

TOWN OF NEDERLAND, COLORADO

ORDINANCE NUMBER 741

AN ORDINANCE ANNEXING TO THE TOWN OF NEDERLAND CERTAIN TOWN-OWNED LANDS LOCATED IN UNINCORPORATED BOULDER COUNTY, KNOWN AS THE TOWN PUBLIC WORKS YARD, OR 288 RIDGE ROAD AND 294 RIDGE ROAD, TO BE KNOWN AS THE “PUBLIC WORKS YARD ANNEXATION TO THE TOWN OF NEDERLAND”

WHEREAS, the Town of Nederland, Colorado (“Town”) is a statutory town, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to the Colorado Municipal Annexation Act, C.R.S. § 31-12-101, *et seq.*, the Town possesses the authority to annex real property, thereby adding such property to its municipal territory; and

WHEREAS, C.R.S. § 31-12-106(3) authorizes the Town to annex Town-owned property by ordinance, without the notice and hearing process that typically applies to the annexation of real property owned by other parties, when the Town-owned property is eligible for annexation in accordance with Section 30(1)(c) of Article II of the State Constitution and C.R.S. §§ 31-12-104(1)(a) and 31-12-105; and

WHEREAS, the Town owns 1.04 acres of real property adjacent to its current municipal boundaries known as the Public Works Yard at Ridge Road, or 288 Ridge Road and 294 Ridge Road, further described in **Exhibit A**, attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Town Board of Trustees (“Board”) finds that it is necessary and desirable to annex the portion into the Town to permit the Town to develop the site as a Town Public Works facility in accordance with the Town’s land use and building regulations; and

WHEREAS, the Town Board of Trustees (“Board”) will need to designate the zoning for the annexed portion as Public zoning; and

WHEREAS, the Board therefore desires to annex the Property by ordinance, in accordance with C.R.S. § 31-23-106(3), as further provided herein.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Nederland, Colorado, as follows:

Section 1. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board.

Section 2. The Board further finds and determines that the Property is eligible for annexation in accordance with Section 30(1)(c) of Article II of the State Constitution and C.R.S.

§§ 31-12-104(1)(a), 31-12-105 and 31-12-106(3), in that the proposed annexation:

- (a) Would not divide any lands held in identical ownership;
- (b) Is less than twenty acres and, as such, does not implicate C.R.S. § 31-12-105(1)(b);
- (c) Is for territory for which no annexation proceedings have been commenced for annexation to another municipality;
- (d) Would not result in the detachment of area from any school district and the attachment of the same to another school district;
- (e) Would not result in the extension of the Town boundary more than three miles in any direction from any point of such municipal boundary in any one year;
- (f) Is of property for which not less than one-sixth of the perimeter is contiguous with the current Town boundary; and
- (g) Is of property solely owned by the Town.

Section 3. The Property is hereby annexed to and shall be included within the corporate boundaries of the Town of Nederland, and shall be known as the "Second Amendment to the Public Works Yard Annexation Agreement to the Town of Nederland." Said annexation shall be complete and effective from the effective date of this Ordinance for all purposes.

Section 4. Promptly following the effective date of this Ordinance, the Town Clerk shall complete all filings required of the Town to be made by the provisions of Section 31-12-113, C.R.S.

INTRODUCED, ADOPTED AND ORDERED PUBLISHED THIS 2TH DAY OF August, 2016.

TOWN OF NEDERLAND, COLORADO


Kristopher Larsen, Mayor

ATTEST:


Laura Jane Baur, Town Clerk



APPROVED AS TO FORM:


Carmen Beery, Town Attorney

EXHIBIT A

[ANNEXATION MAP, WHICH CONTAINS LEGAL DESCRIPTION OF ANNEXED
TERRITORY]

EXHIBIT 1

Flagstaff Surveying Inc.

Nederland Town Shop Site Expansion Parcel - 1.04 acres

A parcel of land located in the southeast quarter (SE 1/4) of Section 12, Township 1 South, Range 73 West of the 6th P.M., Boulder County, Colorado, described as follows:

Commencing at the southwest corner of the southeast 1/4 of the southeast 1/4 of Section 12, monumented by a 5/8 inch diameter rebar with a 2 inch diameter aluminum cap set by Robert Sayre, Colorado LS 11372;

thence South $87^{\circ}21'48''$ East, along the south line of said Section 12, a distance of 742.09 feet to the **Point of Beginning**;

thence North $00^{\circ}00'00''$ East, a distance of 410.17 feet;

thence North $90^{\circ}00'00''$ East, a distance of 109.25 feet;

thence South $00^{\circ}00'00''$ West, a distance of 415.20 feet to a point on the south line of Section 12;

thence North $87^{\circ}21'48''$ West, along the south line of Section 12, a distance of 109.37 feet to the **Point of Beginning**.

This parcel contains 1.04 acres, more or less.



prepared by Lee Stadele
Registered Professional Land Surveyor
Colorado License Number 26300
word file 14274ts5.doc



637 South Broadway . Suite C - Table Mesa Shopping Center
Boulder . Colorado . 80305
p.303.499.9737 f.303.499.9770

1.04 ACRES

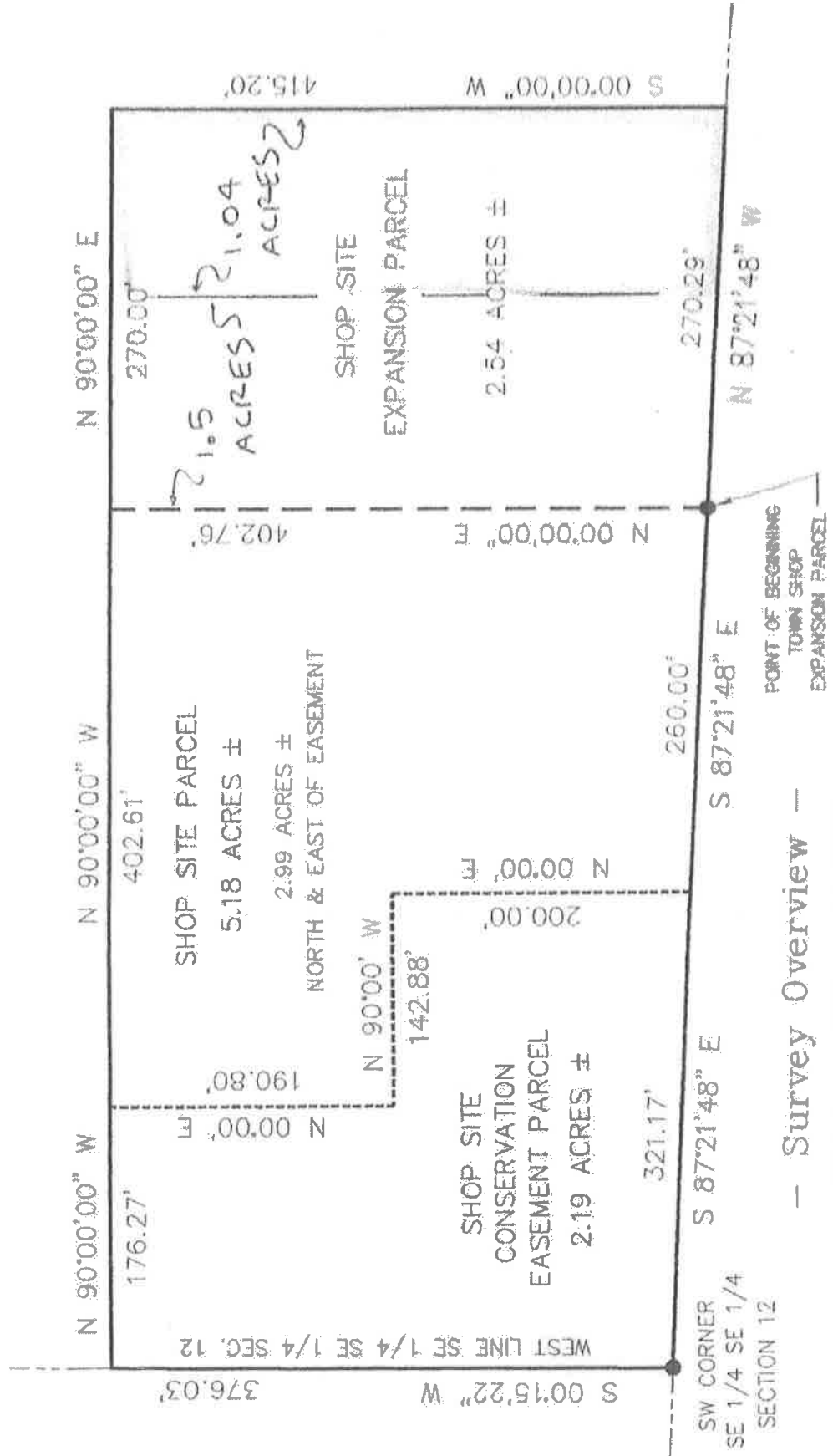


EXHIBIT 2

Flagstaff Surveying Inc.

**Resulting Nederland Town Shop Site Parcel - 6.68 acres
(Existing parcel + Purchase Parcel)**

A parcel of land located in the southeast quarter (SE 1/4)
of Section 12, Township 1 South, Range 73 West of the 6th P.M.,
Boulder County, Colorado, described as follows:

Beginning at the southwest corner of the
southeast 1/4 of the southeast 1/4 of Section 12,
monumented by a 5/8 inch diameter rebar with a
2 inch diameter aluminum cap set by Robert Sayre,
Colorado LS 11372;

thence South 87°21'48" East, along the south line of said Section 12;
a distance of 742.09 feet;

thence North 00°00'00" East, a distance of 410.17 feet;

thence North 90°00'00" West, a distance of 739.63 feet
to a point on the west line of the southeast 1/4 of the southeast 1/4
of Section 12;

thence South 00°15'22" West, along the west line of the southeast 1/4
of the southeast 14 of Section 12, a distance of 376.03 feet to the
Point of Beginning.

This parcel contains 6.68 acres, more or less.



prepared by Lee Stadele
Registered Professional Land Surveyor
Colorado License Number 26300
word file 14274ts6.doc



EXHIBIT 3

Flagstaff Surveying Inc.

**Nederland Town Shop Site Parcel - 7.72 acres
(Existing parcel + Purchase Parcel + Expansion Parcel)**

A parcel of land located in the southeast quarter (SE 1/4)
of Section 12, Township 1 South, Range 73 West of the 6th P.M.,
Boulder County, Colorado, described as follows:

Beginning at the southwest corner of the
southeast 1/4 of the southeast 1/4 of Section 12,
monumented by a 5/8 inch diameter rebar with a
2 inch diameter aluminum cap set by Robert Sayre,
Colorado LS 11372;

thence South 87°21'48" East, along the south line of said Section 12;
a distance of 851.46 feet;

thence North 00°00'00" East, a distance of 415.20 feet;

thence North 90°00'00" West, a distance of 848.88 feet
to a point on the west line of the southeast 1/4 of the southeast 1/4
of Section 12;

thence South 00°00'00" West, along the west line of the southeast 1/4
of the southeast 1/4 of Section 12, a distance of 376.03 feet to the
Point of Beginning.

This parcel contains 7.72 acres, more or less.



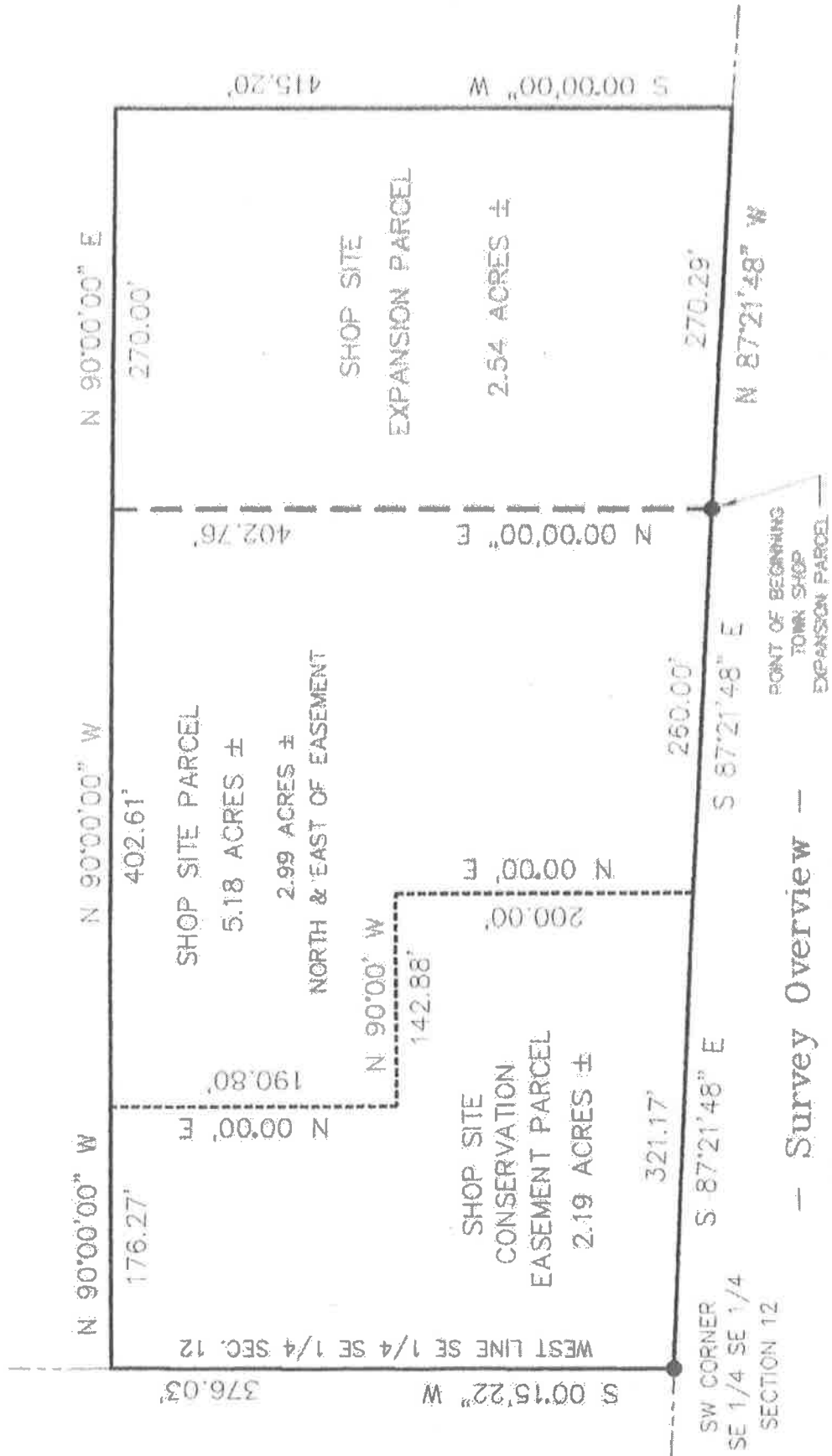
prepared by Lee Stadele
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5.18
+ 2.54

7.72 ACRES



Survey Overview

SCALE : 1 INCH = 80 FEET