

RESOLUTION NO. 2018 - 03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PARKER WATER AND SANITATION DISTRICT INCLUDING CERTAIN REAL PROPERTY INTO THE BOUNDARIES OF THE DISTRICT (Meadowlark Property)

BE IT RESOLVED by the Board of Directors of the Parker Water and Sanitation District as follows:

WHEREAS, a Petition for Inclusion of real property into the Parker Water and Sanitation District has been received by the Cherry Creek Project Water Authority, as owner of the property described in **Exhibit A** attached hereto and incorporated herein;

WHEREAS, said Petition complies with all requirements of C.R.S. § 32-1-401, *et seq.*;

WHEREAS, notice of public hearing on said inclusion has been published in the Douglas County News Press in the form prescribed by C.R.S. § 32-1-401(1)(b);

WHEREAS, no person showed cause in writing, and no person appeared in person to show cause orally, why the Petition should not be granted;

WHEREAS, it is in the best interests of the property owner and the water and sewer users of the District to grant the within inclusion; and

WHEREAS, the District and Petitioner have agreed that the inclusion shall be conditional upon annexation and rezoning of the subject property as more fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Parker Water and Sanitation District as follows:

1. The Petition of the Cherry Creek Project Water Authority for the inclusion of the real property described in **Exhibit A** attached hereto and incorporated herein into the boundaries of said Parker Water and Sanitation District is hereby granted in its entirety, provided that unless the following condition occur on or before December 31, 2018 (the "Inclusion Deadline"), this Resolution shall be deemed null and void and the granting of the petition for inclusion shall be deemed of no effect:

Petitioner pays the inclusion fee of Four Hundred Fifty Four Thousand Three Hundred Fifty Four Dollars (\$454,354.00) no later than ten (10) days after the date on which the Town of Parker's approvals of the Petitioner's annexation petition and the zoning application with the Town of Parker for the subject property are final and non-appealable pursuant to, *inter alia*, C.R.S. § 31-12-116 and Colorado Rules of Civil Procedure Rule 106.

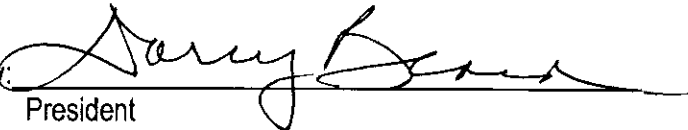
Provided further that if the approval by the Town of Parker to the Petitioner's annexation petition or zoning application is subjected to judicial challenge pursuant to Colorado Rules of Civil Procedure Rule

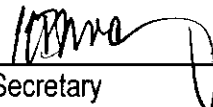
106(a)(4) or other form of judicial challenge, the Inclusion Deadline shall be extended by one day for each day that such appeal or challenge is pending until the entry of a final, non-appealable order is entered.

2. Provided that the conditions set forth in Section 1, above, are met, staff and legal counsel, on behalf of the Board of Directors, are directed to prepare and submit to the District Court in and for the County of Douglas, State of Colorado, all necessary and appropriate petitions and orders to legally effect the within inclusion.

DONE AND RESOLVED this 8th day of February, 2017.

PARKER WATER & SANITATION DISTRICT

By: 
President

ATTEST: 
Secretary

IN THE MATTER OF THE)
)
PARKER WATER & SANITATION DISTRICT)

**PETITION FOR
INCLUSION OF LAND**

TO: THE BOARD OF DIRECTORS OF THE PARKER WATER AND SANITATION DISTRICT

The undersigned Petitioner (s), being the fee owner (s) of the real property hereinafter described, hereby prays that such property be included within the Parker Water & Sanitation District, as provided by law, and for cause, states:

1. That such property is capable of being served with facilities of the District.
2. That assent to the inclusion of such property in the District is hereby given by the undersigned, who constitute all the fee owners of such property.
3. That there shall be no withdrawal from this petition after consideration by the Board, nor shall further objections be filed thereto by Petitioner (s).
4. That the inclusion of such property in the District shall be subject to any and all terms and conditions established by the Board and accepted by Petitioner (s) and to all duly promulgated rules, regulations and rates of the District.
5. That the property owned by Petitioner (s) and sought to be included in the District is accurately described as follows:
see attached Exhibit A for the Legal Description of property

PETITIONER

Cherry Creek Project Water Authority, a Colorado water authority as defined in C.R.S. § 29-1-204.2

Name

c/o Spencer Fane, 1700 Lincoln Street, Suite 2000, Denver, CO 80203, Attn: Russ Dykstra

Address

Stoville

Signed

Steve Witter, President

Printed Name, Title

STATE OF COLORADO)
) SS.
COUNTY OF Arapahoe)

The foregoing instrument was acknowledged before me this 15th day of November, 2017.

by Steve Witter as President of Cherry Creek Project Water Authority, a a Colorado water authority as defined in C.R.S. § 29-1-204.2.

Witness my hand and official seal.

My Commission Expires: 12/27/2020

Laurie M. Tatlock
Notary Public



EXHIBIT A

Legal Description of the Property

A tract of land situated in the Northwest ¼ of Section 3, and in the East 1/2 of Section 4, Township 7 South, Range 66 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:

Commencing at the Northwest corner of the Northwest 1/4 of said Section 3 and considering the North line of said Northwest 1/4 to bear 89 degrees 52 minutes 31 seconds East with all bearings contained herein relative thereto;

Thence North 89 degrees 52 minutes 31 seconds East along said North line a distance of 174060 feet;

Thence South 00 degrees 07 minutes 29 seconds East a distance of 34.37 feet;

Thence South 23 degrees 12 minutes 25 seconds West a distance of 105494 feet;

Thence South 31 degrees 26 minutes 50 seconds East a distance of 550.78 feet to the Southeast corner of the Tap properties Parcel (Book 982 at Page 524) and to the True Point of Beginning;

Thence South 31 degrees 26 minutes 50 seconds East a distance of 259.41 feet;

Thence South 24 degrees 40 minutes 14 seconds East a distance of 846.84 feet;

Thence South 07 degrees 07 minutes 00 seconds East a distance of 134.18 feet to the South line of said Northwest ¼;

Thence South 89 degrees 51 minutes 10 seconds West along said South line a distance of 2118.05 feet to the East 1/4 corner of said Section 4;

Thence South 00 degrees 04 minutes 26 seconds East along the East line of the Southeast ¼ of said Section 4 a distance of 619.79 feet to the Northeast corner of Richlawn Hills according to the Plat filed on January 12, 1971 per Reception No. 140291

Thence along the Northern boundary of Richlawn Hills for the next 12 courses:

1. Thence South 89 degrees 55 minutes 34 seconds West a distance of 710.00 feet;
2. Thence South 00 degrees 04 minutes 26 seconds East a distance of 491.54 feet;
3. Thence Southwesterly along the arc of curve to the right a distance of 238.13 feet, said curve has a radius of 470.00 feet and a central angle of 29 degrees 01 minutes 48 seconds to a point of tangent;
4. Thence South 75 degrees 12 minutes 17 seconds West along said tangent a distance of 107.39 feet to a point of curve;

5. Thence Westerly along the arc of a curve to the right a distance of 263.65 feet, said curve has a radius of 270.00 feet and a central angle of 55 degrees 58 minutes 50 seconds to a point of tangent;
6. Thence North 48 degrees 50 minutes 53 seconds West along said tangent a distance of 52.07 feet to a point of curve;
7. Thence Westerly along the arc of a curve to the left a distance of 127.30 feet, said curve has a radius of 240.00 feet and a central angle of 30 degrees 23 minutes 23 seconds to a point of tangent;
8. Thence North 79 degrees 14 minutes 16 seconds West along said tangent a distance of 509.97 feet to a point of curve;
9. Thence Westerly along the arc of a curve to the left a distance of 59.84 feet, said curve has a radius of 290.00 feet and a central angle of 11 degrees 49 minutes 21 seconds to a point of tangent;
10. Thence South 88 degrees 56 minutes 23 seconds West along said tangent a distance of 151.71 feet to a point of curve;
11. Thence Westerly along the arc of a curve to the right a distance of 273.32 feet, said curve has a radius of 460.00 feet and a central angle of 34 degrees 02 minutes 35 seconds to a point of tangent;
12. Thence North 57 degrees 01 minutes 62 seconds West along said tangent a distance of 76.93 feet to the East right of way line of the County Road;

Thence North 32 degrees 58 minutes 58 seconds East along said East right of way line a distance of 1116.38 feet;

Thence North 25 degrees 06 minutes 42 seconds East along said East right of way line a distance of 780.91 feet to a point of curve;

Thence Northeasterly along said East right of way line along the arc of a curve to the right a distance of 56.88 feet, said curve has a radius of 925.25 feet and a central angle of 03 degrees 31 minutes 21 seconds to the most Westerly corner of the Wilson Parcel (Book 819 at Page 717);

Thence South 50 degrees 36 minutes 41 seconds East a distance of 504.57 feet to the most Southerly corner of said Wilson Parcel;

Thence North 39 degrees 23 minutes 19 seconds East a distance of 345.29 feet to the most Easterly corner of said Wilson Parcel;

Thence North 50 degrees 36 minutes 41 seconds West along the Northeasterly line of said Wilson Parcel a distance of 87.46 feet to the most Southerly corner of the Coyle Parcel (Book 638 at Page 869);

Thence North 73 degrees 12 minutes 48 seconds East along the South line of the Coyle Parcel a distance of 913.61 feet;

Thence North 83 degrees 28 minutes 25 seconds East along the South line of the Coyle Parcel a distance of 460.79 feet to the Southeast corner of the Coyle Parcel, being the Southwest corner of the Tap properties Parcel;

Thence North 89 degrees 28 minutes 28 seconds East along the South line of the Tap Properties Parcel a distance of 1226.29 feet to the Point of Beginning.

Excepting therefrom those portions conveyed in Deed recorded October 20, 1999 in Book 1768 at Page 1098.

And excepting therefrom that portion taken in Rule and Order recorded September 26, 2003 at Reception No. 2003143247.

County of Douglas, State of Colorado.


Meadowlark Property




Real Property


 Parcel

Public Land Survey System


 Township

 Section

General Features

 School

 Private Road

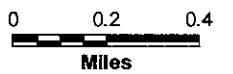
 Railroad

DRCOG, DRAPP, Douglas County GIS Services, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

DISCLAIMER:

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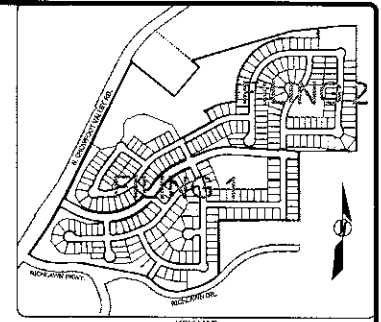
Douglas County GIS Division
 Philip S. Miller Bldg., 100 Third St.
 Castle Rock, Colorado 80104



MEADOWLARK SUBDIVISION

SKETCH - PRELIMINARY PLAN

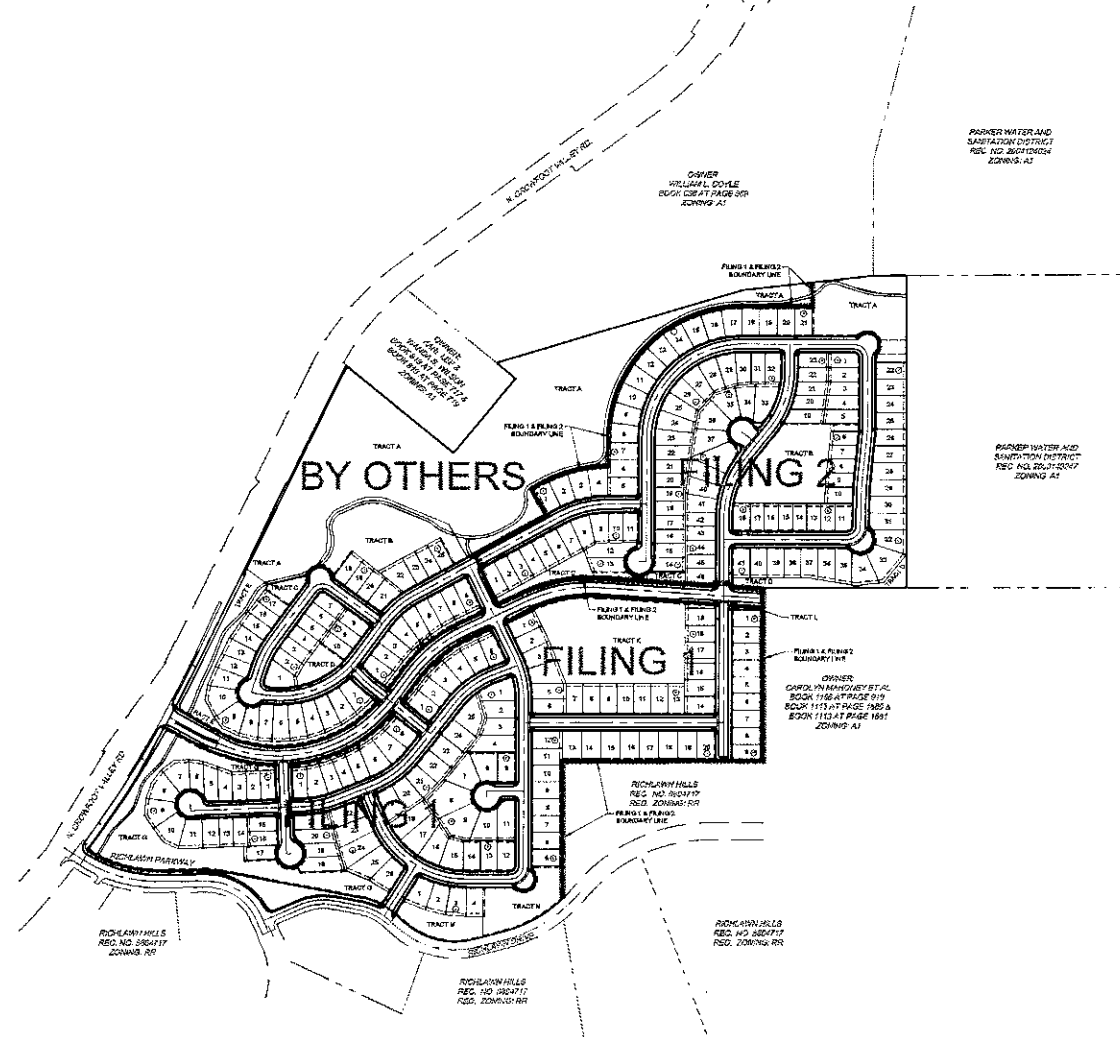
LOCATED IN PORTIONS OF SECTION 3 & 4,
TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
90.87 ACRES - 267 RESIDENTIAL LOTS - 17 TRACTS
PLANNED DEVELOPMENT (PD)



KEY MAP
1"=300'

LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY LINE
- PROPERTY LOT LINE
- CENTER LINE
- EASEMENT LINE
- EASEMENT TRAIL
- EASE AND GUTTER
- SWALE
- ROAD 150'
- CONCRETE CROSSWALK



PARKER WATER AND
SANITATION DISTRICT
REG. NO. 360742024
ZONING: A1

PARKER WATER AND
SANITATION DISTRICT
REG. NO. 360742027
ZONING: A1

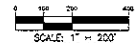
OWNER
WILLIAM L. DOYLE
BOOK 115 AT PAGE 919
BOOK 115 AT PAGE 919
ZONING: A1

OWNER
CAROLYN M. HENNING ET AL.
BOOK 115 AT PAGE 919
BOOK 115 AT PAGE 919
BOOK 115 AT PAGE 1661
ZONING: A1

RICHMOND HILLS
REG. NO. 3607417
REG. ZONING: RR

RICHMOND HILLS
REG. NO. 3607417
ZONING: RR

RICHMOND HILLS
REG. NO. 3607417
REG. ZONING: RR



SCALE: 1" = 200'
ORIGINAL GRAPHIC SCALE

DEVELOPER

MENTARE HOMES
882 S. YOSEMITE COURT SUITE 1-201
CENTENNIAL, COLORADO 80112

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A HOK COMPANY
45 WEST 2ND AVENUE
DENVER, CO 80203
PHONE: 303.733.8300
FAX: 303.733.8309

OVERALL SITE PLAN			
Scale:	1"=200'		
DATE:	MAY 5, 2017		
JOB NO.:	15053		
Sheet:	4 of 14		

No.	Revised	Date	By
Designed By: JH			Checked By: JKH