

RESOLUTION NO. 2021-02

TITLE: A RESOLUTION OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF THE REAL PROPERTY KNOWN AS A PART OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, KNOWN AS THE RED DEVIL MOUNTAIN PARCE

WHEREAS, a petition for annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in El Paso County which land is more particularly described in Exhibit A attached to the Petition, also known as the Red Devil Mountain Parcel (the "Property");

WHEREAS, by resolution adopted on November 17, 2020, the Board of Trustees found the petition to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, on January 5, 2021, the Board of Trustees conducted a properly-noticed public hearing to determine if the Property is eligible for annexation to the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO, THAT:

Section 1. The applicable provisions of C.R.S. § 31-12-104 have been met, in that not less than one-sixth of the perimeter of the Property is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the Town.

Section 2. The applicable provisions of C.R.S. § 31-12-105 have been met, in that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; the annexation will not result in the detachment of area from a school district; that the annexation will not result in the extension of a Town boundary more than three miles; the Town has in place a plan for said three-mile area; and, in establishing the boundaries of the Property, the entire width of any street or alley is included within the Property.

Section 3. An annexation election is not required under C.R.S. § 31-12-107(2) and no additional terms or conditions are to be imposed upon the area to be annexed other than as contained in the Annexation Agreement, which has been considered and approved by separate resolution.

Section 4. The Property is eligible for annexation to the Town, and all requirements of law have been met, including the requirements of C.R.S. §§ 31-12-104 and 31-12-105.

Section 5. An ordinance annexing the Property to the Town will be considered by the Board of Trustees pursuant to C.R.S. § 31-12-111.

INTRODUCED, READ and PASSED this 5th day of January 2021.

TOWN OF GREEN MOUNTAIN FALLS,
COLORADO

Jane Newberry
Jane Newberry (Jan 11, 2021 10:30 MST)

Jane Newberry, Mayor



(SEAL)

ATTEST:

Matthew Gordon
Matthew Gordon (Jan 12, 2021 09:35 MST)

Matthew Gordon

Town Clerk