

RESOLUTION 60 - 2023

A RESOLUTION MAKING FINDINGS OF FACT BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO, AND ITS CONCLUSIONS RELATIVE TO THE ELIGIBILITY FOR ANNEXATION TO THE TOWN OF PALMER LAKE, COLORADO, OF CERTAIN UNINCORPORATED PROPERTY OWNED BY JIM PARCO, PARCEL 7109013007

WHEREAS, pursuant to the laws of the State of Colorado, a public hearing was held on August 24, 2023, as required by law, on the Petition for Annexation filed with the Town of Palmer Lake, Colorado, for the property described on the attached Exhibit A; and

WHEREAS, the public notice of such public hearing was given as required by law; and

WHEREAS, the public hearing on said annexation petition was conducted in accordance with the requirements of law, and

WHEREAS, pursuant to C.R.S. §31-12-110 the Board of Trustees of the Town of Palmer Lake, Colorado, is required to set forth its findings of fact and its conclusions as to the eligibility of the property described on the attached Exhibit A for annexation to the Town of Palmer Lake, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

That the Board of Trustees hereby sets forth its findings of fact and conclusions based on the public hearing with respect to the annexation of the property described on Exhibit A, attached hereto and incorporated herein by reference:

FINDINGS OF FACT

1. Not less than one-sixth of the perimeter of the area proposed to be annexed as described on the attached Exhibit A is contiguous with the existing boundaries of the Town of Palmer Lake, Colorado as required by law.
2. A community of interest exists between the area proposed to be annexed as described on the attached Exhibit A and the Town of Palmer Lake, Colorado and the area proposed to be annexed is urban or will be urbanized in the near future.
3. The area proposed to be annexed as described on the attached Exhibit A is integrated or is capable of being integrated with the Town of Palmer Lake, Colorado.
4. No land held in identical ownership, whether consisting of one tract or parcel of real estate or

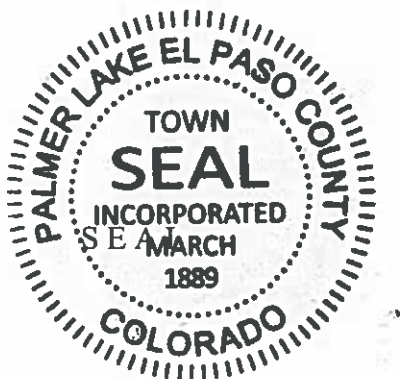
two or more contiguous tracts of real estate, is divided into separate tracts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way.

5. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising twenty (20) acres or more which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of \$200,000 for ad valorem tax purposes for the year next preceding the annexation, has been included without the written consent of the landowners.
6. No annexation proceedings have been commenced for the annexation to another municipality of part or all of that territory proposed to be annexed as described on the attached Exhibit A.
7. The proposed annexation of the real estate described on the attached Exhibit A will not result in the detachment of area from any school district and the attachment of the same to another school district.
8. The petition for annexation of the real estate described on the attached Exhibit A meets the requirements of law and is in proper order for annexation for the property proposed to be annexed as described on the attached Exhibit A.
9. The proposed annexation will not have the effect of extending a municipal boundary more than three (3) miles in any direction from any point of the Town boundary in any one year, or to the extent the proposed annexation extends beyond such three (3) mile limit, confining the annexation to such three (3) mile limit would have the effect of dividing a parcel of property held in identical ownership and at least fifty (50%) percent of the said property is within the three (3) mile limit.
10. The entire width of any public street or alley to be annexed is included within the proposed annexation.
11. The proposed annexation would not result in denial of reasonable access to landowners, owners of easements, or owners of franchises to use the Town's public ways.
12. The petition was signed by owners of 100% of the property to be annexed exclusive of streets and alleys.

CONCLUSIONS

- A. The property described in the attached Exhibit A is eligible for annexation to the Town of Palmer Lake, Colorado and all requirements of law have been met to make such property eligible for annexation, including the requirements of C.R.S. §31-12-104 and 31-12-105, as amended.
- B. No election is required pursuant to C.R.S. §31-12-107(2) or any other law of the State of Colorado.

MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO THIS 24TH DAY OF AUGUST, 2023.



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| Votes Approving: | <u>6</u> |
| Votes Opposed: | <u>0</u> |
| Absent: | <u>1</u> |
| Abstained: | <u>-</u> |

THE TOWN OF PALMER LAKE

Dawn A. Collins
Dawn A. Collins
Town Administrator/Clerk

By: *Glant Havenar*
Glant Havenar
Mayor

EXHIBIT A

Legal Description

**THAT PT LOT 1 COLD WATER SUB AMEND NO 1 DESC AS FOLS: COM AT NW COR LOT 1 SD SUB
N 89<08'08" E 319.30 FT FOR POB, TH S 01<09'16" E 162.95 FT, N 23<52'34" E 74.69 FT, N
66<40'50" E 48.18 FT, N 01<09'16" W 76.71 FT S 89<08'08" W 76.22 FT TO POB**

Said property is approximately 7910 Square Feet more or less.