

RESOLUTION NO. 17-R-72

**A RESOLUTION OF INTENT TO ANNEX CERTAIN PROPERTIES IN
WELD COUNTY, COLORADO TO THE TOWN OF FREDERICK, SAID
ANNEXATION TO BE KNOWN AS THE "KICKBUSH ANNEXATION"**

WHEREAS, a petition for annexation of certain properties has been filed with the Board of Trustees of the Town of Frederick and Dom Kickbush; and

WHEREAS, the Board of Trustees has reviewed the petition; and

WHEREAS, the Board of Trustees wishes to permit consideration of the property for annexation and zoning, as requested in the petition; and

WHEREAS, the Board of Trustees has reviewed the petition and desires to adopt by Resolution its findings in regard to the petition;

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. The petition, whose legal description is attached hereto as Exhibit A and incorporated by reference herein, is in substantial compliance with the applicable laws of the State of Colorado.

Section 2. No election is required under C.R.S. §31-12-107(2).

Section 3. No additional terms and conditions are to be imposed except those provided for in the petition.

Section 4. The Board of Trustees will hold a public hearing for the purpose of determining if the proposed annexation complies with C.R.S. §31-12-104, and with C.R.S. §31-12-105, and will hold a public hearing to determine the appropriate zoning of the subject property as requested in the petition, at the Frederick Town Hall, 401 Locust, Frederick, Colorado 80530, at the following time and date:

7:00 P.M., January 9, 2017

Section 5. Any person may appear at such hearing and present evidence relative to the proposed annexation or the proposed zoning.

Section 6. Upon completion of the hearing, the Board of Trustees shall set forth, by resolution, its findings and conclusions with reference to the eligibility of the proposed annexation, and whether the statutory requirements for the proposed annexation have been met, and further, will determine the appropriate zoning of the subject property if requested in the petition.

Section 7. If the Board of Trustees concludes, by resolution, that all statutory requirements have been met and that the proposed annexation is proper under the laws of the State of

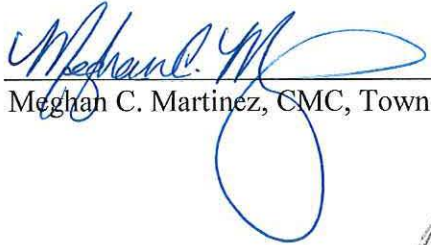
Colorado, the Board of Trustees shall pass one or more ordinances annexing the subject property into the Town of Frederick, and shall pass one or more ordinances zoning the subject property if requested in the petition.

INTRODUCED, READ, PASSED, AND SIGNED THIS 28th DAY OF NOVEMBER, 2017.

ATTEST:

TOWN OF FREDERICK

By



Meghan C. Martinez, CMC, Town Clerk

By



Laura Brown, Mayor Pro Tem



EXHIBIT A

Legal Description of the Kickbush Annexation

A parcel of land being a portion of the West Half of Section Twenty-five (25), Township Two North (T.2N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado:

COMMENCING at the South Quarter Corner of said Section 25 and assuming the South line of the Southwest Quarter of said Section 25 as bearing North 89°46'19" West a distance of 2624.29 feet with all other bearings contained herein relative thereto:

THENCE North 89°46'50" West along the South line of the Southwest Quarter a distance of 656.08 feet to the Southeast corner of the West Half of the East Half of the Southwest Quarter of said Section 25;

THENCE North 00°24'44" East a distance of 30.00 feet to the **POINT OF BEGINNING** on the North line of the Dacono Investment Co. Annexation as per Town of Frederick Ordinance #324 recorded July 23, 1990 as Reception No. 2220835 of the Records of Weld County;

THENCE North 89°46'50" West along said North line of the Dacono Investment Co. Annexation a distance of 656.06 feet to the West line of the West Half of the East Half of the Southwest Quarter of said Section 25;

THENCE North 00°26'45" East along the West line of the West Half of the East Half of the Southwest Quarter of said Section 25 a distance of 2632.42 feet to the South line of that Right of Way dedicated by the plat of Dream Acres Subdivision recorded July 12, 1966 as Reception No. 1492749 of the Records of Weld County;

THENCE North 89°20'10" West along said South Right of Way line a distance of 1279.03 feet to the East line of the Weld County Road 11 Annexation and Rezone No. 4, recorded December 30, 2009 as Reception No. 3667688 of the Records of Weld County;

The next Three (3) courses are along the East lines of said Weld County Road 11 Annexation and Rezone No. 4:

THENCE North 00°30'47" East a distance of 40.00 feet;

THENCE South 89°20'10" East a distance of 20.00 feet;

THENCE North 00°07'33" West a distance of 40.00 feet to the North line of that Right of Way dedicated by the plat of said Dream Acres Subdivision;

THENCE South 89°20'10" East along said North Right of Way line a distance of 2528.31 feet to the West line of the Town of Frederick Annexation and Rezone No. 9 recorded December 30, 2009 as Reception No. 3667693 of the Records of Weld County;

THENCE South 00°22'42" West along said West line a distance of 40.00 feet to the North line of the Victoria Heights Annexation recorded October 18, 2009 as Reception No. 3428349 of the Records of Weld County;

THENCE North 89°20'10" West along said North line a distance of 614.49 feet to the West line thereof;

THENCE South 00°24'44" West along said West line a distance of 2667.34 feet to the **POINT OF BEGINNING**;

TOTAL ANNEXED AREA for the Kickbush Annexation is 43.659 acres, more or less (±).