council finds and determines:

- 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, excluding public streets and alleys, and any land owned by the Town;

- C. The Petition substantially complies with the requirements of Section 30(1)(b) of Article II of the Colorado Constitution and §31-12-107(1), C.R.S.;
- D. The Petition is accompanied by a map containing the information required by §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. Pursuant to §31-12-108, C.R.S., a public hearing is scheduled before the Town Council on Tuesday, August 17, 2021, 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 §§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 §31-12-107(2), C.R.S.; and
- C. Whether additional terms and conditions are to be imposed upon the proposed annexation.

Section 3. The Town Clerk shall give notice of said hearing in the manner prescribed by §31-12-108(2), C.R.S.

Section 4. This Resolution shall become effective on June 22, 2021.

PASSED, APPROVED AND ADOPTED this 15th day of June, 2021 by the Town Council of the Town of Castle Rock, Colorado, on first and final reading by a vote of 7 for and 0 against.

ATTEST:

TOWN OF CASTLE ROCK

for *Lisa Anderson*
 Lisa Anderson, Town Clerk

Jason Gray
 Jason Gray, Mayor

Approved as to form:

Michael J. Hyman
 Michael J. Hyman, Town Attorney



CANYONS SOUTH ANNEXATION BOUNDARY

A PARCEL OF LAND BEING TRACTS V & X, CANYONS SOUTH FILING NO. 1A, 3RD AMENDMENT, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 2021023312, IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE AND PORTIONS OF THE SOUTH HALF OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 66 WEST & THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BEARINGS FOR THIS DESCRIPTION ARE BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH P.M., AS SHOWN ON SAID PLAT OF CANYONS SOUTH FILING NO. 1A, 3RD AMENDMENT TO BEAR S 00°03'56" E, FROM THE EAST QUARTER CORNER OF SAID SECTION 30, BEING MONUMENTED BY A REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "PLS 23515" TO THE SOUTH SIXTEENTH CORNER OF SECTIONS 29/30, BEING MONUMENTED BY A REBAR WITH A 1-1/2 INCH ALUMINUM CAP, STAMPED "PLS 23515", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 30, THENCE S 00°03'56" E, ALONG THE EAST LINE OF SAID CANYONS SOUTH FILING NO. 1A, 3RD AMENDMENT AND ALONG THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 798.31 FEET TO THE NORTHEAST CORNER OF SAID TRACT X AND THE POINT OF BEGINNING;

THENCE S 00°03'56" E, CONTINUING ALONG SAID EAST LINES, A DISTANCE OF 525.32 FEET TO THE SOUTH SIXTEENTH CORNER OF SECTIONS 29/30, ALSO BEING A POINT ON THE NORTH LINE OF CASTLE OAKS, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 150556, SAID DOUGLAS COUNTY RECORDS; THENCE ALONG THE NORTH AND EAST LINES OF SAID CASTLE OAKS PLAT, THE FOLLOWING THREE (3) COURSES:

1. S 89°49'31" W, A DISTANCE OF 1319.43 FEET TO THE SOUTHEAST SIXTEENTH CORNER OF SAID SECTION 30;
2. S 00°04'19" E, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1331.29 FEET TO THE EAST SIXTEENTH CORNER OF SAID SECTIONS 30/31;
3. S 00°07'26" E, ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 2643.38 FEET TO A POINT ON THE NORTH LINE OF CASTLE OAKS ESTATES FILING NO. 1, 9TH AMENDMENT, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 2013082860 AND A POINT ON THE NORTH LINE OF THAT BOUNDARY LINE AGREEMENT RECORDED AT RECEPTION NO. 2007016736, BOTH OF SAID DOUGLAS COUNTY RECORDS;

THENCE S 89°18'28" W, ALONG THE NORTH LINE OF SAID BOUNDARY LINE AGREEMENT AND ALONG THE NORTH LINES OF SAID CASTLE OAKS ESTATES FILING NO. 1, 9TH AMENDMENT, CASTLE OAKS ESTATES FILING NO. 1, AMENDMENT NO. 2, RECORDED AT RECEPTION NO. 2006078876 AND CASTLE OAKS ESTATES FILING NO. 1, RECORDED AT RECEPTION NO. 2003181990, A DISTANCE OF 3675.98 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN THAT DEED RECORDED AT RECEPTION NO. 2009029995, SAID DOUGLAS COUNTY RECORDS;

THENCE ALONG THE EAST AND NORTH LINES OF SAID PARCEL OF LAND THE FOLLOWING TWO (2) COURSES:

1. N 00°13'51" W, A DISTANCE OF 245.55 FEET;

2. N 47°08'24" W, A DISTANCE OF 34.12 FEET TO A POINT ON THE EAST LINE OF THE FOUNDER'S PARKWAY RIGHT-OF-WAY, ORIGINALLY DEDICATED AS MILLER BOULEVARD, BY THE MILLER BOULEVARD FILING NO. 2 FINAL PLAT, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 8603133, SAID DOUGLAS COUNTY RECORDS;

THENCE ALONG SAID EAST LINE, THE FOLLOWING TWO COURSES:

1. N 00°12'47" W, A DISTANCE OF 1420.37 FEET TO A POINT OF CURVATURE;
2. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1005.00 FEET, A CENTRAL ANGLE OF 10°42'21" AND AN ARC LENGTH OF 187.79 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN THAT DEED RECORDED AT RECEPTION NO. 2009099312;

THENCE ALONG THE SOUTH AND EAST LINES OF SAID PARCEL OF LAND THE FOLLOWING FIVE (5) COURSES:

1. N 72°31'31" E, A DISTANCE OF 73.36 FEET;
2. N 00°01'17" E, A DISTANCE OF 200.00 FEET;
3. N 72°31'31" E, A DISTANCE OF 192.84 FEET;
4. N 24°42'07" W, A DISTANCE OF 72.63 FEET;
5. N 33°43'04" W, A DISTANCE OF 424.14 FEET TO A POINT ON THE EAST LINE OF THE RIDGE ROAD RIGHT-OF-WAY;

THENCE N 00°01'17" EAST, A DISTANCE OF 88.15 FEET TO A POINT ON THE NORTH LINE OF SAID RIDGE ROAD RIGHT-OF-WAY;

THENCE S 89°47'43" W, ALONG SAID NORTH LINE, A DISTANCE OF 729.78 FEET TO A POINT ON THE NORTH LINE OF SAID FOUNDER'S PARKWAY RIGHT-OF-WAY AND A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG SAID NORTH LINE, THE FOLLOWING THREE COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1005.00 FEET, A CENTRAL ANGLE OF 13°57'59" AND ARC LENGTH OF 244.98 FEET, THE CHORD OF WHICH BEARS N 82°51'30" W, A DISTANCE OF 244.37 FEET;
2. N 89°50'29" W, A DISTANCE OF 488.91 FEET TO A POINT OF CURVATURE;
3. ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 895.00 FEET, A CENTRAL ANGLE OF 25°36'15" AND AN ARC LENGTH OF 399.95 FEET TO A POINT ON THE EAST LINE OF THE RIDGE ROAD RIGHT-OF-WAY, AS DESCRIBED IN THAT DEED RECORDED AT RECEPTION NO. 2008079259, SAID DOUGLAS COUNTY RECORDS;

THENCE N 11°41'01" W, ALONG THE EAST LINE OF SAID RIDGE ROAD RIGHT-OF-WAY, A DISTANCE OF 29.20 FEET TO A POINT BEING 23.00 FEET NORTH OF THE NORTH LINE OF SAID FOUNDER' PARKWAY RIGHT-OF-WAY AND A POINT OF NON-TANGENT CURVATURE, AND BEING THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN THAT DEED RECORDED AT RECEPTION NO. 2006097242, SAID DOUGLAS COUNTY RECORDS;

THENCE ALONG THE SOUTH AND EAST LINES OF SAID PARCEL OF LAND, THE FOLLOWING TWO (2) COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 872.00 FEET, A CENTRAL ANGLE OF 22°57'23" AND AN ARC LENGTH OF 349.38 FEET, THE CHORD OF WHICH BEARS S 74°32'56" E, A DISTANCE OF 347.05 FEET;

2. N 19°21'06" W, A DISTANCE OF 1023.82 FEET TO A POINT ON THE EAST LINE OF THE RIDGE ROAD RIGHT-OF-WAY AS DESCRIBED IN THAT DEED RECORDED AT RECEPTION NO. 2008079259, SAID DOUGLAS COUNTY RECORDS;

THENCE N 11°52'30" E, ALONG SAID EAST LINE, A DISTANCE OF 499.36 FEET TO A POINT ON THE SOUTH LINE OF THAT PARCEL OF LAND DESCRIBED IN THAT DEED RECORDED AT RECEPTION NO. 2018029164, SAID DOUGLAS COUNTY RECORDS;

THENCE ALONG THE SOUTH LINE OF SAID PARCEL OF LAND THE FOLLOWING FOUR (4) COURSES:

1. N 90°00'00" E, A DISTANCE OF 653.69 FEET;
2. S 33°43'04" E, A DISTANCE OF 792.75 FEET;
3. N 59°57'41" E, A DISTANCE OF 749.00 FEET;
4. N 76°24'57" E, A DISTANCE OF 927.15 FEET TO A POINT ON THE SOUTH LINE OF SAID CANYONS SOUTH FILING NO. 1A, 3RD FILING, ALSO BEING THE WEST CORNER OF SAID TRACT V;

THENCE ALONG THE NORTH LINE OF SAID TRACT V, THE FOLLOWING FOUR (4) COURSES:

1. N 76°24'57" E, A DISTANCE OF 14.66 FEET;
2. S 89°06'00" E, A DISTANCE OF 1845.91 FEET;
3. N 74°02'37" E, A DISTANCE OF 891.67 FEET;
4. N 81°10'33" E, A DISTANCE OF 389.25 FEET TO A POINT ON THE SOUTH LINE OF SAID CANYONS SOUTH FILING NO. 1A, 3RD FILING;

THENCE ALONG SAID SOUTH LINE, THE FOLLOWING THREE COURSES:

1. N 63°07'04" E, A DISTANCE OF 395.46 FEET;
2. S 73°17'30" E, A DISTANCE OF 198.44 FEET;
3. S 85°55'00" E, A DISTANCE OF 165.88 FEET TO THE WEST CORNER OF SAID TRACT X;

THENCE N 81°10'33" E, ALONG THE NORTH LINE OF SAID TRACT X, A DISTANCE OF 354.66 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 17,816,380 SQUARE FEET OR 409.008 ACRES, MORE OR LESS.