

TOWN OF PARKER COUNCIL AGENDA
March 5, 2018

Notes:

Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

Ordinances listed for first reading are being approved to introduce them. Public comment will be held upon second reading.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

1. **TOWN COUNCIL MEETING SCHEDULE**

- A. **5:30 P.M. – Call to Order Town Council Meeting and Roll Call**
- B. **Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**
- C. **Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. **SPECIAL PRESENTATIONS**

- **Girl Scout Week in Parker - Proclamation**
- **Explorers Presentation**

3. **PARKER CHAMBER OF COMMERCE UPDATES**

4. **DOWNTOWN BUSINESS ALLIANCE UPDATES (First Meeting of Month)**

5. **PUBLIC COMMENTS**

6. **REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL**

7. **CONSENT AGENDA**

Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless Council votes to remove an item for individual discussion. Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion.

A. ***APPROVAL OF MINUTES - January 20, 2018***

B. SECOND AMENDMENT TO SUBDIVISION AGREEMENT Parker Keystone Filing No. 1, First Amendment (Also Known as Parker Keystone Minor Development Amendment No. 1)

*Department: Engineering/Public Works, Alex Mestdagh
Community Development, Ryan McGee*

C. HEIRLOOM PARKWAY SERIAL I AND SERIAL II RIGHT-OF-WAY PROPERTY - Annexation

*Applicant: Town of Parker
Location: Generally Located North of Hess Road and West of Chamber Road
Department: Community Development, Carolyn Parkinson
Engineering, Chris Hudson
TRAKiT No. ANX17-004 and ANX17-005
Second Reading March 19, 2018*

*(1) ORDINANCE NO. 2.255 - First Reading
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous
Unincorporated Territory Known as the Heirloom Parkway Property Serial I Located in
Douglas County*

*(2) ORDINANCE NO. 2.256 - First Reading
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous
Unincorporated Territory Known as the Heirloom Parkway Property Serial II Located in
Douglas County*

*D. ORDINANCE NO. 2.257 - First Reading
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous
Unincorporated Territory Known as the Village Center Drive Located in Douglas County*

*Applicant: Town of Parker
Location: Generally Located South of Lincoln Avenue and East of Jordan Road
Department: Community Development, Carolyn Parkinson
Engineering, Chris Hudson
TRAKiT No.: ANX17-006
Second Reading March 19, 2018*

*E. ORDINANCE NO. 9.262.1 - First Reading
A Bill for an Ordinance Approving the Agreement Regarding Design and Construction of
Drainage and Flood Control Improvements for Newlin Gulch Downstream of Heirloom Parkway
By and Between Urban Drainage and Flood Control District and the Town of Parker (Agreement
No. 16-11.23A Project No. 106484)*

*Department: Engineering/Public Works, Jacob James
Second Reading: March 19, 2018*

- F. *ORDINANCE NO. 1.507.1 - First Reading*
A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same
Department: Finance, Mary Lou Brown
Finance, Rhonda Willey
Second Reading: March 19, 2018
- G. *ORDINANCE NO. 1.509 - First Reading*
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Salisbury Equestrian Park Minor Development
Department: Engineering/Public Works, Alex Mestdagh
Trakit No.: SP17-107
Second Reading: March 19, 2017
- H. *ORDINANCE NO. 1.510 - First Reading*
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Tract T, Reata North Filing No. 1
Department: Engineering/Public Works, Alex Mestdagh
Second Reading: March 19, 2018
- I. *RESOLUTION NO. 18-021*
A Resolution Finding Substantial Compliance of the Grasslands/Prairie Trail Property's Annexation Petition with C.R.S. § 31-12-107 and Setting a Public Hearing on April 16, 2018, for the Purpose of Considering Said Annexation
Department: Community Development, Paul Workman
Community Development, Stacey Nerger
TRAKiT No.: ANX18-001
- J. *RESOLUTION NO. 18-028*
A Resolution for Town Council Appointment of Mayor Pro Tem and Acting Mayor, and Appointment of Liaison Officers to Certain Boards and Commissions of the Town of Parker
Department: Town Attorney, Jim Maloney
- K. *CONTRACTS ABOVE \$100,000*
1. *Parker Road Sidewalk (East Side) Project (CIP 17-024)*
Amount: \$698,117.10
Contractor: Jalisco International, Inc.
Department: Engineering, Tom Gill

2. *Jordan Road – Bradbury Parkway to Hess Road (CIP 17-005) - Contract Modification*

Amount: \$159,059.45

Contractor: HEI Civil

Department: Engineering, Tom Gill

8. **PUBLIC HEARINGS**

SERVICE PLANS FOR BELFORD SOUTH AND BELFORD NORTH METROPOLITAN DISTRICTS (to be continued to March 19, 2018)

Department: Town Attorney, Jim Maloney

(A) RESOLUTION NO. 18-030

A Resolution to Approve the First Amended and Restated Service Plan for Belford South Metropolitan District

(B) RESOLUTION NO. 18-031

A Resolution to Approve the Formation of a Title 32 Special District for Belford North Metropolitan District

9. **ORDINANCES**

ORDINANCE NO. 8.28.5 - Second Reading

A Bill for an Ordinance to Amend Chapter 4.03 of the Parker Municipal Code Regarding Sales and Use Tax Concerning Television and Entertainment Services

Department: Finance, Mary Lou Brown

10. **ADJOURNMENT**

Parker Town Council

Executive Session Agenda

March 5, 2018

“To hold a conference with the Town’s attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).”

1. *Town of Parker v. Douglas County*, Douglas County District Court
2. Section 13.10.170 of the Parker Municipal Code concerning potential claim of damage due to increased run off from Town-owned drainage facilities located in and around Hilltop Road
3. Ordinance No. 2.281.1, Series of 2011, concerning mixed use neighborhood center within Parker Homestead Planned Development Guide and Plan
4. C.R.S. Section 18-12-214(4) concerning carrying a concealed handgun into a public building

“To consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f).”

5. Town Administrator Evaluation Process

PROCLAMATION

WHEREAS, Juliette ‘Daisy’ Gordon Low founded the Girl Scouts of the USA on March, 12, 1912; and

WHEREAS, in 1917, the first Girl Scout council West of the Mississippi was formed in Colorado Springs, known as the Wagon Wheel Council; and

WHEREAS, in Girl Scouts, girls develop their leadership potential through activities that enable them to discover their values, skills, and the world around them, as well as connect with others in a multicultural environment; and

WHEREAS, Girl Scouts continues to create gender balanced leadership by providing girls with the tools to become leaders dedicated to making this country a better place; and

WHEREAS, the Girl Scouts has made girls’ financial literacy a high priority in its programs and activities for more than 100 years and continues to develop financial empowerment programs for girls in grades K-12 to guarantee another future generation of independent female leaders; and

WHEREAS, the Girl Scout Cookie Program introduces girls to the concepts of business planning and entrepreneurship and is the largest girl-led business; teaching girls the value of goal setting, decision making, money management, people skills, and business ethics; and

WHEREAS, Girl Scouts teaches girls how to build healthy relationships through anti-bullying and relational aggression programs; and

WHEREAS, the Girl Scouts is committed to ensuring every girl has the opportunity to explore and build an interest in science, technology, engineering, and mathematics (STEM), helping them to develop critical thinking skills, problem solving skills, and collaborative skills which are vital throughout life; and

WHEREAS, in the state of Colorado, Girl Scouting reaches all 64 counties, with Girl Scout offices in Colorado Springs, Denver, Loveland, Grand Junction and Pueblo, and mountain camp properties near Bailey, Estes Park, Red Feather Lakes, Rye, and Woodland Park; and,

WHEREAS, through the dedication, time, and talent of 10,000 Colorado volunteers of different backgrounds, abilities, and areas of expertise, the Girl Scout Program is brought to more than 22,000 girls in grades K-12 across the state; and,

WHEREAS, in 2017 in Colorado, more than 1,800 Girl Scouts helped make the world a better place and earned one of Girl Scouts’ highest honors, the Bronze, Silver or Gold Award; and

NOW, THEREFORE, I, Mike Waid, by virtue of the authority vested in me as Mayor of the Town of Parker, do hereby applaud the commitment Girl Scouting has made to support the continued advancement of girls in their roles as leaders here in Parker, Colorado, and declare March 11-17, 2018, as

GIRL SCOUT WEEK

In witness thereof, I have hereunto set my hand this 5th day of March, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

**TOWN OF PARKER COUNCIL
MINUTES
FEBRUARY 20, 2018**

Mayor Pro Tem Josh Martin called the meeting to order at 5:37 p.m. Mayor Mike Waid was absent.

Jim Maloney announced the topics for the Executive Session were three (3) items. Under C.R.S. § 24-6-402(4)(e), there was one (1) item which was the Subdivision Agreement between the Town and Mustang Development Company, LLC, dated May 15, 2006, for Pine Bluffs Filing No. 4. Under C.R.S. § 24-6-402(4)(b) there were two (2) items; the first was *Town of Parker v. Douglas County*, Douglas County District Court; and, the second item was the *Town of Parker v. Douglas County*, Douglas County District Court.

EXECUTIVE SESSION

Joshua Rivero moved and John Diak seconded to go into Executive Session at 5:51 p.m., to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e), and to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Amy Holland moved and Joshua Rivero seconded to adjourn the Executive Session at 6:29 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Pro Tem Josh Martin reconvened the meeting at 7:01 p.m.

Youth from the audience led the Pledge of Allegiance.

SPECIAL PRESENTATIONS - None

PARKER CHAMBER OF COMMERCE UPDATES

Dennis Houston reported on the Regional Chamber of Commerce Conference he attended in Henderson, Nevada. He participated in a panel discussion regarding community marketing which involved Google. He reported he attended the Chamber's Business Impact Meeting. The Chamber hosted the 3rd Annual Economic Outlook Breakfast. He stated the Chamber will chair the Douglas County Business Alliance for 2018. He reported the Chamber is still in the process of hiring a workforce director.

PUBLIC COMMENTS

Saundra Collins, 7832 Lark Dr., Parker. She wanted to revisit Kime Ranch Annexation. She stated there was a checklist of conditions that was presented at the last Town Council meeting and one of those conditions was that the development fit with the surrounding area. She stated she felt like this development will not fit as the north side of the proposed development is horse property. The homes in this area are \$500,000, the development will not be at this same assessed value. She wanted to make sure Town Council was aware of the differences in the area. Mayor Pro Tem Martin asked her to speak with the Community Development Director for more information on the project and to have any additional questions answered.

REPORT, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Councilmembers reported on meetings each had attended since the last Town Council meeting. Joshua Rivero announced that *Let's Talk Parker.Org* was made active and is a great resource for details and facts about any project happening in Parker. He stated it is new and very exciting.

CONSENT AGENDA

A. APPROVAL OF MINUTES

February 5, 2018

February 12, 2018

B. ORDINANCE NO. 8.28.5 - First Reading

A Bill for an Ordinance to Amend Chapter 4.03 of the Parker Municipal Code Regarding Sales and Use Tax Concerning Television and Entertainment Services

Department: Finance, Mary Lou Brown

Second Reading: March 5, 2018

C. RESOLUTION NO. 18-015

A Resolution Providing Consent to the Exclusion of Property from Westcreek Metropolitan District No. 2, and to the Inclusion of the Same Property Within Westcreek Metropolitan District No. 1

Department: Town Attorney, Jim Maloney

D. RESOLUTION NO. 18-016

A Resolution To Adopt Town Council Policy Statement 1-2018 Concerning General Fund Reserve Policy

Department: Finance, Mary Lou Brown

E. RESOLUTION NO. 18-025

A Resolution Accepting the Conveyance of Real Property from Stroh Ranch Development, LLC, for a Detention Pond

Department: Engineering, Alex Mestdagh

F. *RESOLUTION NO. 18-026*

A Resolution Approving the Form of District Operating Agreement Among Hess Ranch Metropolitan District No. 1, Hess Ranch Metropolitan District No. 2 and Hess Ranch Metropolitan District No. 3

Department: Town Attorney, Jim Maloney

G. *RESOLUTION NO. 18-027*

A Resolution to Consent to the Assignment and Assumption Agreement (TOP Agreement) By and Between Stroh Ranch Development, LLC, and JEN Colorado 18, LLC

Department: Town Attorney, Jim Maloney

H. *CONTRACTS OVER \$100,000*

1. *2018 Townwide Roadway Reconstruct Program (CIP 18-003)*

Amount: \$1,109,227.60

Contractor: T & M Construction

Department: Public Works and Engineering, Tom Gill

2. *Schoolhouse Plaza and Parking Project Professional Services Agreement (RFP-17-008)*

Amount: \$118,115

Contractor: DHM Design

Department: Cultural, Elaine Mariner

John Diak moved to approve Consent Agenda Items A through H excluding Item A for Debbie Lewis and Amy Holland.

Joshua Rivero seconded the motion.

The motion was approve unanimously.

PUBLIC HEARINGS

RESOLUTION NO. 18-014

A Resolution to Adopt the Parks, Recreation and Open Space Master Plan: 2018-2022, as a Part of the Parker 2035 Master Plan

**Department: Parks, Recreation & Open Space, Dennis Trapp
Community Development, Mary Munekata**

7:19 PM

Staff explained that as part of the 2017 budget, Town Council approved funding for the development of a parks, recreation and open space master plan. The Parks and Recreation Department and the Community Development Department worked collaboratively on the

project with the consultant, Eppley Institute, beginning the third quarter of 2017. The new Parks, Recreation and Open Space Master Plan 2018-2022 provides a focused vision for long-term sustainability and growth of the parks, trails, open space, and recreation facilities and programs under the Town's stewardship. The Master Plan will be used as a guiding policy document that will provide direction for the planning and development of Parker's public and private parks, open space and recreation system, programming and future recreation facilities. Staff explained the seven month process also involved community engagement through several Open Houses at which valuable input was obtained and incorporated into the Master Plan document.

Public Comment:

Don Parrot, 17648 Ponderosa Avenue, Parker Colorado - Mr. Parrot asked about the status of Preservation Park and was the park included in the Master Plan. Staff indicated that Preservation Park was included in the Master Plan. Staff added that they are working with Aurora, Arapahoe County and Douglas County regarding the E-470 trail crossing that impacts the park.

Amy Holland moved to approve Resolution No. 18-014.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 5.23.9 - Second Reading

A Bill for an Ordinance to Repeal and Readopt Section 7.02.080 of the Parker Municipal Code Concerning Large Vehicle Parking, and Amending Chapter 7.02 by the Addition Thereto of a New Section 7.02.085 Concerning Overtime Parking Violations

Department: Police, Doreen Jokerst

Staff explained the amendments to the Ordinance will add additional regulations to the parking of large vehicles/trailers in residential areas; and will assist with concerns regarding two-hour parking in the Downtown area and mandating the person move the vehicle at least 100 feet every two hours to come into compliance. The changes will address the loopholes which currently exist in the Ordinance.

Public Comment:

Don Parrot, 17648 Ponderosa Avenue, Parker, Colorado - Mr. Parrot stated he has worked with the Parker Police Department and they have been very responsive. He stated the Ordinance provides an exception for vehicles that are actively engaged in rendering services in the immediate area and believes this part of the Ordinance could be misused by some residents. He also asked that trailers under 22-feet be exempt.

Joshua Rivero moved to approve Ordinance No. 5.23.9 on seconded reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 9.266.1 - Second Reading

A Bill for an Ordinance to Approve the 2018 Intergovernmental Agreement to Provide Recreation Programming By and Between the Town of Parker, the Town of Castle Rock, and the Rueter-Hess Recreation Authority Concerning the Rueter-Hess Reservoir

Department: Parks, Recreation and Open Space, Mary Colton

Staff explained that each year the Town of Parker, the Town of Castle Rock and the Rueter-Hess Recreation Authority renew an Intergovernmental Agreement to provide recreation activities at the Rueter-Hess Reservoir. Activities in 2017 included a National Trails Day event, stand up paddle board lessons, an open swim competition, a Cyclocross event and several informational on-site tours. Much of the same is planned for 2018 with the possible addition of the group Avid 4 Adventure bringing youth campers Monday through Friday for kayak and paddle board activities. There is potential for on-site fishing in 2018 as well.

Public Comment - None

John Diak moved to approve Ordinance No. 9.266.1 on seconded reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 9.259.1 - Second Reading

A Bill for an Ordinance to Approve Amendment #01 to the Intergovernmental Agreement By and Between the Town of Parker and Colorado Department of Transportation (CDOT) Concerning Funding for the Construction of the Parker Road Sidewalk Connection Project (East Side – Sulphur Gulch Trail to Plaza Drive)

Department: Engineering, Chris Hudson

Staff explained that on November 7, 2016, Town Council approved Ordinance 9.259. This Ordinance approved the Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for the construction funding of a sidewalk on the east side of Parker Road (State Highway 83) between the Sulphur Gulch Trail and the Plaza Drive intersection. Due to unknown reasons, CDOT staff did not utilize a form of agreement that reflected the Federal 2 CFR Part 200 (also known as Supercircular) requirements, although CDOT guidance required this form of agreement for all contracts in 2016. The CDOT staff determined that the existing contract needed to be amended in late-2017 as the Town prepared to commence competitive bidding on the proposed Parker Road sidewalk project.

This amendment does not change the amount of funding that the Town is receiving or the timing of the funding from the original IGA that was approved in 2016. The CDOT staff

have been following the Supercircular requirements as the Town went through the CDOT approval process in 2017. The Supercircular reference is a requirement on all federally funded CDOT local agency projects throughout the State of Colorado. An ordinance is required to approve this IGA amendment.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 9.259.1 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

D. MAINSTREET CENTER AMENDMENT 1 LOT 1B - Parker Tap House

Applicant: Town of Parker
Location: 19640 Mainstreet
Department: Community Development, Carolyn Parkinson
 Community Development, Weldy Feazell
TRAKiT No.: SP16-046

- (1) **ORDINANCE NO. 1.480.5 - Second Reading**
A Bill for an Ordinance to Approve the Reinstatement of and Fifth Amendment to Agreement for Sale and Purchase of Land By and Between the Town of Parker and ACG, LLC, Concerning the Gym Property
- (2) **RESOLUTION NO. 18-018**
A Resolution to Allow a Partial Waiver of Section 13.01.140(b) of the Parker Municipal Code to Extend the Expiration Date of the Site Plan for the Parker Tap House

Staff explained the proposed Parker Tap House and Distillery is a public-private partnership between the Town of Parker and ACG, LLC, to redevelop the former gymnasium at The Schoolhouse with a new use that activates Mainstreet. At this time, the Town has completed all of the items required for closing the sale of the property to ACG, LLC, for the project. ACG, LLC, is waiting on its bank to complete the appraisal of the property and phase one environmental report so it may proceed with the purchase and begin construction.

Town Council has previously approved the Purchase and Sale Agreement between Town of Parker and ACG, LLC, on June 6, 2016. The Council has also approved several amendments as follows: the First Amendment on December 5, 2016; the Second Amendment on March 20, 2017; the Third Amendment on August 7, 2017; and the Reinstatement and Fourth Amendment on November 20, 2017.

The previous agreement required closing to occur prior to January 31, 2018. The purchaser's bank was not prepared to close prior to this date and the agreement subsequently lapsed. As

of February 1, 2018, the purchaser's bank has indicated the appraisal of the property and phase one environmental report are still in process. The appraisal and environmental report must be completed prior to closing. The purchaser's bank indicated that it may be prepared to close by the end of the first quarter of 2018.

If approved, the Reinstatement and Fifth Amendment will be extended until July 1, 2018, to accommodate the revised schedule. The approval of the requested extension until July 1, 2018, will allow the applicant the time necessary to complete financing, close on the property and resolve any remaining requirements.

The developer's delay in closing on the property has also caused the site plan approval by Town Council on February 9, 2017, to expire. Staff is requesting an extension of the site plan approval until July 1, 2018, to run concurrently with the requested extension for the closing referenced above.

The Applicant, Corey Guildner, stated the Environmental Study has been completed and the appraisal should be completed in the next few days as well.

Public Comment - None.

Joshua Rivero moved to approve Resolution No. 18-018.

Amy Holland seconded the motion.

The motion was approved unanimously.

Amy Holland moved to approve Ordinance No. 1.480.5 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

The Regular Town Council meeting was adjourned at 8:07 p.m.

Carol Baumgartner, Town Clerk

Josh Martin, Mayor Pro Tem



Request for Town Council Action

Date: March 5, 2018

Submitted By: Alex Mestdagh, Engineering Service Manager
Ryan McGee, Associate Planner

Reviewed By: Michelle Kivela, Town Administrator

Title: **SECOND AMENDMENT TO SUBDIVISION AGREEMENT
Parker Keystone Filing No. 1, First Amendment (Also Known
as Parker Keystone Minor Development Amendment No. 1)**

Department: **Engineering/Public Works, Alex
Mestdagh
Community Development, Ryan
McGee**

EXECUTIVE SUMMARY

This item accompanies an amendment to the Subdivision Agreement for Parker Keystone Filing No. 1, First Amendment. This amendment is necessary to codify the maintenance responsibility for a retaining wall proposed with this subdivision within right-of-way owned by the Colorado Department of Transportation (CDOT).

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Parker Keystone Filing No. 1 is a commercial subdivision located at the southeast corner of Parker Road and Lincoln Avenue. The development is currently approved and under construction. The approved construction plans for the development include roadway improvements to Parker Road to facilitate a new entrance to the property. These improvements include roadway widening, which requires the installation of a retaining wall adjacent to this work within the CDOT right-of-way.

Because CDOT has limited authority over adjacent property owners, they have asked that the Town enter into an IGA that would place maintenance responsibility for this wall on the Town. However, the Town's policy is to require that the developer be responsible for maintaining infrastructure serving the development such as this wall. Accordingly, while the

Engineering Department will support entering into the IGA with CDOT, the developer is also required to enter into this amendment to the subdivision agreement, which transfers the maintenance responsibility for this wall to the property owner and their successors.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Vicinity Map
2. Second Amendment to Subdivision Agreement

RECOMMENDED MOTION

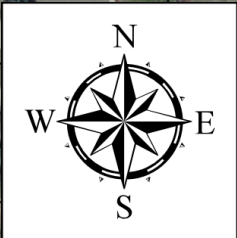
I move to approve the staff recommendation, as a part of the consent agenda.



Lincoln Avenue

Parker Keystone
(under construction)

Parker Road



Parker Keystone
Vicinity Map

SECOND AMENDMENT TO SUBDIVISION AGREEMENT
Parker Keystone Filing No. 1, First Amendment
(Also Known as Parker Keystone Minor Development Amendment No. 1)

THIS SECOND AMENDMENT (the "Second Amendment") is made this _____ day of _____, 2018, by and between the Town of Parker, Colorado, a home rule municipal corporation (the "Town"), and Parker & Lincoln Development, LLC, a Colorado limited liability company (the "Developer").

RECITALS:

A. The Town and the Developer, entered into the Subdivision Agreement Parker Keystone Filing No. 1, First Amendment (also known as Parker Keystone Minor Development Amendment No. 1) (the "Final Plat") on May 11, 2017, which agreement was recorded in the Douglas County Clerk and Recorder's Office at Reception No. 2017032067 (the "Agreement").

B. The Town and Developer entered into the First Amendment to the Subdivision Agreement on February 5, 2018, which first amendment was recorded in the Douglas County Clerk and Recorder's Office at Reception No. 2018007849 (the "First Amendment").

C. The Developer desires to amend Paragraph 4 of the Agreement by the addition of a new Subparagraph d. to codify the maintenance responsibility for a retaining wall constructed within the right-of-way of the Colorado Department of Transportation.

AGREEMENT

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which are mutually acknowledged, the parties hereto agree to the Second Amendment as follows:

Section 1. Paragraph 4 is amended by the addition of a new Subparagraph d. to read as follows:

d. The Developer shall be responsible for the maintenance and operation of the retaining wall proposed within the Colorado Department of Transportation right-of-way, as shown in **Exhibit G**, which is attached hereto and incorporated by this reference.

Section 2. The Town and the Developer acknowledge and agree that the Agreement has not been amended, except as provided in the First Amendment and this Second Amendment.

WHEREFORE, the parties hereto have executed this Second Amendment on the day and year first above written.

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

[Remainder of page intentionally left blank. Signatures continue on following page.]

**DEVELOPER: PARKER & LINCOLN
DEVELOPMENT, LLC**, a Colorado limited
liability company

By: ACD 2013 Fund LP, a Colorado limited
partnership, Sole Member

By: ACD Fund Manager LLC, a Colorado
limited liability company, General Partner

By: _____
Gregory L. Armstrong, Manager

STATE OF COLORADO)
)ss.
COUNTY OF ARAPAHOE)

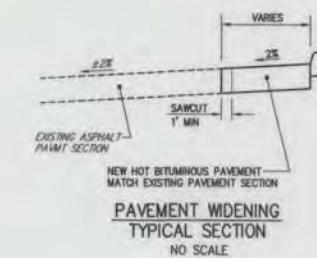
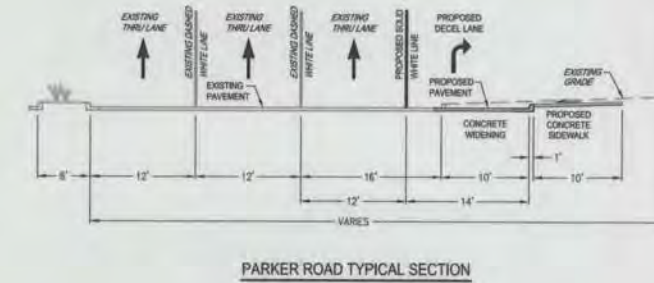
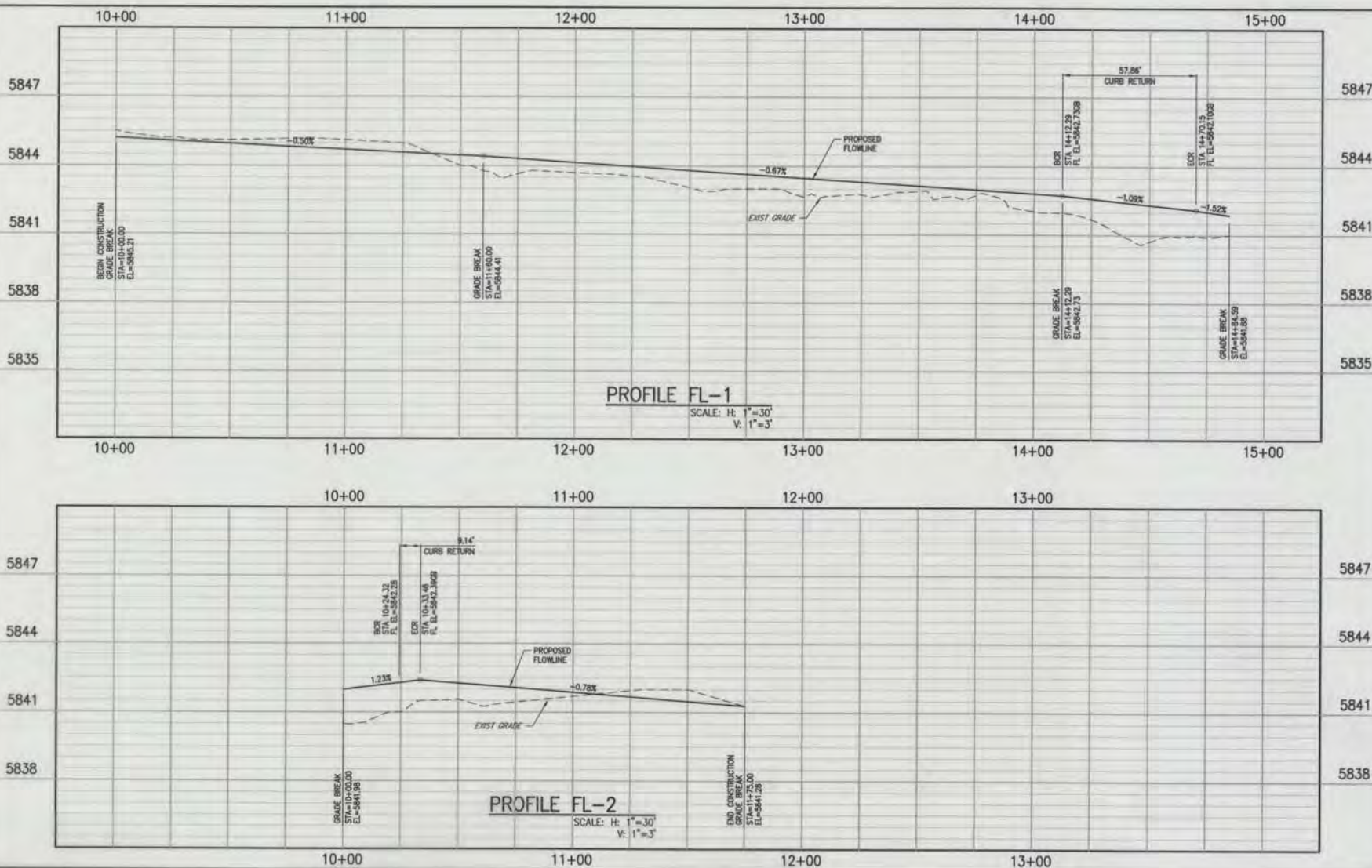
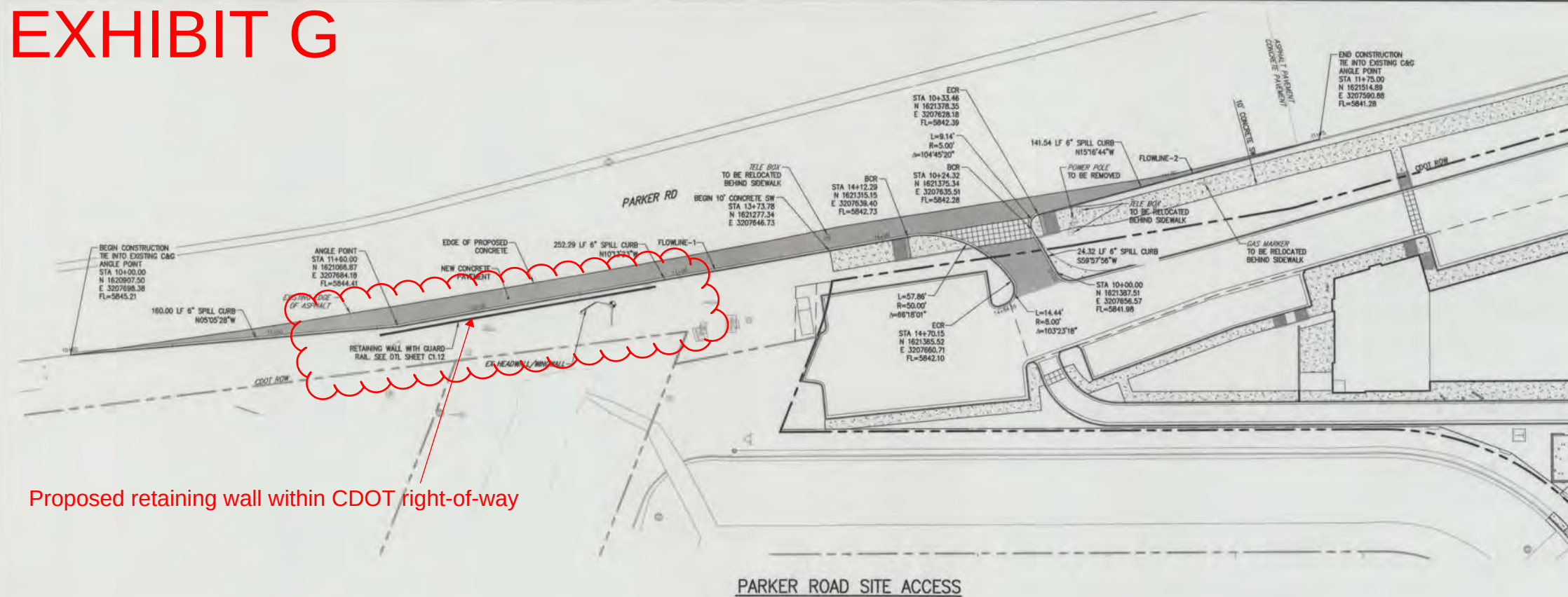
The foregoing instrument was acknowledged before me this _____ day of _____,
2018, by Gregory L. Armstrong, Manager of ACD Fund Manager, LLC, a Colorado limited
liability company, General Partner of ACD 2013 Fund, LP, a Colorado limited partnership, Sole
Member of Parker & Lincoln Development, LLC, a Colorado limited liability company.

My commission expires: _____.

(SEAL)

Notary Public

EXHIBIT G



TOWN OF PARKER APPROVAL

THE TOWN OF PARKER REVIEW CONSTITUTES GENERAL COMPLIANCE WITH THE TOWN'S STANDARDS AND APPROVED VARIANCES, SUBJECT TO THESE PLANS BEING STAMPED, SIGNED AND DATED BY THE PROFESSIONAL ENGINEER OF RECORD. REVIEW BY THE TOWN DOES NOT CONSTITUTE APPROVAL OF THE PLAN DESIGN OR ACCURACY AND CORRECTNESS OF ENGINEERING CALCULATIONS. ERRORS IN THE DESIGN OR CALCULATIONS REMAIN THE RESPONSIBILITY OF THE REGISTERED PROFESSIONAL ENGINEER WHOSE STAMP AND SIGNATURE ARE AFFIXED TO THIS DOCUMENT.

THE REVIEW DOES NOT CONSTITUTE APPROVAL OF ANY PRIVATE ON-SITE IMPROVEMENTS WHICH MAY BE SHOWN. CONSTRUCTION CANNOT COMMENCE UNTIL ALL REQUIRED DRAINAGE, TRAFFIC, REVENUE, FINAL DEVELOPMENT PLANS, SPECIAL REVIEW(S), GRADING PERMIT, AND/OR OTHER PERMITS ARE COMPLETE, APPROVED AND ON FILE WITH THE TOWN OF PARKER.


TOWN OF PARKER, ENGINEERING DIRECTOR

5/6/17
DATE

[illegible]

PARKER KEYSTONE
PARKER ROAD RIGHT TURN LANE FL PLAN AND PROFILE
PREPARED FOR: ARMSTRONG COMMERCIAL SERVICES
ADDRESS: 4643 SOUTH ULSTER STREET, SUITE 240
DENVER, CO 80237

**CALL UTILITY NOTIFICATION
CENTER OF COLORADO**
811
CALL 2 BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE, OR EXCAVATE
FOR THE MARKING OF UNDERGROUND
MEMBER UTILITIES



DATE: APRIL 5, 2017
JOB NUMBER: 679-0101
SCALE: AS SHOWN

SHEET
C1.5



Request for Town Council Action

Date: March 5, 2018

Submitted By: Carolyn Parkinson, Planner I
Chris Hudson, Public Works Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **HEIRLOOM PARKWAY SERIAL I AND SERIAL II
RIGHT-OF-WAY PROPERTY - Annexation**

Applicant: Town of Parker

Location: Generally Located North of Hess Road
and West of Chamber Road

Department: Community Development, Carolyn
Parkinson
Engineering, Chris Hudson

TRAKiT No. ANX17-004 and ANX17-005

Second Reading March 19, 2018

- (1) **ORDINANCE NO. 2.255 - First Reading**
**A Bill for an Ordinance Approving and Accomplishing
the Annexation of Contiguous Unincorporated
Territory Known as the Heirloom Parkway Property
Serial I Located in Douglas County**
- (2) **ORDINANCE NO. 2.256 - First Reading**
**A Bill for an Ordinance Approving and Accomplishing
the Annexation of Contiguous Unincorporated
Territory Known as the Heirloom Parkway Property
Serial II Located in Douglas County**

EXECUTIVE SUMMARY

The Town proposes to annex Heirloom Parkway Right-of-Way (ROW) between Hess and Chambers Roads. The Town has owned and maintained this roadway since it was accepted from the developer in 2016. To meet statutory requirements for contiguity a serial annexation that is done in two sections is required. Serial I is located between the Town boundary and a point

approximately 109 feet north of the intersection of Heirloom Parkway and Hess Road. Serial II, is the remaining 109 foot section of Heirloom Parkway. Approval of Serial I and Serial II will allow for annexation of the full length of Heirloom Parkway into the Town.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Heirloom Parkway ROW was acquired by the developer from Parker Water and Sanitation District (PWSO) to serve the Heirloom residential development in 2012. Heirloom Parkway was constructed by the developer and dedicated to the Town in 2016. Staff proposes to annex the roadway into the Town since it is owned and maintained by the Town.

This action is consistent with the Parker 2035 Master Plan because it is located within the Town's Urban Growth Boundary which was amended in 2016 in anticipation of future annexation.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

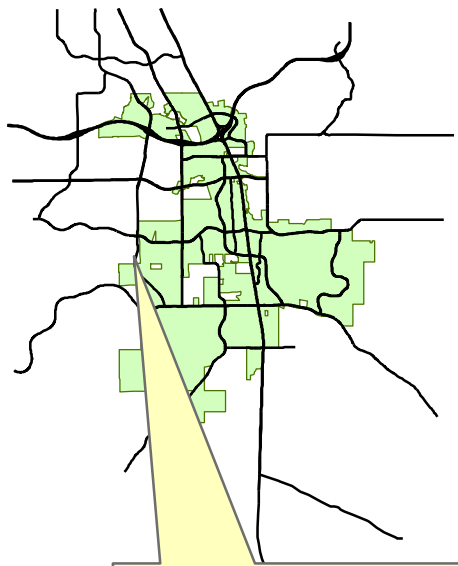
ATTACHMENTS

1. Vicinity map Heirloom Parkway Serial I
2. Vicinity map Heirloom Parkway Serial II
3. Ordinance No. 2.255
4. Ordinance No. 2.256
5. Heirloom Pkwy Serial I Annex Map
6. Heirloom Pkwy Serial II Annex Map

RECOMMENDED MOTION

I move to approve Ordinance No. 2.255 on first reading and to schedule second reading for March, 19, 2018, as part of the consent agenda.

I move to approve Ordinance No. 2.256 on first reading and to schedule second reading for March, 19, 2018, as part of the consent agenda.



Heirloom Parkway Row Serial I

Legend

-  Town Boundary
-  Property Boundary

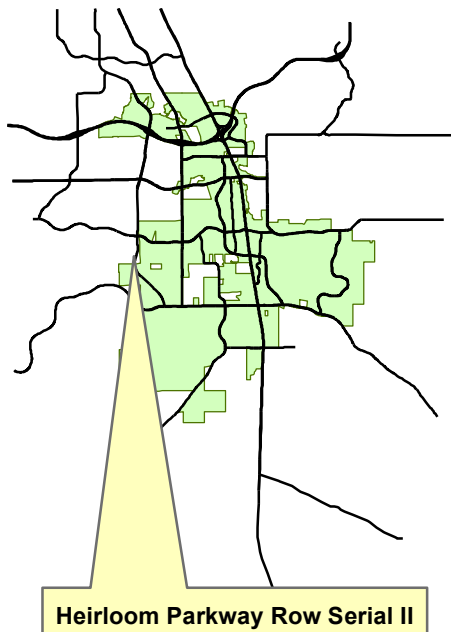
Narrative:
The Town proposes to annex a portion of Heirloom Parkway Right-of-Way (ROW) between Hess and Chambers Roads.

Planner:
Carolyn Parkinson
Hearing Schedules:

Town Council:
1st reading March 5, 2018
2nd reading March 19, 2018



Heirloom Parkway Serial II
Annexation
Case No ANX17-005



Legend

-  Town Boundary
-  Property Boundary

Narrative:
The Town proposes to annex a portion of Heirloom Parkway Right-of-Way (ROW) between Hess and Chambers Roads.

Planner:
Carolyn Parkinson
Hearing Schedules:

Town Council:
1st reading March 5, 2018
2nd reading March 19, 2018



ORDINANCE NO. 2.255, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE HEIRLOOM PARKWAY PROPERTY SERIAL I LOCATED IN DOUGLAS COUNTY

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Town Council of the Town of Parker, Colorado, a written petition for annexation to and by the Town of Parker, Colorado, of that property described in attached **Exhibit A**, being contiguous unincorporated territory, situated, lying, and being in the County of Douglas, State of Colorado; and

WHEREAS, the Town Council of the Town of Parker, Colorado has conducted a public hearing as required by law to determine the eligibility for annexation of that property described in attached Exhibit A; and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A, and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the Town of Parker, Colorado.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The annexation by and to the Town of Parker, State of Colorado, of that property described in attached Exhibit A, situated, lying and being in the County of Douglas, State of Colorado, meets all requirements of law and the annexation policy of the Town of Parker and, therefore, said annexation is hereby approved and made effective.

Section 2. The owner(s) of more than fifty percent (50%) of the property described in attached Exhibit A has petitioned for annexation.

Section 3. No simultaneous rezoning of the above-described property is required pursuant to Section 15.9 of the Home Rule Charter for the Town of Parker because the above-described property consists solely of right-of-way.

Section 4. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to towns, and to all ordinances, resolutions, rules and regulations of the Town of Parker.

Section 5. Considering all of the foregoing, and based on the conviction that annexation of this property to the Town of Parker will serve the best interest of the Town of Parker and the owner(s) of the territory to be annexed, the unincorporated territory described in **Exhibit A**, which is attached hereto and made a part hereof, is hereby annexed to the Town of Parker, Colorado.

Section 6. The Town Clerk shall file, for recording, one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 7. The Annexation Map showing the boundaries of the newly-annexed territory, as above described, shall be kept on file in the office of the Douglas County Clerk and Recorder.

Section 8. The Town Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 9. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 10. This annexation shall become effective within ten (10) days of the publication date of this Ordinance, except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

Legal Description

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 30;

THENCE ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER NORTH 00°26'47" WEST, A DISTANCE OF 815.24 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HEIRLOOM PARKWAY RECORDED AT RECEPTION NUMBER 2011071755 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 486.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 73°05'39" WEST, AND THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING (3) COURSES:

1. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°01'59", AN ARC LENGTH OF 254.75 FEET;
2. TANGENT TO SAID CURVE SOUTH 46°56'20" WEST, A DISTANCE OF 214.47 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 414.00 FEET;
3. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°41'29", AN ARC LENGTH OF 257.89 FEET;

THENCE DEPARTING SAID SOUTHEASTERLY RIGHT-OF-WAY LINE NORTH 78°45'09" WEST, A DISTANCE OF 72.00 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID HEIRLOOM PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 486.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 78°45'09"EAST;

THENCE ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINES OF SAID HEIRLOOM PARKWAY THE FOLLOWING (5) COURSES:

1. NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°41'29", AN ARC LENGTH OF 302.75 FEET;
2. TANGENT TO SAID CURVE NORTH 46°56'20" EAST, A DISTANCE OF 214.47 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 414.00 FEET;
3. NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 42°04'17", AN ARC LENGTH OF 303.99 FEET;
4. TANGENT TO SAID CURVE NORTH 04°52'03" EAST, A DISTANCE OF 100.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 686.00 FEET;
5. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°38'09", AN ARC LENGTH OF 187.21 FEET TO SAID EASTERLY LINE OF THE NORTHWEST QUARTER;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°26'47" EAST, A DISTANCE OF 387.92 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1.553 ACRES, (67,668 SQUARE FEET) MORE OR LESS.

ORDINANCE NO. 2.256, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE HEIRLOOM PARKWAY PROPERTY SERIAL II LOCATED IN DOUGLAS COUNTY

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Town Council of the Town of Parker, Colorado, a written petition for annexation to and by the Town of Parker, Colorado, of that property described in attached **Exhibit A**, being contiguous unincorporated territory, situated, lying, and being in the County of Douglas, State of Colorado; and

WHEREAS, the Town Council of the Town of Parker, Colorado has conducted a public hearing as required by law to determine the eligibility for annexation of that property described in attached Exhibit A; and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A, and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the Town of Parker, Colorado.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The annexation by and to the Town of Parker, State of Colorado, of that property described in attached Exhibit A, situated, lying and being in the County of Douglas, State of Colorado, meets all requirements of law and the annexation policy of the Town of Parker and, therefore, said annexation is hereby approved and made effective.

Section 2. The owner(s) of more than fifty percent (50%) of the property described in attached Exhibit A has petitioned for annexation.

Section 3. No simultaneous rezoning of the above-described property is required pursuant to Section 15.9 of the Home Rule Charter for the Town of Parker because the above-described property consists solely of right-of-way.

Section 4. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to towns, and to all ordinances, resolutions, rules and regulations of the Town of Parker.

Section 5. Considering all of the foregoing, and based on the conviction that annexation of this property to the Town of Parker will serve the best interest of the Town of Parker and the owner(s) of the territory to be annexed, the unincorporated territory described in **Exhibit A**, which is attached hereto and made a part hereof, is hereby annexed to the Town of Parker, Colorado.

Section 6. The Town Clerk shall file, for recording, one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 7. The Annexation Map showing the boundaries of the newly-annexed territory, as above described, shall be kept on file in the office of the Douglas County Clerk and Recorder.

Section 8. The Town Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 9. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 10. This annexation shall become effective within ten (10) days of the publication date of this Ordinance, except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

Legal Description

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 30;

THENCE ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER NORTH 00°26'47" WEST, A DISTANCE OF 815.24 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HEIRLOOM PARKWAY RECORDED AT RECEPTION NUMBER 2011071755 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 486.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 73°05'39" WEST;

THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING (4) COURSES:

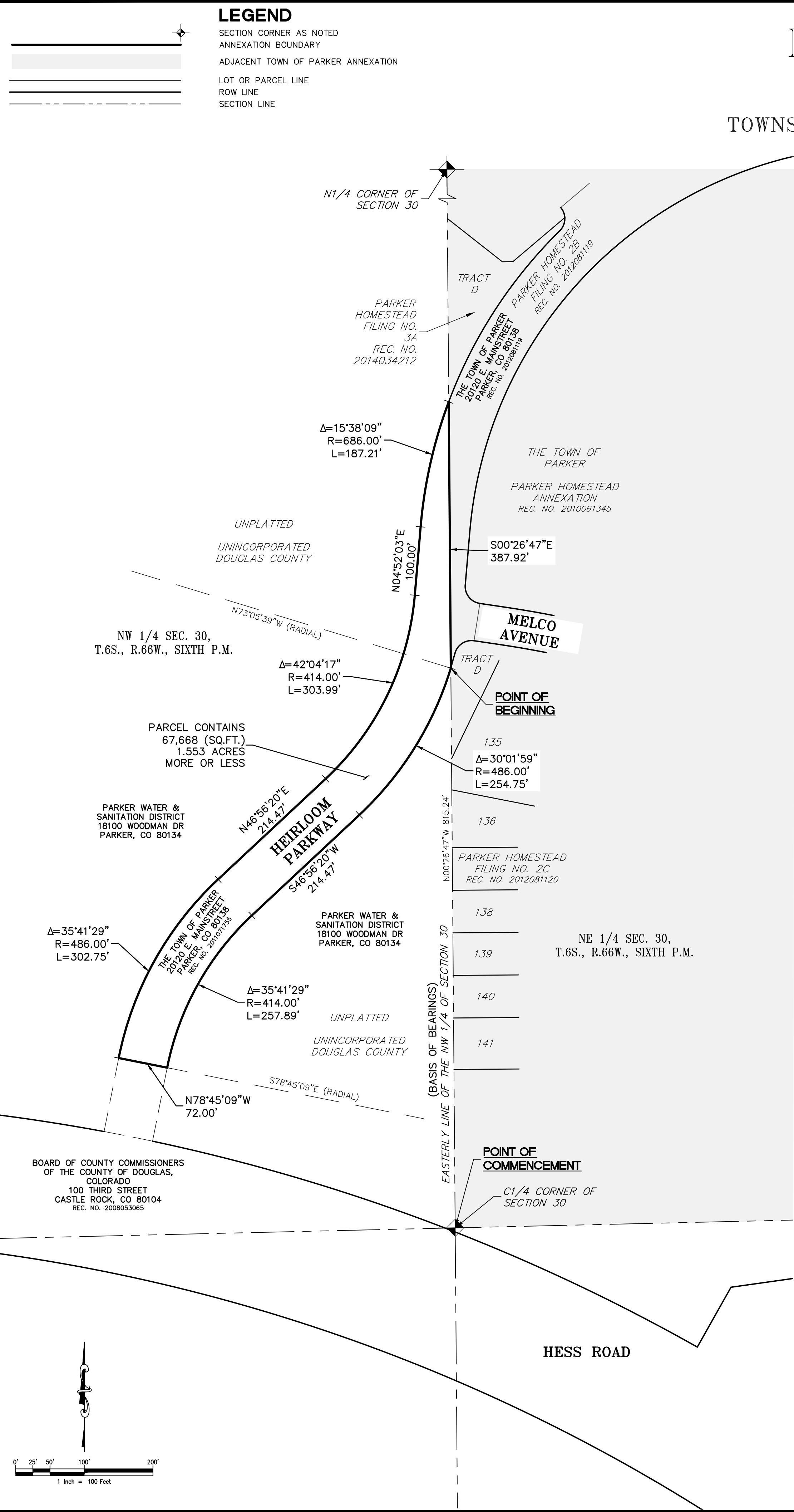
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3. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°41'29", AN ARC LENGTH OF 257.89 FEET TO THE POINT OF BEGINNING;
4. TANGENT TO SAID CURVE SOUTH 11°14'51" WEST, A DISTANCE OF 109.12 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF HESS ROAD RECORDED AT RECEPTION NO. 2008053065 IN SAID RECORDS AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2800.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 11°59'03" WEST;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°28'24", AN ARC LENGTH OF 72.00 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID HEIRLOOM PARKWAY;

THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE NON-TANGENT TO SAID CURVE NORTH 11°14'51" EAST, A DISTANCE OF 109.12 FEET;

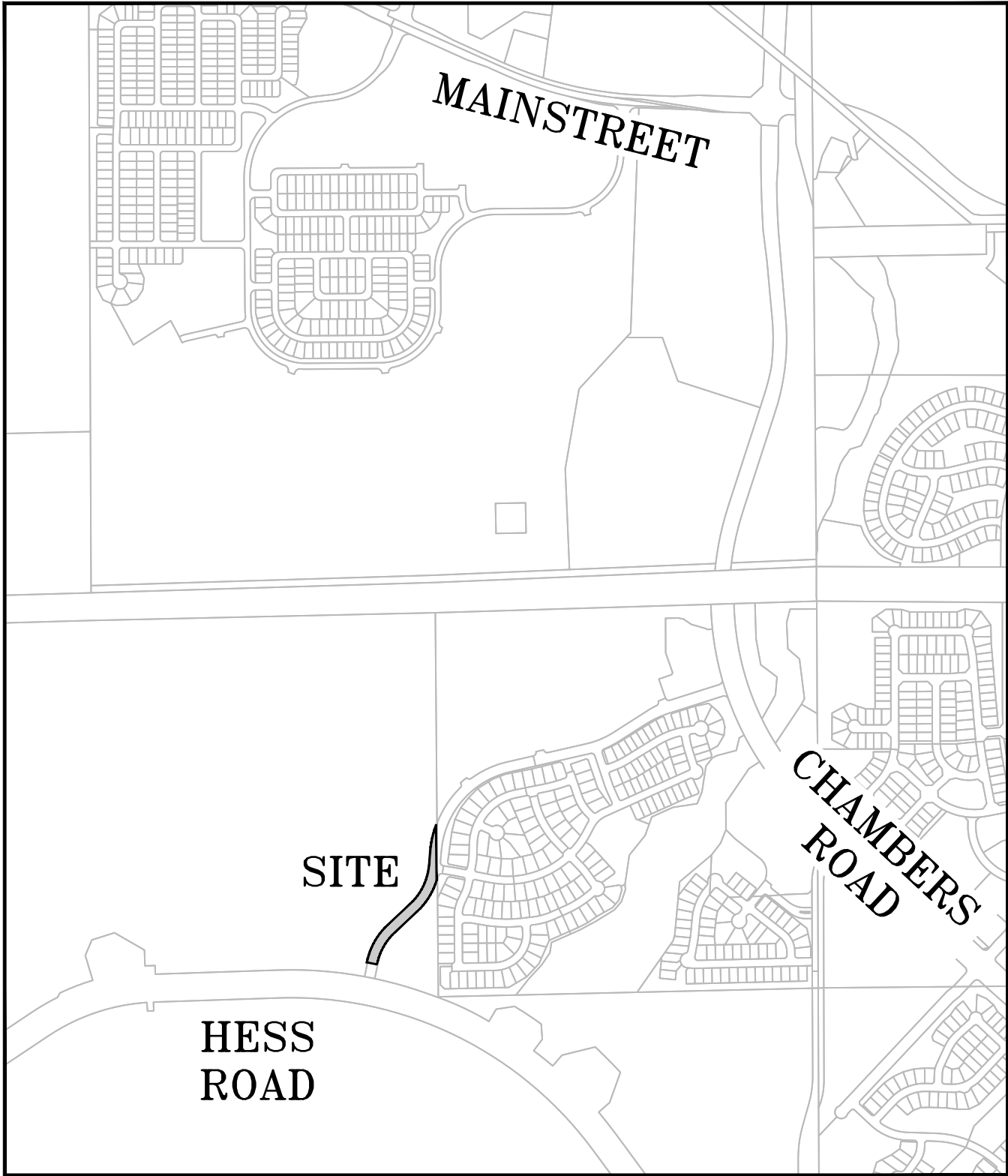
THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE SOUTH 78°45'09" EAST, A DISTANCE OF 72.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.180 ACRES, (7,846 SQUARE FEET), MORE OR LESS.



HEIRLOOM PARKWAY – SERIAL 1

ANNEXATION TO THE TOWN OF PARKER
LOCATED IN THE NORTHWEST QUARTER OF SECTION 30,
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO
1.553 ACRES



VICINITY MAP
SCALE 1" = 1000'

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING (3) COURSES:

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THENCE ALONG SAID EASTERLY LINE SOUTH 00°26'47" EAST, A DISTANCE OF 387.92 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1.553 ACRES, (67,668 SQUARE FEET) MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, DEAN E. CATES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ANNEXED TO THE TOWN OF PARKER, COLORADO; AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.



DEAN E. CATES
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 22561
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2018 A.D., AT _____

A.M./P.M. AND WAS RECORDED AT _____

RECEPTION NO. _____

COUNTY CLERK AND RECORDER _____

SCALE 1"=100'	DATE DEC 12/11/17
REVISION DESCRIPTION	
BY	
DATE	
AZTEC CONSULTANTS, INC. 300 East Mineral Ave., Suite 1 Littleton, Colorado 80122 Phone: (303) 713-1898 Fax: (303) 713-1897 www.aztecconsultants.com	
HEIRLOOM PARKWAY - SERIAL 1 NW1/4 S30, T6S, R66W, SIXTH PM DOUGLAS COUNTY, COLORADO PREPARED FOR THE TOWN OF PARKER 20120 E. MAINSTREET, PARKER, CO 80138	
SHEET 1	OF 1 SHEETS
JOB NO. 24917-16	

HEIRLOOM PARKWAY – SERIAL 2
ANNEXATION TO THE TOWN OF PARKER
LOCATED IN THE NORTHWEST QUARTER OF SECTION 30,
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO
0.180 ACRES

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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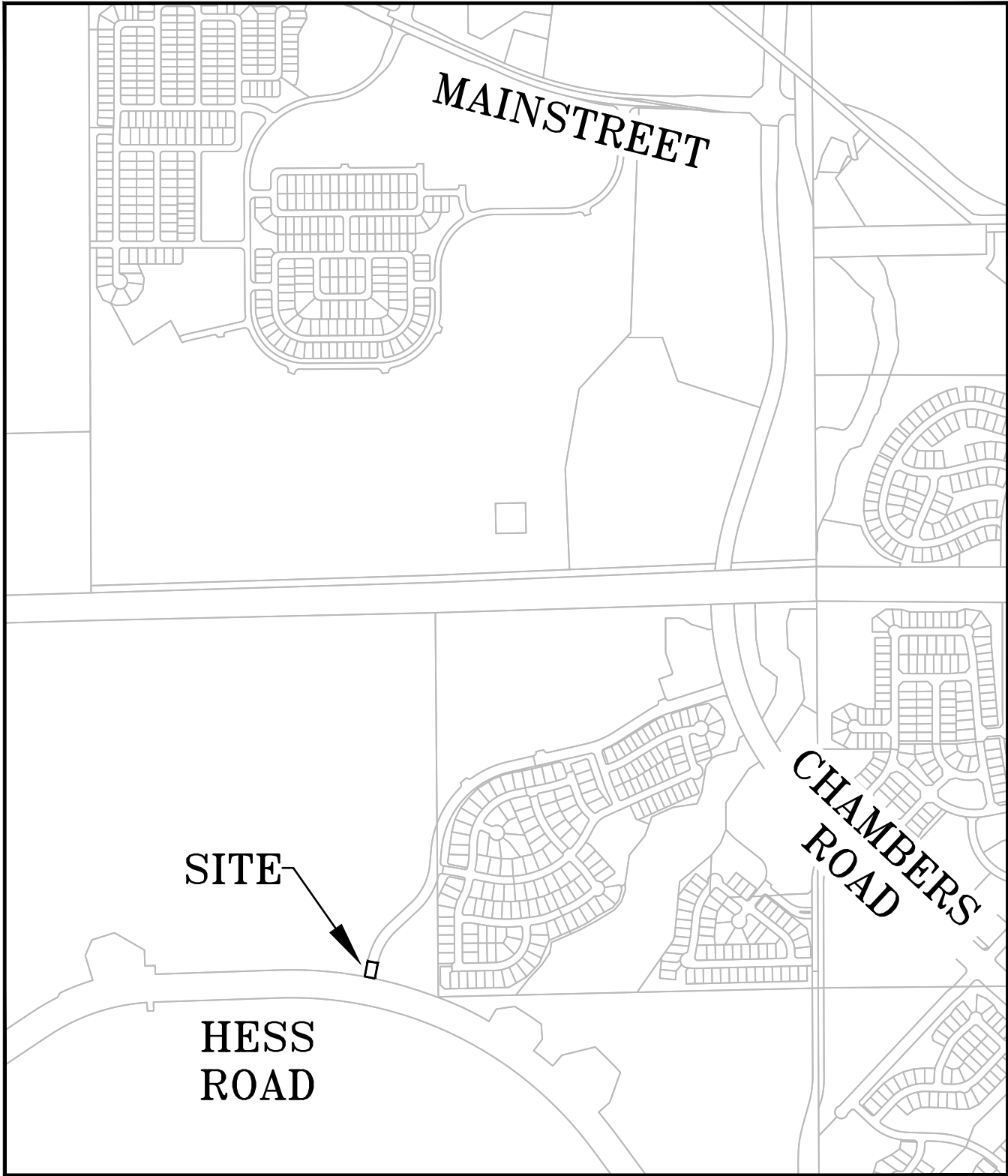
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- TANGENT TO SAID CURVE SOUTH 11°14'51" WEST, A DISTANCE OF 109.12 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF HESS ROAD RECORDED AT RECEPTION NO. 2008053065 IN SAID RECORDS AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2800.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 11°59'03" WEST;

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THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NON-TANGENT TO SAID CURVE NORTH 11°14'51" EAST, A DISTANCE OF 109.12 FEET;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 78°45'09" EAST, A DISTANCE OF 72.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 0.180 ACRES, (7,846 SQUARE FEET), MORE OR LESS.



VICINITY MAP
SCALE 1" = 1000'

GENERAL NOTES

- BASIS OF BEARINGS: BEARINGS ARE BASED UPON THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS BEARING NORTH 00°26'47" WEST, AS SHOWN ON THE RECORDED PLAT OF PARKER HOMESTEAD FILING NO. 2B, AND RECORDED AT RECEPTION NO. 2012081119 IN THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE.
- DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN U.S. SURVEY FEET UNITS.
- PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 6.2.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- THIS ANNEXATION MAP WAS PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE IN DOUGLAS COUNTY, COLORADO, TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.
- THIS ANNEXATION MAP HAS BEEN PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

OWNER

THE TOWN OF PARKER
20120 E. MAINSTREET
PARKER, CO 80138

CONTIGUITY

TOTAL PERIMETER = 362.24'
CONTIGUOUS PERIMETER = 72.00'
1/6 PERIMETER = 60.37'
TOTAL AREA = 0.180 ACRES±

ACCEPTANCE

ACCEPTED BY THE PARKER TOWN COUNCIL THIS _____ DAY OF _____, 2018.

MAYOR, TOWN OF PARKER

ATTEST: TOWN CLERK

SURVEYOR'S CERTIFICATE

I, DEAN E. CATES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ANNEXED TO THE TOWN OF PARKER, COLORADO; AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.



DEAN E. CATES
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 22561
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
COUNTY OF DOUGLAS) SS

I HEREBY CERTIFY THAT THIS MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2018 A.D., AT _____

A.M./P.M. AND WAS RECORDED AT _____

RECEPTION NO. _____

COUNTY CLERK AND RECORDER

SCALE 1"=100'	DATE 12/11/17
REVISION DESCRIPTION	BY
DATE	DATE
AZTEC CONSULTANTS, INC. 300 East Mineral Ave., Suite 1 Littleton, Colorado 80122 Phone: (303) 713-1898 Fax: (303) 713-1897 www.aztecconsultants.com	
HEIRLOOM PARKWAY - SERIAL 2 NW1/4 S30, T6S, R66W, SIXTH PM DOUGLAS COUNTY, COLORADO PREPARED FOR THE TOWN OF PARKER 20120 E. MAINSTREET, PARKER, CO 80138	SHEET 1 OF 1 SHEETS JOB NO. 24917-16



Request for Town Council Action

Date: March 5, 2018

Submitted By: Carolyn Parkinson, Planner I
Chris Hudson, Public Works Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 2.257 - First Reading**
A Bill for an Ordinance Approving and Accomplishing the
Annexation of Contiguous Unincorporated Territory Known
as the Village Center Drive Located in Douglas County

Applicant: Town of Parker

Location: Generally Located South of Lincoln Avenue and East of Jordan Road

Department: Community Development, Carolyn Parkinson
Engineering, Chris Hudson

TRAKiT No.: ANX17-006

Second Reading March 19, 2018

EXECUTIVE SUMMARY

The Town proposes to annex the Village Center Drive Right-of-Way (ROW) located south of Lincoln Avenue and east of Jordan Road. The majority of the commercial parcels that take access from Village Center Drive are located within the Town's incorporated boundary. The Town accepted the ownership of this ROW from Douglas County in December 2017 and is responsible for maintenance.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Village Center Drive was constructed in the mid-1990's as part of the Stonegate mixed-use development in unincorporated Douglas County. During the early 2000's, the Town annexed three (3) of the four (4) commercial parcels that utilize Village Center Drive for access. The Town did not annex the roadway at that time.

Douglas County has had a long-standing request that Parker accept ownership and assume maintenance responsibility for Village Center Drive because most parcels that access the roadway are located within the Town's incorporated boundary. Staff requested repairs to the roadway as a condition of the Town accepting ownership and maintenance responsibility. In 2016, the County repaved Village Center Drive and completed the requested repairs. The Town subsequently accepted ownership of the roadway from the County in December 2017.

This proposal meets the statutory requirements for annexation into Parker and is consistent with the Parker 2035 Master Plan because it is located within the Town's Urban Growth Boundary.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



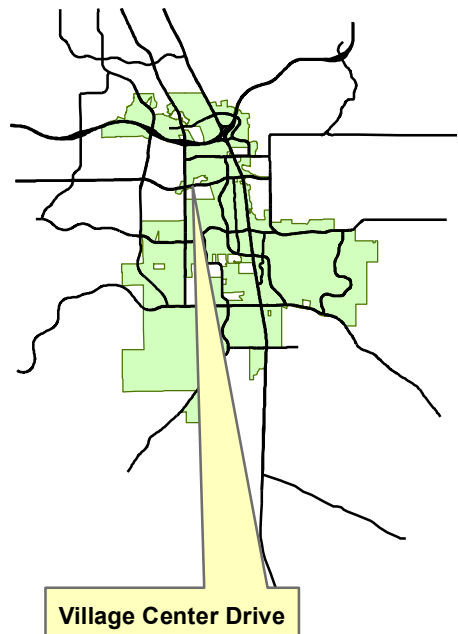
ATTACHMENTS

1. Vicinity Map Village Center Drive
2. Ordinance No. 2.257
3. Final Village Center Drive Annexation Map

RECOMMENDED MOTION

I move to approve Ordinance No. 2.257 on first reading and to schedule second reading for March, 19, 2018, as part of the consent agenda.

Village Center Drive
Annexation
Case No ANX17-006



Legend

-  Town Boundary
-  Property Boundary

Narrative:
The Town proposes to annex Village Center Drive Right-of-Way (ROW) located south of Lincoln Avenue and east of Jordan Road.

Planner:
Carolyn Parkinson
Hearing Schedules:

Town Council:
1st reading March 5, 2018
2nd reading March 19, 2018



ORDINANCE NO. 2.257, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE VILLAGE CENTER DRIVE PROPERTY LOCATED IN DOUGLAS COUNTY

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Town Council of the Town of Parker, Colorado, a written petition for annexation to and by the Town of Parker, Colorado, of that property described in attached **Exhibit A**, being contiguous unincorporated territory, situated, lying, and being in the County of Douglas, State of Colorado; and

WHEREAS, the Town Council of the Town of Parker, Colorado has conducted a public hearing as required by law to determine the eligibility for annexation of that property described in attached Exhibit A; and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A, and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the Town of Parker, Colorado.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The annexation by and to the Town of Parker, State of Colorado, of that property described in attached Exhibit A, situated, lying and being in the County of Douglas, State of Colorado, meets all requirements of law and the annexation policy of the Town of Parker and, therefore, said annexation is hereby approved and made effective.

Section 2. The owner(s) of more than fifty percent (50%) of the property described in attached Exhibit A has petitioned for annexation.

Section 3. No simultaneous rezoning of the above-described property is required pursuant to Section 15.9 of the Home Rule Charter for the Town of Parker because the above-described property consists solely of right-of-way.

Section 4. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to towns, and to all ordinances, resolutions, rules and regulations of the Town of Parker.

Section 5. Considering all of the foregoing, and based on the conviction that annexation of this property to the Town of Parker will serve the best interest of the Town of Parker and the owner(s) of the territory to be annexed, the unincorporated territory described in **Exhibit A**, which is attached hereto and made a part hereof, is hereby annexed to the Town of Parker, Colorado.

Section 6. The Town Clerk shall file, for recording, one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 7. The Annexation Map showing the boundaries of the newly-annexed territory, as above described, shall be kept on file in the office of the Douglas County Clerk and Recorder.

Section 8. The Town Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 9. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 10. This annexation shall become effective within ten (10) days of the publication date of this Ordinance, except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

Legal Description

A PARCEL OF LAND BEING ALL OF VILLAGE CENTER DRIVE, STONEGATE FILING NO. 17, RECORDED AT RECEPTION NO. 9517106 AND STONEGATE FILING NO. 19, RECORDED AT RECEPTION NO. 9537419, BOTH IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, ADDITIONALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16;

THENCE ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER SOUTH 01°42'36" EAST, A DISTANCE OF 1587.19 FEET;

THENCE NORTH 88°17'24" EAST, A DISTANCE OF 60.00 FEET TO THE SOUTHWEST CORNER OF SAID VILLAGE CENTER DRIVE AND THE **POINT OF BEGINNING**;

THENCE ALONG THE RIGHT-OF-WAY LINES OF SAID VILLAGE CENTER DRIVE THE FOLLOWING (18) COURSES:

1. NORTH 01°42'36" WEST, A DISTANCE OF 161.32 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 50.00 FEET;
2. THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99°38'14", AN ARC LENGTH OF 86.95 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 270.00 FEET;
3. THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°21'01", AN ARC LENGTH OF 58.20 FEET;
4. THENCE TANGENT TO SAID CURVE NORTH 66°18'09" EAST, A DISTANCE OF 192.14 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 330.00 FEET;
5. THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°49'56", AN ARC LENGTH OF 85.43 FEET;
6. THENCE TANGENT TO SAID CURVE NORTH 81°08'05" EAST, A DISTANCE OF 39.29 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 195.00 FEET;
7. THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 92°58'04", AN ARC LENGTH OF 316.41 FEET;
8. THENCE TANGENT TO SAID CURVE NORTH 11°49'59" WEST, A DISTANCE OF 11.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 50.00 FEET;
9. THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 78.54 FEET TO THE SOUTHERLY LINE OF TRACT B SAID STONEGATE FILING NO. 19;
10. THENCE NON-TANGENT TO SAID CURVE ALONG SAID SOUTHERLY LINE NORTH 78°10'01" EAST, A DISTANCE OF 160.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 50.00 FEET;

11. THENCE DEPARTING SAID SOUTHERLY LINE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 78.54 FEET;
12. THENCE TANGENT TO SAID CURVE SOUTH 11°49'59" EAST, A DISTANCE OF 11.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 255.00 FEET;
13. THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 92°58'04", AN ARC LENGTH OF 413.76 FEET;
14. THENCE TANGENT TO SAID CURVE SOUTH 81°08'05" WEST, A DISTANCE OF 39.29 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 270.00 FEET;
15. THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°49'56", AN ARC LENGTH OF 69.90 FEET;
16. THENCE TANGENT TO SAID CURVE SOUTH 66°18'09" WEST, A DISTANCE OF 192.14 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 330.00 FEET;
17. THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°25'32", AN ARC LENGTH OF 94.60 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 50.00 FEET;
18. THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 84°26'17", AN ARC LENGTH OF 73.69 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 1.241 ACRES, (54,059 SQUARE FEET), MORE OR LESS.

VILLAGE CENTER DRIVE

ANNEXATION TO THE TOWN OF PARKER

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO

ANNEXATION AREA = 1.241 ACRES

LEGAL DESCRIPTION

A PARCEL OF LAND BEING ALL OF VILLAGE CENTER DRIVE, STONEGATE FILING NO. 17, RECORDED AT RECEPTION NO. 9517106 AND STONEGATE FILING NO. 19, RECORDED AT RECEPTION NO. 9537419, BOTH IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, ADDITIONALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16;

THENCE ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER SOUTH 01°42'36" EAST, A DISTANCE OF 1587.19 FEET;

THENCE NORTH 88°17'24" EAST, A DISTANCE OF 60.00 FEET TO THE SOUTHWEST CORNER OF SAID VILLAGE CENTER DRIVE AND THE POINT OF BEGINNING;

THENCE ALONG THE RIGHT-OF-WAY LINES OF SAID VILLAGE CENTER DRIVE THE FOLLOWING (18) COURSES:

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- SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99°38'14", AN ARC LENGTH OF 86.95 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 270.00 FEET;
- EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°21'01", AN ARC LENGTH OF 58.20 FEET;
- TANGENT TO SAID CURVE NORTH 66°18'09" EAST, A DISTANCE OF 192.14 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 330.00 FEET;
- EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°49'56", AN ARC LENGTH OF 85.43 FEET;
- TANGENT TO SAID CURVE NORTH 81°08'05" EAST, A DISTANCE OF 39.29 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 195.00 FEET;
- NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 92°58'04", AN ARC LENGTH OF 316.41 FEET;
- TANGENT TO SAID CURVE NORTH 11°49'59" WEST, A DISTANCE OF 11.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 50.00 FEET;
- NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 78.54 FEET TO THE SOUTHERLY LINE OF TRACT B SAID STONEGATE FILING NO. 19;
- NON-TANGENT TO SAID CURVE ALONG SAID SOUTHERLY LINE NORTH 78°10'01" EAST, A DISTANCE OF 160.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 50.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 11°49'59" EAST;
- DEPARTING SAID SOUTHERLY LINE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 78.54 FEET;
- TANGENT TO SAID CURVE SOUTH 11°49'59" EAST, A DISTANCE OF 11.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 255.00 FEET;
- SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 92°58'04", AN ARC LENGTH OF 413.76 FEET;
- TANGENT TO SAID CURVE SOUTH 81°08'05" WEST, A DISTANCE OF 39.29 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 270.00 FEET;
- WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°49'56", AN ARC LENGTH OF 69.90 FEET;
- TANGENT TO SAID CURVE SOUTH 66°18'09" WEST, A DISTANCE OF 192.14 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 330.00 FEET;
- WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°25'32", AN ARC LENGTH OF 94.60 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 50.00 FEET;
- SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 84°26'17", AN ARC LENGTH OF 73.69 FEET TO THE POINT OF BEGINNING.

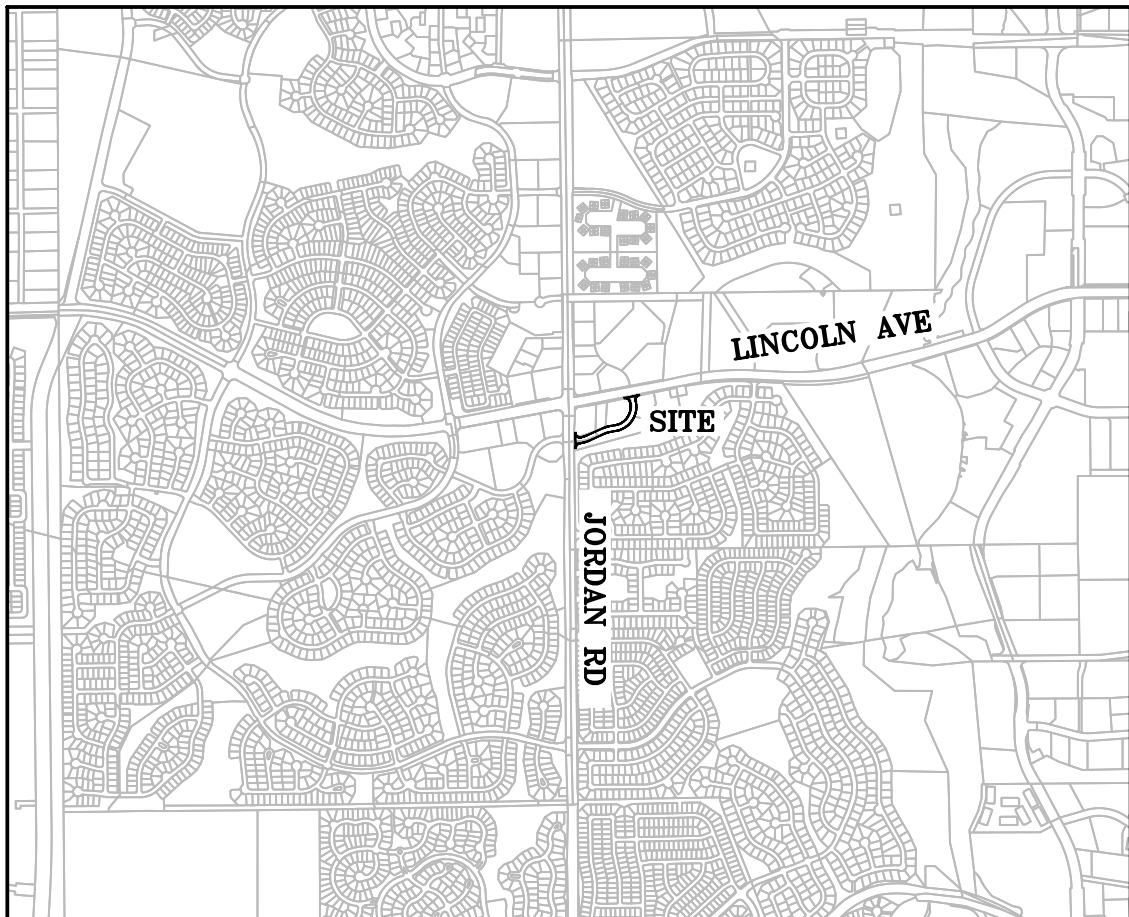
CONTAINING AN AREA OF 1.241 ACRES, (54,059 SQUARE FEET), MORE OR LESS.

NOTES

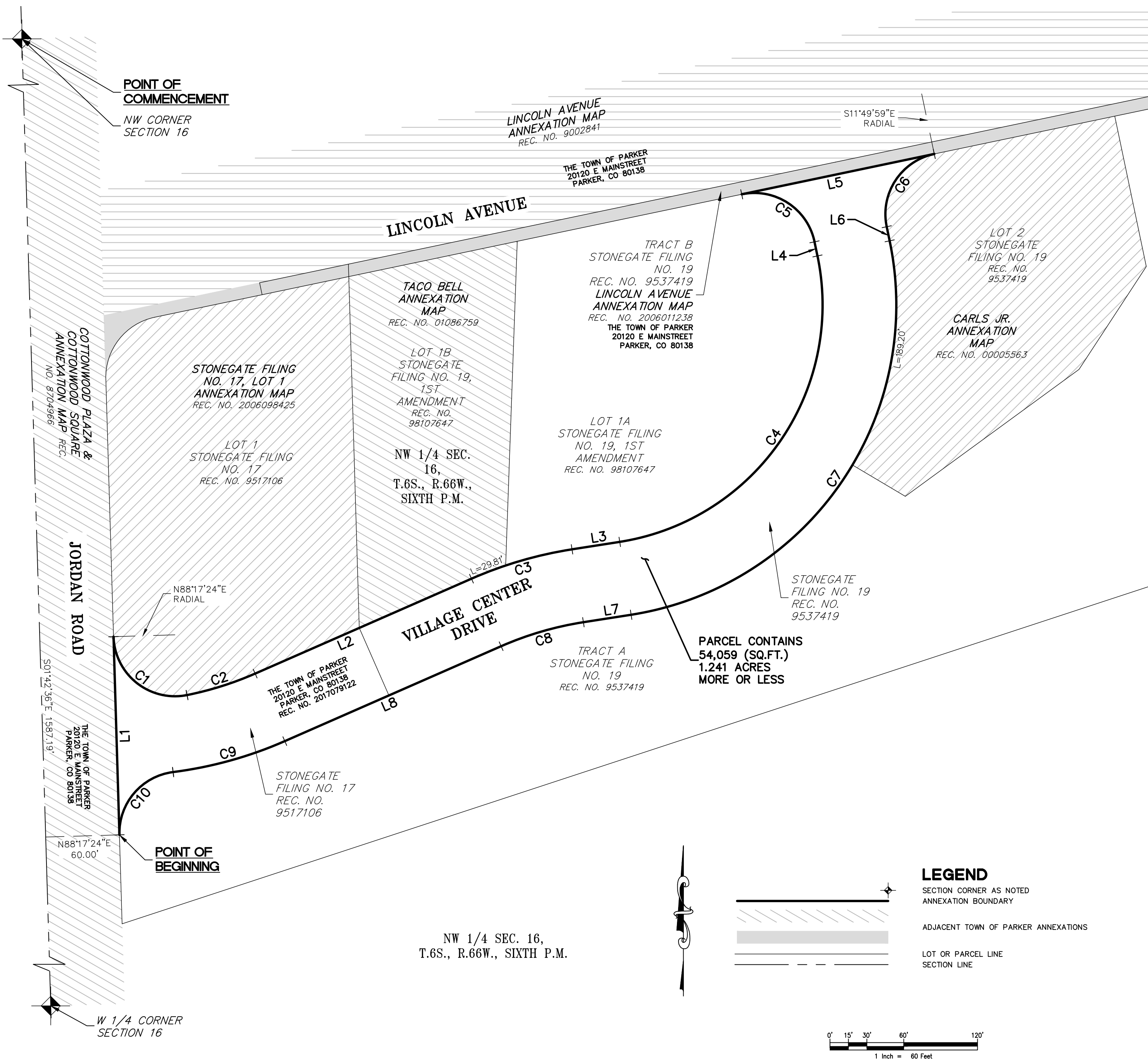
- BASIS OF BEARINGS:
BEARINGS ARE BASED UPON THE RECORDED PLAT OF STONEGATE FILING NO. 17 WITH THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEARING SOUTH 01°42'36" EAST.
- DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN U.S. SURVEY FEET UNITS.
- PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 6.2.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- THIS ANNEXATION MAP WAS PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE IN DOUGLAS COUNTY, COLORADO, TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.
- THIS ANNEXATION MAP HAS BEEN PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N01°42'36"W	161.32'
L2	N66°18'09"E	192.14'
L3	N81°08'05"E	39.29'
L4	N11°49'59"W	11.72'
L5	N78°10'01"E	160.00'
L6	S11°49'59"E	11.72'
L7	S81°08'05"W	39.29'
L8	S66°18'09"W	192.14'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	99°38'14"	50.00'	86.95'
C2	12°21'01"	270.00'	58.20'
C3	14°49'56"	330.00'	85.43'
C4	92°58'04"	195.00'	316.41'
C5	90°00'00"	50.00'	78.54'
C6	90°00'00"	50.00'	78.54'
C7	92°58'04"	255.00'	413.76'
C8	14°49'56"	270.00'	69.90'
C9	16°25'32"	330.00'	94.60'
C10	84°26'17"	50.00'	73.69'



VICINITY MAP
SCALE: 1" = 2000'



OWNER

THE TOWN OF PARKER
20120 E. MAINSTREET
PARKER, CO 80138

CONTIGUITY

TOTAL PERIMETER = 2,163.64'
CONTIGUOUS PERIMETER = 967.88'
1/6 PERIMETER = 360.61'
TOTAL AREA = 1.241 ACRES±

ACCEPTANCE

ACCEPTED BY THE PARKER TOWN COUNCIL THIS _____ DAY OF _____, 2018.

MAYOR, TOWN OF PARKER

ATTEST: TOWN CLERK

SURVEYOR'S CERTIFICATE

I, DEAN E. CATES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ANNEXED TO THE TOWN OF PARKER, COLORADO; AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.



DEAN E. CATES
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 22561
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
SECTION CORNER AS NOTED) SS
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2018 A.D., AT _____

A.M./P.M. AND WAS RECORDED AT _____

RECEPTION NO. _____

COUNTY CLERK AND RECORDER

SCALE 1"=60'	TOWN DEC	DATE 02/20/18
REVISION DESCRIPTION		
BY		
DATE		
VILLAGE CENTER DRIVE ANNEXATION TO THE TOWN OF PARKER DOUGLAS COUNTY, COLORADO PREPARED FOR THE TOWN OF PARKER 20120 EAST MAINSTREET, PARKER, CO 80138		
AZTEC CONSULTANTS, INC. 300 East Mineral Ave., Suite 1 Littleton, Colorado 80122 Phone: (303) 713-1898 Fax: (303) 713-1897 www.aztecconsultants.com		
SHEET 1 OF 1 SHEETS 24917-19 JOB NO.		



Request for Town Council Action

Date: March 5, 2018

Submitted By: Jacob James, Stormwater Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.262.1 - First Reading**
A Bill for an Ordinance Approving the Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Newlin Gulch Downstream of Heirloom Parkway By and Between Urban Drainage and Flood Control District and the Town of Parker (Agreement No. 16-11.23A Project No. 106484)

Department: Engineering/Public Works, Jacob James

Second Reading: March 19, 2018

EXECUTIVE SUMMARY

This is a proposed amendment to an Intergovernmental Agreement (IGA) with the Urban Drainage and Flood Control District to provide funding for a Stormwater Capital Improvement Project to improve Newlin Gulch at Heirloom Parkway.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Ordinance No. 9.262 and Agreement No. 16-11.23 were approved by Town Council on February 6, 2017, to provide funding for the design of improvements to Newlin Gulch at Heirloom Parkway (extended). The engineering design has been completed and the purpose of this IGA is to add funding for construction of the improvements.

FINANCIAL IMPACT

The approved Stormwater budget for 2018 included a capital improvement project line item for \$200,000 for Newlin Gulch. The Urban Drainage and Flood Control District will provide a funding match of \$200,000. This amendment to the IGA will also allow Urban Drainage and Flood Control District to re-appropriate remaining funds from the Crown Point Detention Pond

Project which was funded in 2015 through Agreement No. 15-02.04. The financial breakdown is shown below:

Town of Parker: \$40,000 (Original) + \$200,000 (This Amendment)

Urban Drainage: \$40,000 (Original) + \$200,000 (This Amendment)

Urban Drainage Fund Transfer: \$279,117.66 (This Amendment)

STRATEGIC GOAL(S)



ATTACHMENTS

1. Ordinance No. 9.262.1

RECOMMENDED MOTION

I move to approve Ordinance No. 9.268 on first reading and to schedule second reading for March, 19, 2018, as part of the consent agenda.

ORDINANCE NO. 9.262.1, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING THE AGREEMENT REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR NEWLIN GULCH DOWNSTREAM OF HEIRLOOM PARKWAY BY AND BETWEEN URBAN DRAINAGE AND FLOOD CONTROL DISTRICT AND THE TOWN OF PARKER

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The Town Council of the Town of Parker hereby approves the Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Newlin Gulch Downstream of Heirloom Parkway by and between Urban Drainage and Flood Control District and the Town of Parker, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

AGREEMENT REGARDING DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR NEWLIN GULCH DOWNSTREAM OF HEIRLOOM PARKWAY

Agreement No. 16-11.23A
Project No. 106484

THIS AGREEMENT, dated _____, by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT (hereinafter called "DISTRICT") and TOWN OF PARKER (hereinafter called "TOWN") and collectively known as "PARTIES";

WITNESSETH:

WHEREAS, PARTIES have entered into "Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Newlin Gulch downstream of Heirloom Parkway (Agreement No. 16-11.23) dated February 6, 2017; and

WHEREAS, PARTIES now desire to construct drainage and flood control improvements for Newlin Gulch downstream of Heirloom Parkway; and

WHEREAS, PARTIES desire to increase the level of funding by \$679,117.66; and

WHEREAS, DISTRICT's Board of Directors has authorized additional DISTRICT financial participation for PROJECT (Resolution No. _____, Series of 2018); and

WHEREAS, the Town Council of TOWN and the Board of Directors of DISTRICT have authorized, by appropriation or resolution, all of PROJECT costs of the respective PARTIES.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

1. Paragraph 4. PROJECT COSTS AND ALLOCATION OF COSTS is deleted and replaced as follows:
 4. PROJECT COSTS AND ALLOCATION OF COSTS
 - A. PARTIES agree that for the purposes of this Agreement PROJECT costs shall consist of and be limited to the following:
 1. Final design services;
 2. Construction of improvements;
 3. Contingencies mutually agreeable to PARTIES.
 - B. It is understood that PROJECT costs as defined above are not to exceed \$759,117.66 without amendment to this Agreement.

PROJECT costs for the various elements of the effort are estimated as follows:

<u>ITEM</u>	<u>AS AMENDED</u>	<u>ORIGINAL</u>
1. Final Design	\$ 80,000.00	\$ 80,000.00
2. Construction	\$ 588,250.00	\$ -0-
3. Contingency	\$ 90,867.66	\$ -0-
Grand Total	\$ 759,117.66	\$ 80,000.00

This breakdown of costs is for estimating purposes only. Costs may vary between the various elements of the effort without amendment to this Agreement provided the total expenditures do not exceed the maximum contribution by all PARTIES plus accrued interest.

- C. At the request of TOWN, the following TOWN funds may be transferred to PROJECT from a separate special fund held by DISTRICT:

Transfer from: (Cottonwood Creek, Crown Point Detention)

Account No. 5302 Agreement No. 15-02.04 Amount: \$279,117.66

	<u>Percentage Share</u>	<u>Previously Contributed</u>	<u>Additional Contribution</u>	<u>Maximum Contribution</u>
DISTRICT	50.00%	\$40,000	\$200,000.00	\$240,000.00
TOWN	50.00%	\$40,000	\$200,000.00	\$240,000.00
Special Fund Transfer			\$279,117.66	\$279,117.66
TOTAL	100.00%	\$80,000	\$679,117.66	\$759,117.66

2. Paragraph 5. MANAGEMENT OF FINANCES is deleted and replaced as follows:

5. MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a local body's one-half share may come from its own revenue sources or from funds received from state, federal, or other sources of funding without limitation and without prior Board approval. Payment of each party's full share (TOWN - \$519,117.66; DISTRICT - \$240,000) shall be made to DISTRICT subsequent to execution of this Agreement and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES, and as defined herein. DISTRICT shall provide a periodic accounting of PROJECT funds as well as a periodic notification to TOWN of any unpaid obligations. Any interest earned by the monies contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 13).

Within one year of completion of PROJECT if there are monies including interest earned remaining which are not committed, obligated, or disbursed, each party shall receive a share

of such monies, which shares shall be computed as were the original shares; or at TOWN request, TOWN share of remaining monies shall be transferred to another special fund held by DISTRICT.

3. All other terms and conditions of Agreement No. 16-11.23 shall remain in full force and effect.

WHEREFORE, PARTIES hereto have caused this instrument to be executed by properly authorized signatories as of the date and year first above written.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT

By_____

Name Ken A. MacKenzie

Title Executive Director

Checked By

TOWN OF PARKER

By_____
Mike Waid

Title Mayor

Date_____

(SEAL)

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: March 5, 2018

Submitted By: Rhonda Willey, Accounting Manager
Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.507.1 - First Reading**
A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Mary Lou Brown
Finance, Rhonda Willey

Second Reading: March 19, 2018

EXECUTIVE SUMMARY

The table below summarizes the revision by fund and detailed lists of the carryover and supplemental appropriation requests are attached.

	Supplemental Expenditures	Carryover	Total Expenditures	Supplemental Revenue	Net Revision
General Fund	\$208,410	\$3,256,629	\$3,465,039	\$1,534,100	\$1,930,939
Parks and Recreation Fund	719	1,947,860	1,948,579		1,948,579
Cultural Fund	4,300	505,460	509,760	48,800	460,960
Recreation Fund	1,500	257,390	258,890	195,000	63,890
Capital Improvement Fund	157,432	10,530,206	10,687,638		10,687,638
Stormwater Fund	35,000	203,675	238,675	18,000	220,675
Fleet Services Fund				15,000	(15,000)
Information Technology Fund	1,250,000	308,500	1,558,500		1,558,500
Total all funds	\$1,657,361	\$17,009,720	\$18,667,081	\$1,810,900	\$16,856,181

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The purpose of this budget revision is to appropriate funds to carryover unspent 2017 appropriations and to appropriate additional funds for 2018. The total carry-over from 2017 is \$17,009,720 which includes \$3,256,629 in the General Fund, \$1,947,860 in the Parks and Recreation Fund, \$505,460 in the Cultural Fund, \$257,390 in the Recreation Fund, \$10,530,206 in the Capital Improvement Fund, \$203,675 in the Stormwater Fund, and \$308,500 in the Information Technology Fund.

The total supplemental appropriation for 2018 is \$1,657,361 offset by \$1,810,900 revenue for a net \$153,539 increase in revenue. The expenditures include \$208,410 in the General Fund, \$719 in the Parks and Recreation Fund, \$4,300 in the Cultural Fund, \$1,500 in the Recreation Fund, \$157,432 in the Capital Improvement Fund, \$35,000 in the Stormwater Fund, and \$1,250,000 in the Information Technology Fund. The revenue includes \$1,534,100 in the General Fund, \$48,800 in the Cultural Fund, \$195,000 in the Recreation Fund, \$18,000 in the Stormwater Fund, and \$15,000 in the Fleet Services Fund. The detail list of items can be found in Exhibit A attached to the budget Ordinance.

FINANCIAL IMPACT

The total impact of the revisions in this item is a net decrease to cash of \$16,856,181 which includes \$1,657,361 supplemental expenditures, \$17,009,720 carryover expenditures, and \$1,810,900 supplemental revenue.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Ordinance 1.507.1

RECOMMENDED MOTION

I move to approve Ordinance No. 1.507.1 on first reading and schedule second reading and public hearing for Monday, March 6, 2018 at 7:00 p.m. as part of consent agenda.

ORDINANCE NO. 1.507.1, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2018 REVISED BUDGET FOR THE TOWN OF PARKER AND TO MAKE APPROPRIATIONS FOR THE SAME

WHEREAS, the Home Rule Charter of the Town of Parker specifies that Town Council may make additional appropriations by ordinance during the fiscal year for unanticipated expenditures; and

WHEREAS, upon due and proper notice published and posted in accordance with the Town of Parker Home Rule Charter, said proposed budget revisions are open for inspection by the public at the Town Hall.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The 2018 Revised Budget for the Town of Parker, Colorado, which is attached hereto as **Exhibit A** and incorporated by this reference, is hereby adopted and the monies are appropriated to the various funds as the same are budgeted.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Town of Parker
2018 Revised Budget
March 5, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>General Fund</u>		
Beginning fund balance		\$ 17,330,311
Revenue		54,390,184
Revenue revision	1,534,100	1,534,100
Total revised revenue		55,924,284
Total available		73,254,595
Expenditures		54,293,801
2017 Carry-over	3,256,629	
Supplemental appropriation	208,410	
Total expenditure revision		3,465,039
Total revised expenditures		57,758,840
Ending fund balance		\$ 15,495,755
<u>Parks and Recreation Fund</u>		
Beginning fund balance		\$ 7,658,551
Revenue		10,553,000
Revenue revision	-	-
Total revised revenue		10,553,000
Total available		18,211,551
Expenditures		9,235,486
2017 Carry-over	1,947,860	
Supplemental appropriation	719	
Total expenditure revision		1,948,579
Total revised expenditures		11,184,065
Ending fund balance		\$ 7,027,486

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>Cultural Fund</u>		
Beginning fund balance		\$ 1,079,746
Revenue		5,811,163
Revenue revision	48,800	48,800
Total revised revenue		<u>5,859,963</u>
Total available		<u>6,939,709</u>
Expenditures		5,911,048
2017 Carry-over	505,460	
Supplemental appropriation	4,300	
Total expenditure revisions		<u>509,760</u>
Total revised expenditures		<u>6,420,808</u>
Ending fund balance		<u><u>\$ 518,901</u></u>
<u>Recreation Fund</u>		
Beginning fund balance		\$ 2,002,026
Revenue		8,083,600
Revenue revision	195,000	195,000
Total revised revenue		<u>8,278,600</u>
Total available		<u>10,280,626</u>
Expenditures		8,748,245
2017 Carry-over	257,390	
Supplemental appropriation	1,500	
Total expenditure revisions		<u>258,890</u>
Total revised expenditures		<u>9,007,135</u>
Ending fund balance		<u><u>\$ 1,273,491</u></u>

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>Public Improvements Fund</u>		
Beginning fund balance		\$ 13,885,667
Revenue		10,378,300
Revenue revision	-	-
Total revised revenue		<u>10,378,300</u>
Total available		<u>24,263,967</u>
Expenditures		5,515,000
2017 Carry-over	10,530,206	
Supplemental appropriation	157,432	
Total expenditure revisions		<u>10,687,638</u>
Total revised expenditures		<u>16,202,638</u>
Ending fund balance		<u><u>\$ 8,061,329</u></u>
<u>Stormwater Utility Fund</u>		
Beginning fund balance		\$ 4,377,486
Revenue		3,733,000
Revenue revision	18,000	18,000
Total revised revenue		<u>3,751,000</u>
Total available		<u>8,128,486</u>
Expenditures		3,842,252
2017 Carry-over	203,675	
Supplemental appropriation	35,000	
Total expenditure revisions		<u>238,675</u>
Total revised expenditures		<u>4,080,927</u>
Ending fund balance		<u><u>\$ 4,047,559</u></u>

	Revision	2018 Revised Budget
<u>Fleet Services Fund</u>		
Beginning fund balance		\$ 276,119
Revenue		2,534,400
Revenue revision	15,000	15,000
Total revised revenue		2,549,400
Total available		2,825,519
Expenditures		2,419,216
Supplemental appropriation	-	
2017 Carry-over	-	
Total expenditure revisions		-
Total revised expenditures		2,419,216
Ending fund balance		\$ 406,303
<u>Information Technology Fund</u>		
Beginning fund balance		\$ 2,065,376
Revenue		4,149,002
Revenue revision	-	-
Total revised revenue		4,149,002
Total available		6,214,378
Expenditures		3,556,087
Supplemental appropriation	1,250,000	
2017 Carry-over	308,500	
Total expenditure revisions		1,558,500
Total revised expenditures		5,114,587
Ending fund balance		\$ 1,099,791

Town of Parker

Detail of Supplemental Revisions to 2018 Budget

3/5/2018

Expenditures**General Fund**

F350 4x4 is no longer necessary from Adopted budget because staff was not approved	(45,000)
Credit Card transaction fees were under budgeted while figuring out the recovery of fees through convenience fee passed to cardholders	64,500
Wages and benefits for two dedicated Town staff for P3 - 100% reimbursed by P3	188,910
<i>Total General Fund expenditure supplemental revision</i>	208,410

Parks & Recreation Fund

Correct error on expenditures on adopted budget Exhibit A	719
<i>Total Parks & Recreation Fund expenditure supplemental revision</i>	719

Cultural Fund

Student Portfolio Day - 100% funding received for this event	4,300
<i>Total Cultural Fund expenditure supplemental revision</i>	4,300

Recreation Fund

Correct error on expenditures on adopted budget Exhibit A	1,500
<i>Total Recreation Fund expenditure supplemental revision</i>	1,500

Public Improvement Fund

Motsenbocker widening - American Academy site improvements. 100% funding received for this project in 2017.	34,526
Motsenbocker widening - Olde Town at Parker site improvements. 100% funding received for this project in 2017.	122,906
<i>Total Public Improvement Fund expenditure supplemental revision</i>	157,432

Stormwater Utility Fund

Schoolhouse parking lot reconstruction - drainage improvements	35,000
<i>Total Stormwater Utility Fund expenditure supplemental revision</i>	35,000

Technology Services Fund

Transfer to various funds	1,250,000
<i>Total Technology Services Fund expenditure supplemental revision</i>	1,250,000
<i>Total expenditure supplemental revision</i>	1,657,361

Town of Parker

Detail of Supplemental Revisions to 2018 Budget

3/5/2018

Revenues**General Fund**

Convenience fee of 2.5% charged to cardholders to recover credit card fees. Fee started in February	90,000
Revenue for Town staff and services utilized by P3	396,600
Carriage Rides revenue	5,000
Transfer from Technology Management Fund	1,042,500
<i>Total General Fund revenue supplemental revision</i>	1,534,100

Cultural Fund

Corporate Sponsorship - for Student Portfolio Day (by Cardel Homes)	4,300
Transfer from Technology Management Fund	44,500
<i>Total Cultural Fund revenue supplemental revision</i>	48,800

Recreation Fund

Parker Run Series revenue	65,000
Transfer from Technology Management Fund	130,000
<i>Total Recreation Fund revenue supplemental revision</i>	195,000

Stormwater Utility Fund

Transfer from Technology Management Fund	18,000
<i>Total Stormwater Utility Fund revenue supplemental revision</i>	18,000

Fleet Service Fund

Transfer from Technology Management Fund	15,000
<i>Total Fleet Services Fund revenue supplemental revision</i>	15,000

<i>Total revenue supplemental revision</i>	1,810,900
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Town of Parker

Detail of Carryover Revisions to 2018 Budget

3/5/2018

Description	Amount
General Fund	
Facility Master Plan - Project approved in 2017 but not started until 2018	99,000
Finance software update - project approved in 2017 to be completed in 2018	59,800
Development of streets policy - started in 2017 - continue to 2018	19,950
Downtown Parking implementation - study was conducted in 2017 - complete project in 2018	19,990
Trails at Crowfoot Development review - project approved in late 2017 - continued to 2018	6,000
Parker Road Corridor Plan - project started in 2017 - delayed to 2018 to complete plan with new contracted service.	144,054
Transit study and plan - project approved in 2017 - delayed to 2018	20,000
Land Development Ordinance Modernization project - approved in 2017 - project carryover to 2018	300,000
Development Design Standards project - started in 2017 - continued to 2018	23,568
Parks Open Space and Recreation Master Plan - project stated in 2017 - continued to 2018	30,977
Pine and Parker annexation - enclave annexation started in 2017 - continued in 2018	1,400
Website Functionality Review and Design - project was started in 2017 but not completed.	8,125
Town Hall controls - project approved in 2017 - delayed by manufacturer until 2018	10,000
Town Hall VAV Zone - project approved in 2017 - delayed by manufacturer until 2018	39,000
Impact Fee - User Study - Project approved late in 2017 - will complete in 2018	105,000
Axon project for Police Station is continued to 2018	170,000
AV project for Police Station is continued to 2018	28,825
Concrete repairs and maintenance - as follows	
Happy Canyon pavement repairs delayed due to weather	35,000
Compark landscape repairs delayed due to weather	1,000
Concrete testing delayed at laboratory	5,000
Emergency radios - additional equipment was approved in 2017, project continues to 2018	35,000
Miscellaneous traffic signal repairs - CIP17-022 bid in 2017, work to be completed in 2018	151,428
Traffic signal replacement parts ordered in 2017 - to be delivered in 2018	17,422
Miscellaneous traffic signal repairs - electrical - CIP17-022 bid in 2017, work to be completed in 2018	23,800
LED Lighting upgrades for traffic lights - ordered in 2017 to be delivered in 2018	12,840
Traffic signal system software, engineering and communication improvements project approved in 2017, design and upgrades to be completed in 2018	27,250
Motsenbocker facility - replacement of roof top units approved in 2017 - complete project in 2018	17,000
Motsenbocker facility - HVAC upgrade and replacement approved in 2017 - complete project in 2018	33,000
Videography Services - story telling vignettes - project started in 2017 - continue to 2018	15,000
Wellness Center feasibility analysis projected - started in 2017 - continued to 2018	9,000
Records management software conversion project - continued to 2018	1,788,200
Total General Fund carryover revision	3,256,629

Town of Parker

Detail of Carryover Revisions to 2018 Budget

3/5/2018

Description	Amount
Parks and Recreation Fund	
Recreation Master Plan and additional photography	40,000
Recreation Center Expansion-warranty mitigation	32,380
East/West Regional Trail-trail construction, as part of Motsenbocker widening project	265,450
Bradbury Hills Trails gaps-construction of East/West Trail connection	146,650
Harvie Open Space Plan and Development-Canterberry/Mainstreet intersection improvements	306,140
Sulphur Gulch Trail Construction-completion of plaza improvements and landscaping	23,960
Dog Park / Disc Golf Course-minor improvements/enhancements	41,720
The Plaza On Main construction-warranty mitigation	54,440
O'Brien Park/Mainstreet Pedestrian Improvements-on hold pending Downtown Traffic Study	243,270
Plaza On Main-Addressing Public Art & It Issues	4,830
Salisbury Park North Construction-pre-construction services and analysis	150,000
Parker Road Landscape Edge Improvements-on hold pending Downtown Traffic Study	150,000
Concrete Trail Salisbury Park-construction of trail improvements Spring 2018	370,950
Auburn Hills Trail Connection-construction spring of 2018	43,070
Bar CCC Lights/Paved Parking-design & construction of initial improvements	75,000
Total Parks and Recreation Fund carryover revision	1,947,860
Cultural Fund	
Wireless microphones for PACE Theater ordered in 2017 deliver in 2018	19,160
Wilson Phillips backline costs for concert budgeted in 2017 - delayed to 2018	5,000
Artist designed signage for directional signs in downtown Parker - budgeted and approved in 2017, project complete in 2018	6,500
Wilson Phillips concert budgeted in 2017 - delayed to 2018	20,000
Cultural website redesign - started in 2017 to be completed in 2018	4,250
Finish historic restoration project for Schoolhouse	112,140
Finish non-historic renovation project for Schoolhouse and design for Schoolhouse parking lot and plaza	308,820
Additional chairs for Schoolhouse Theater ordered in 2017 - deliver in 2018	29,590
Total Cultural Fund carryover revision	505,460
Recreation Fund	
Score board for O'Brien Park replacement - approved in 2017, complete in 2018	13,980
Replacement of light fixtures for Parker Recreation Center - Capital outlay approved in 2017 - complete in 2018	45,000
Diving Blocks - Parker Rec Pool - Budgeted in 2017 - complete in 2018	12,000
Fieldhouse Renovation-project not completed	179,960
Radios and Equipment ordered for various Recreation Departments - ordered in 2017 received in 2018	6,450
Total Recreation Fund carryover revision	257,390

Town of Parker

Detail of Carryover Revisions to 2018 Budget

3/5/2018

Description	Amount
Public Improvement Fund	
Additional fiber optic switches for redundancy upgrade - ordered in 2017, delivered in 2018	19,576
Signal at Chambers and Cottonwood approved in 2017 - delayed until 2018	280,900
Stroh Ranch landscaping repairs planned in 2017 - completed in 2018	5,000
Roadway safety enhancements - improvements planned in 2017 - will be completed in 2018	109,800
Parker Road sidewalk project - continuation of project to 2018	68,590
Townwide sign program - phases 2 and 3 are delayed by outside entities. To be completed in 2018	872,200
Jordan Road widening - to Hess Road	3,435,140
Chambers Road - Mainstreet to Hess - continuation of project to 2018	852,000
Median and Entryways - continuation of project to 2018	588,470
Summerset Lane extension - project to be completed in 2018	339,170
Motsenbocker widening - Clark Farms to Todd - design continues to 2018	2,975,310
Cottonwood widening - Jordan to Cherry Creek	69,460
Mainstreet - north side sidewalk - project continuation to 2018	38,200
Jordan Road extension - demolition continues to 2018	15,580
Kings Point Way - continuation of design and construction to 2018	692,410
Power line undergrounding - design for completion of power line conversion work continued to 2018	1,000
East-Main site development - warranty mitigation	25,000
Public Works Facility - drainage improvements identified after construction but will not be completed until 2018	142,400
Total Public Improvement Fund carryover revision	10,530,206
Stormwater Fund	
Muller Engineering - Stormwater needs assessment started in 2017, continue to 2018	45,000
delayed until 2018	36,688
Lemon Gulch drainage improvements - design started in 2017 - to be completed in 2018	4,577
Newlin Gulch at East/West trail - Construction in 2017 - revegetation in 2018	7,410
Parkglenn trickle channel - Project approved in 2017 - forward to 2018	50,000
McCabe Meadows - Project approved in 2017 - forward to 2018	60,000
Total Stormwater Fund carryover revision	203,675
Information Technology Fund	
Town Hall and PD Network Infrastructure Replacement and Upgrade - started in 2017 will complete in 2018	308,500
Total Information Technology Fund carryover revision	308,500
Total carryover revision	17,009,720



Request for Town Council Action

Date: March 5, 2018

Submitted By: Alex Mestdagh, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.509 - First Reading**
A Bill for an Ordinance Conveying Certain Real Property by
Easement to Parker Water and Sanitation District for
Salisbury Equestrian Park Minor Development

Department: Engineering/Public Works, Alex Mestdagh

Trakit No.: SP17-107

Second Reading: March 19, 2017

EXECUTIVE SUMMARY

This item accompanies an ordinance proposing to convey a waterline easement to Parker Water and Sanitation District (PWSD) to allow for the installation of a Bulk Water Fill Station within Salisbury Equestrian Park.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The PWSD has submitted a Site Plan application to the Town to construct a Bulk Water Fill Station within Salisbury Park. This project proposes a small structure supporting a simple water filling apparatus, to be located in the southwest corner of the park. This fill station would be used by PWSD customers that use smaller amounts of water; these customers currently obtain water through fire hydrant meters, which is not a desirable process for PWSD. This fill station will also be used by various Town Departments, including Public Works and Parks, and will be a benefit to our operations.

To accommodate this project, PWSD has requested a non-exclusive waterline easement to be dedicated over the project area within Salisbury Park. The Engineering Department has reviewed and approved the proposed easement in conjunction with the Parks and Recreation Department. The non-exclusive nature of this easement will allow the easement area to be

utilized for most purposes if future improvements are ever contemplated in this area of the park.

In exchange for this and other easements, PWSD has agreed to construct a maintenance staging area for Parks staff within Tallman Park. This will be constructed along with work on the second phase of PWSD's Water Resource Centralization Project, which is further discussed in Item 7H.

If these easements are granted, PWSD will be required obtain the necessary grading permits for this work, requiring them to restore all areas disturbed with this work. They will also be required to finalize all necessary development approvals from the Town prior to commencing this work.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Vicinity Map
2. Resolution No. 1.509

RECOMMENDED MOTION

I move to approve Ordinance No. 1.509 on first reading and to schedule second reading for March 19, 2018, as part of the consent agenda.



Parker Water and Sanitation District
Easement Conveyance
Vicinity Map



ORDINANCE NO. 1.509, Series of 2018

TITLE: A BILL FOR AN ORDINANCE CONVEYING CERTAIN REAL PROPERTY BY EASEMENT TO PARKER WATER AND SANITATION DISTRICT FOR SALISBURY EQUESTRIAN PARK MINOR DEVELOPMENT

WHEREAS, the Town Council of the Town of Parker desires to convey certain real property to Parker Water and Sanitation District for Salisbury Equestrian Park Minor Development; and

WHEREAS, the Town Council of the Town of Parker desires to authorize the Mayor to execute the subject Easement Agreement.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The Town Council of the Town of Parker hereby approves the Water Pipeline Easement Agreement by the Town of Parker conveying certain property to Parker Water and Sanitation District for Salisbury Equestrian Park Minor Development, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to execute the Easement Agreement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

WATER PIPELINE EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is dated this ____ day of _____, 2018, by THE TOWN OF PARKER, COLORADO (hereafter referred to as "Grantor"), having an address at 20120 E. Mainstreet, Parker, Colorado 80138, and THE PARKER WATER AND SANITATION DISTRICT (hereafter referred to as "Grantee"), a Colorado special district and political subdivision, having an address at 18100 E. Woodman Drive, Parker, Colorado 80134.

WHEREAS, Grantee desires to install water pipeline in certain real property owned by Grantor and situate in Douglas County, Colorado, which real property is more particularly described and depicted in **Exhibit A** attached hereto and incorporated herein (the "Easement Property"); and

WHEREAS, Grantor is willing to grant an easement to Grantee in the Easement Property for the aforesaid purposes, subject to the terms and provisions hereof.

NOW, THEREFORE, for good and valuable consideration to Grantor by Grantee, and for the additional consideration of the performance by the parties of the terms and conditions hereof, the receipt and adequacy of which are hereby acknowledged, Grantor does hereby grant to Grantee, and Grantee accepts from Grantor, the following Easement as hereinbelow set forth:

1. Grant of Easement. Grantor does hereby grant and convey to Grantee, its successors, assigns, lessees, licensees and agents, a nonexclusive perpetual easement upon, over, under, across and through the Easement Property for the purpose of Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline required by Grantee from time to time. Grantee shall have the right of ingress and egress over and across the adjacent lands of Grantor to and from the Easement Property as may be necessary in connection with Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline.
2. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor and its successors and assigns as follows:

(A) Grantee shall protect the Easement Property and the adjacent lands of Grantor over which Grantee has rights of ingress and egress from damage caused in whole or in part by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents. Grantee shall clean, cure and correct any such damage to any elements of the Easement Property or the above-referenced adjacent lands, including, but not limited to, all pavement, curbs, gutters, walks, streets, other utilities, structures and other improvements situate therein or thereon, and shall keep all of such property reasonably clean and clear of equipment, building materials, dirt, debris and similar materials. If Grantee fails to clean, cure or correct such damage within fourteen (14) days after notice thereof from Grantor, then Grantor may do so, at Grantee's expense;

(B) In all activities undertaken on property belonging to Grantor, Grantee and/or its employees, agents, contractors, subcontractors, successors, assigns, lessees and/or licensees shall conduct and construct all work in a good and workmanlike manner; and

(C) Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants, as defined by the Clean Water Act and any amendments thereto, to be dumped, spilled, released, permanently stored, or deposited on, over or beneath the Easement Property. Any hazardous, toxic or flammable substances used by Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline shall be utilized in a lawful manner and in compliance with all federal, state and local requirements relating to protection of health or the environment.

3. Grantor's Right of Relocation. In the event that the construction of any other utilities, roadways, or other improvements upon, over, under or across the Easement Property necessitates the relocation and/or encasement of the water pipeline, then Grantor shall, at its sole cost and expense, timely perform or cause the performance of such relocation and/or encasement of the water pipeline.

4. Indemnification of Grantor by Grantee. Grantee agrees, and hereby does, to the extent permitted by law, indemnify and hold harmless Grantor, any directors, officers employees and agents of Grantor, and any successors or assigns of Grantor, from any costs, expenses, damages, claims or demands incurred or asserted against Grantor as a result of or arising out of the activities of Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline or otherwise relating to the Grantee's use of the Easement Property.

5. Miscellaneous.

(A) Except as otherwise expressly provided for herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective parties, their heirs, successors and assigns.

(B) This Easement constitutes the entire agreement between the parties.

(C) This Easement shall be of no force and effect until the same is duly and validly executed by each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Easement by their respective duly authorized officers as of the date and year first above set forth.

GRANTOR:

Town of Parker, Colorado

By: _____
Mike Waid, Mayor

ATTEST:

By: _____
Carol Baumgartner, Town Clerk

STATE OF COLORADO)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Mike Waid, Mayor of the Town of Parker, Colorado.

WITNESS my hand and official seal.

My commission expires: _____

GRANTEE:

Parker Water & Sanitation District,
a Colorado special district and political
subdivision.

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

By: _____
Maleia Good, Engineering Secretary

Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Ron R. Redd, P.E., District Manager of the Parker Water and Sanitation District.

WITNESS my hand and official seal.

My commission expires: _____

Notary Public

EXHIBIT A

A PERMANENT EASEMENT, BEING A PORTION OF LOT 1, SALISBURY EQUESTRIAN PARK MINOR DEVELOPMENT, AS DEPICTED ON THAT MINOR DEVELOPMENT PLAT RECORDED AT RECEPTION NUMBER 2004061175 IN THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE LYING IN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF AN EAST LINE OF THAT PARKER WATER AND SANITATION EASEMENT DESCRIBED IN THAT EASEMENT AGREEMENT RECORDED AT RECEPTION NUMBER 2004111189 IN SAID OFFICE AND A SOUTH LINE OF THAT PARKER WATER AND SANITATION EASEMENT DESCRIBED IN THAT EASEMENT AGREEMENT RECORDED AT RECEPTION NUMBER 2004088616 IN SAID OFFICE;

THENCE N88°52'41"E ALONG SAID SOUTH LINE, 125.00 FEET;

THENCE S00°19'14"E, 30.00 FEET;

THENCE S88°52'41"W, 125.00 FEET TO SAID EAST LINE;

THENCE N00°19'14"W ALONG SAID EAST LINE, 30.00 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 3,750 SQUARE FEET OR 0.0861 ACRES, MORE OR LESS.

PREPARED BY FREDRICK L. EASTON, JR., PLS 37948
FOR AND ON BEHALF OF FARNSWORTH GROUP, INC.
5613 DTC PARKWAY, SUITE 1100
GREENWOOD VILLAGE, CO 80111



ILLUSTRATION FOR **EXHIBIT A**

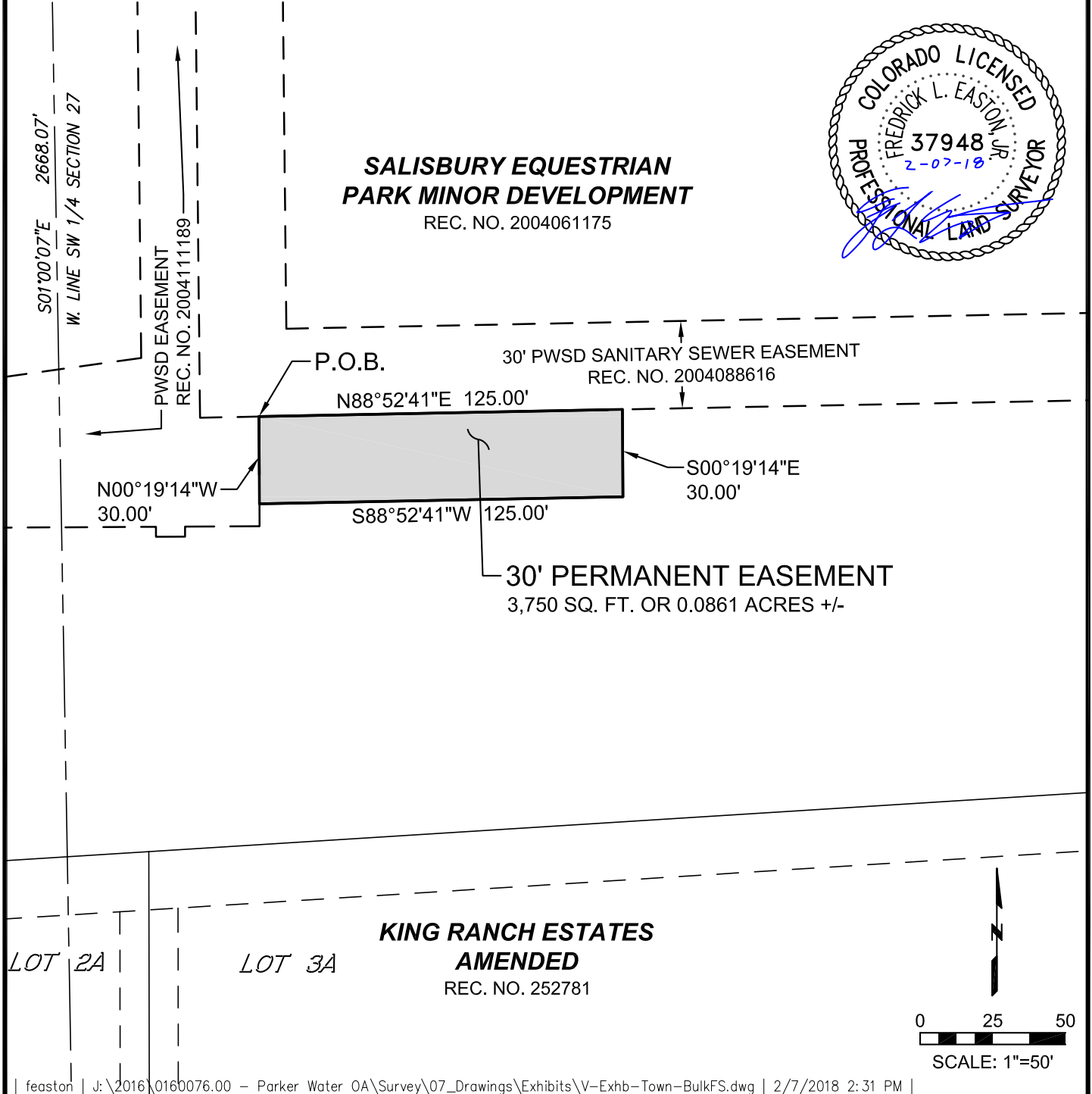
THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED SURVEY. IT IS INTENDED ONLY TO
DEPICT THE ATTACHED DESCRIPTION.
SECTION LINE DIMENSIONS AND CALCULATION
OF EXISTING PROPERTY BOUNDARIES ARE
BASED ON DEEDS & GIS LAND POSITIONS ONLY.

PAGE 1 OF 1

POC = POINT OF COMMENCEMENT
POB = POINT OF BEGINNING
PWSD = PARKER WATER & SANITATION DISTRICT

SALISBURY EQUESTRIAN PARK MINOR DEVELOPMENT

REC. NO. 2004061175



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5613 DTC PARKWAY, SUITE 1100
GREENWOOD VILLAGE, COLORADO 80111
(303) 692-8838 / info@f-w.com

PARKER WATER AND SANITATION DISTRICT
TOWN OF PARKER
PERMANENT EASEMENT
SW 1/4 SECTION 27, TOWNSHIP 6 SOUTH,
RANGE 66 WEST, 6TH P.M. PARKER, CO

Project No: 0160076.00
Drawn by: FLE
Approved: FLE
Date: 02/07/2018
Revised:

1 OF 1



Request for Town Council Action

Date: March 5, 2018

Submitted By: Alex Mestdagh, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.510 - First Reading**
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water and Sanitation District for Tract T, Reata North Filing No. 1

Department: Engineering/Public Works, Alex Mestdagh

Second Reading: March 19, 2018

EXECUTIVE SUMMARY

This item accompanies an ordinance proposing to convey a waterline easement to Parker Water and Sanitation District (PWSD) to allow for the installation of an underground waterline across Tract T, Reata North Filing No. 1. The waterline is proposed as a part of PWSD's Water Resource Centralization Project.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The PWSD has submitted a Use By Special Review application to the Town for the second phase of their Water Resource Centralization Project. This project consists of the installation of waterlines connecting various PWSD wells and storage facilities to better consolidate and treat their water supply. A copy of the project narrative included with the application is attached for reference.

A portion of this project involves a new waterline that will connect PWSD's well facility within the Robinson Ranch subdivision with their well located in the open space adjacent to Tallman Park. PWSD is proposing to generally run this pipe within public right-of-way, but the alignment will need to cross a portion of this Town-owned open space to reach the well facility. To accommodate this plan, PWSD has requested a 25-foot wide non-exclusive waterline easement to be dedicated over this alignment over Tract T, Reata North Filing No. 1.

The Engineering Department has reviewed and approved the proposed alignment for this waterline in conjunction with the Parks and Recreation Department. In exchange for this and other easements, PWSD has agreed to construct a small maintenance staging area for Parks staff adjacent to the park's parking lot. This has been identified as necessary to accomodate maintenance operations in the park, as there is often not enough parking area available in the lot for Parks vehicles and their equipment trailers.

If these easements are granted, PWSD will be required obtain the necessary grading permits for this work, requiring them to restore all areas disturbed with this work. They will also be required to finalize all necessary development approvals from the Town prior to commencing this work.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)

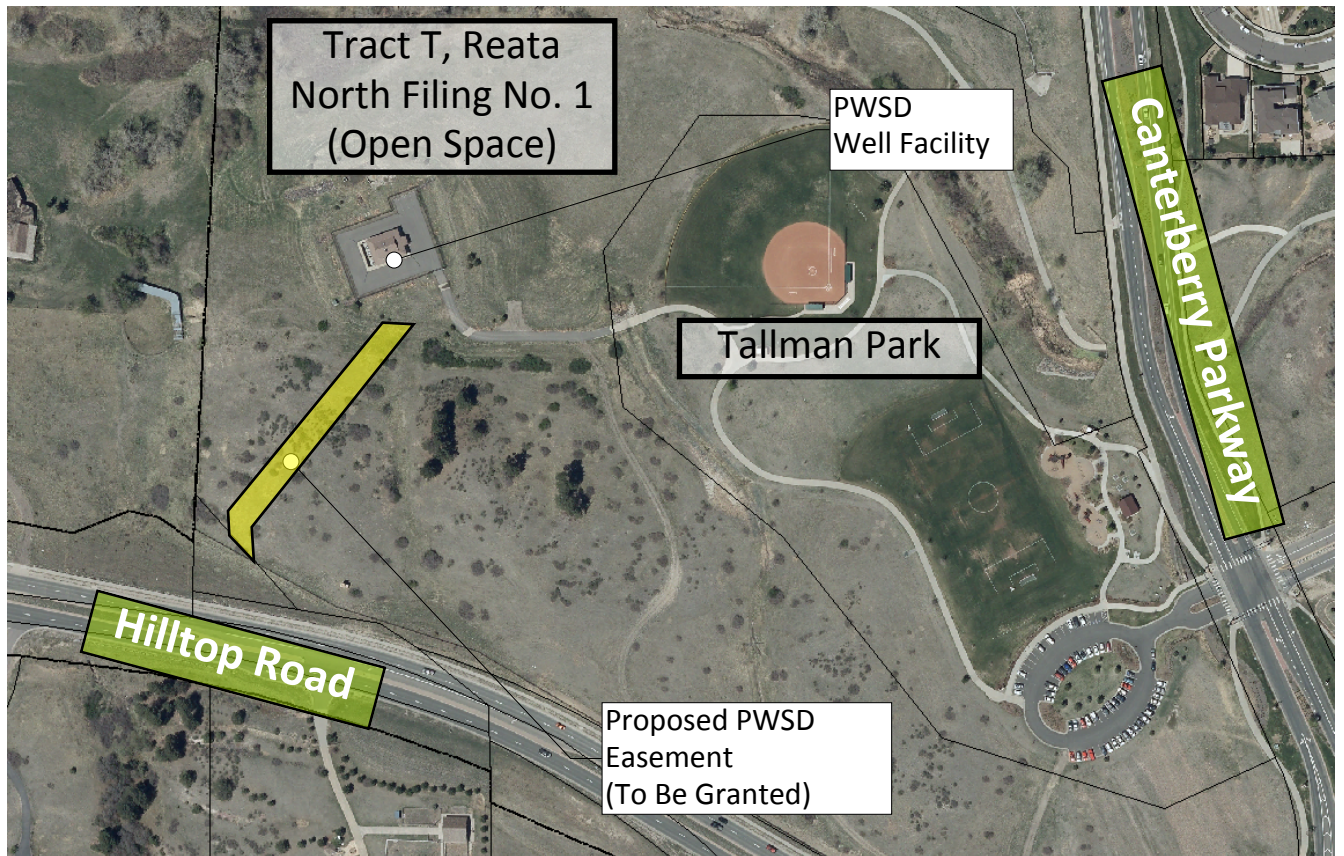


ATTACHMENTS

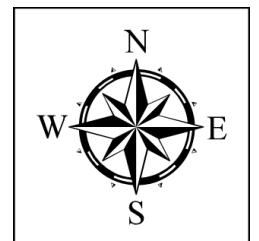
1. Vicinity Map
2. Project Narrative
3. Ordinance 1.510

RECOMMENDED MOTION

I move to approve Ordinance No. 1.510 on first reading and to schedule second reading for March 19, 2018, as part of the consent agenda.



Parker Water and
Sanitation District
Easement Conveyance
Vicinity Map



Project Narrative

Parker Water and Sanitation District (District) is responsible for supplying potable water and sanitation services to approximately 50,000 residents in the Town of Parker, Colorado, and the surrounding area. The District's water supplies consist of the Rueter-Hess Reservoir (RHR), with surface water treatment provided at the Rueter-Hess Water Purification Facility (RHWPF), and 35 deep groundwater wells (up to 2,000 feet) that supply water to 16 well houses.

The District's Water Resource Centralization Project (WRCP) is a key water resource project for the community of Parker. This project will allow the District to accept and convey treated drinking water from the Water Infrastructure Supply Efficiency (WISE) project. Currently, the District uses free chlorine as its residual disinfectant, whereas water from the WISE project is chloraminated. Through the WRCP, groundwater from several wells that currently supply water directly into the District's distribution system will be conveyed to centralized disinfection facilities at the existing Rueter-Hess Well House, the existing Regional Well House, and the existing Reata North Well House. Additionally, the construction of a new pipeline and associated booster pump station will allow the District to convey WISE water to other water providers (i.e., Town of Castle Rock, Dominion Water and Sanitation District, and the Pinery Water and Wastewater District), the Canyons development, and Zone 3 of the District's distribution system. The WRCP will allow the District to add treatment for iron and manganese at the centralized locations in the future.

The first phase (Phase 1a) of this project included the following components previously approved through the Town's Use by Special Review Process:

- Construction of the Regional West Conveyance System to convey groundwater from the existing Regency, Bradbury Ranch, and Neu Towne (also referred to as Olde Town) wells to the Regional Well House for centralization.
- Construction of the Hess Conveyance System to convey groundwater from the existing Hess 1 and Hess 2 wells to the Rueter-Hess Well House.
- Construction of the Bradbury Raw Water Reservoir, which will be connected to the Regional West Conveyance system, to function as a hydraulic buffer and control.
- Construction of the Canyons potable water pipeline.
- Construction of a bulk potable water fill station (currently under review through the site plan amendment process).

Phase 1b of the WRCP includes the following components that require Use by Special Review approval from the Town:

- Construction of the Robinson Ranch Conveyance System to convey groundwater from the existing Robinson Ranch well to the Reata North Well House.

The total length of the Robinson Ranch pipeline is approximately 7,600 feet and the diameter is 8-inches. The approximate disturbed area associated with construction of these components is 8 acres.

ORDINANCE NO. 1.510, Series of 2018

TITLE: A BILL FOR AN ORDINANCE CONVEYING CERTAIN REAL PROPERTY BY EASEMENT TO PARKER WATER AND SANITATION DISTRICT FOR TRACT T, REATA NORTH FILING NO. 1

WHEREAS, the Town Council of the Town of Parker desires to convey certain real property to Parker Water and Sanitation District for Tract T, Reata North Filing No. 1; and

WHEREAS, the Town Council of the Town of Parker desires to authorize the Mayor to execute the subject Easement Agreement.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The Town Council of the Town of Parker hereby approves the Water Pipeline Easement Agreement by the Town of Parker conveying certain property to Parker Water and Sanitation District for Tract T, Reata North Filing No. 1, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to execute the Easement Agreement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

WATER PIPELINE EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is dated this ____ day of _____, 2018, by THE TOWN OF PARKER, COLORADO (hereafter referred to as "Grantor"), having an address at 20120 E. Mainstreet, Parker, Colorado 80138, and THE PARKER WATER AND SANITATION DISTRICT (hereafter referred to as "Grantee"), a Colorado special district and political subdivision, having an address at 18100 E. Woodman Drive, Parker, Colorado 80134.

WHEREAS, Grantee desires to install water pipeline in certain real property owned by Grantor and situate in Douglas County, Colorado, which real property is more particularly described and depicted in **Exhibit A** attached hereto and incorporated herein (the "Easement Property"); and

WHEREAS, Grantor is willing to grant an easement to Grantee in the Easement Property for the aforesaid purposes, subject to the terms and provisions hereof.

NOW, THEREFORE, for good and valuable consideration to Grantor by Grantee, and for the additional consideration of the performance by the parties of the terms and conditions hereof, the receipt and adequacy of which are hereby acknowledged, Grantor does hereby grant to Grantee, and Grantee accepts from Grantor, the following Easement as hereinbelow set forth:

1. Grant of Easement. Grantor does hereby grant and convey to Grantee, its successors, assigns, lessees, licensees and agents, a nonexclusive perpetual easement upon, over, under, across and through the Easement Property for the purpose of Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline required by Grantee from time to time. Grantee shall have the right of ingress and egress over and across the adjacent lands of Grantor to and from the Easement Property as may be necessary in connection with Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline.
2. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor and its successors and assigns as follows:

(A) Grantee shall protect the Easement Property and the adjacent lands of Grantor over which Grantee has rights of ingress and egress from damage caused in whole or in part by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents. Grantee shall clean, cure and correct any such damage to any elements of the Easement Property or the above-referenced adjacent lands, including, but not limited to, all pavement, curbs, gutters, walks, streets, other utilities, structures and other improvements situate therein or thereon, and shall keep all of such property reasonably clean and clear of equipment, building materials, dirt, debris and similar materials. If Grantee fails to clean, cure or correct such damage within fourteen (14) days after notice thereof from Grantor, then Grantor may do so, at Grantee's expense;

(B) In all activities undertaken on property belonging to Grantor, Grantee and/or its employees, agents, contractors, subcontractors, successors, assigns, lessees and/or licensees shall conduct and construct all work in a good and workmanlike manner; and

(C) Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants, as defined by the Clean Water Act and any amendments thereto, to be dumped, spilled, released, permanently stored, or deposited on, over or beneath the Easement Property. Any hazardous, toxic or flammable substances used by Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline shall be utilized in a lawful manner and in compliance with all federal, state and local requirements relating to protection of health or the environment.

3. Grantor's Right of Relocation. In the event that the construction of any other utilities, roadways, or other improvements upon, over, under or across the Easement Property necessitates the relocation and/or encasement of the water pipeline, then Grantor shall, at its sole cost and expense, timely perform or cause the performance of such relocation and/or encasement of the water pipeline.

4. Indemnification of Grantor by Grantee. Grantee agrees, and hereby does, to the extent permitted by law, indemnify and hold harmless Grantor, any directors, officers employees and agents of Grantor, and any successors or assigns of Grantor, from any costs, expenses, damages, claims or demands incurred or asserted against Grantor as a result of or arising out of the activities of Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline or otherwise relating to the Grantee's use of the Easement Property.

5. Miscellaneous.

(A) Except as otherwise expressly provided for herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective parties, their heirs, successors and assigns.

(B) This Easement constitutes the entire agreement between the parties.

(C) This Easement shall be of no force and effect until the same is duly and validly executed by each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Easement by their respective duly authorized officers as of the date and year first above set forth.

GRANTOR:

Town of Parker, Colorado

By: _____
Mike Waid, Mayor

ATTEST:

By: _____
Carol Baumgartner, Town Clerk

STATE OF COLORADO)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Mike Waid, Mayor of the Town of Parker, Colorado.

WITNESS my hand and official seal.

My commission expires: _____

GRANTEE:

Parker Water & Sanitation District,
a Colorado special district and political
subdivision.

By: _____
Ron R. Redd, P.E., District Manager

ATTEST:

By: _____
Maleia Good, Engineering Secretary

Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by Ron R. Redd, P.E., District Manager of the Parker Water and Sanitation District.

WITNESS my hand and official seal.

My commission expires: _____

Notary Public

EXHIBIT A

A PERMANENT EASEMENT, 25.00 FEET WIDE, BEING A PORTION OF TRACT T, REATA NORTH FILING NO. 1, AS DEPICTED ON THAT SUBDIVISION PLAT RECORDED AT RECEPTION NUMBER 2003146594 IN THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 35, BEING A POINT ON THE SOUTH LINE OF THAT WELL SITE EASEMENT DESCRIBED IN THAT EASEMENT AGREEMENT RECORDED AT RECEPTION NUMBER 2005052122 IN SAID OFFICE;

THENCE S89°16'10"W, ALONG SAID SOUTH LINE ALSO BEING THE NORTH LINE OF SAID NORTHEAST QUARTER, 155.17 FEET TO THE **POINT OF BEGINNING**;

THENCE S47°33'40"W, 324.90 FEET;

THENCE S06°47'44"W, 35.78 FEET TO A SOUTHWESTERLY LINE OF SAID TRACT T;

THENCE N42°00'01"W, ALONG SAID SOUTHWESTERLY LINE, 33.23 FEET;

THENCE N06°47'44"E, 23.18 FEET;

THENCE N47°33'40"E, 306.14 FEET TO SAID SOUTH LINE;

THENCE N89°16'10"E, ALONG SAID SOUTH LINE, 37.57 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 8,625 SQUARE FEET OR 0.1980 ACRES, MORE OR LESS.

PREPARED BY FREDRICK L. EASTON, JR., PLS 37948
FOR AND ON BEHALF OF FARNSWORTH GROUP, INC.
5613 DTC PARKWAY, SUITE 1100
GREENWOOD VILLAGE, CO 80111

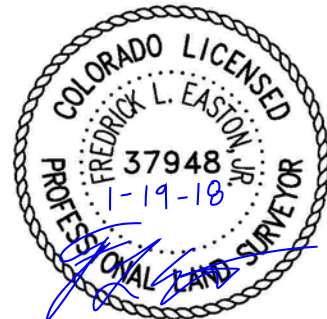
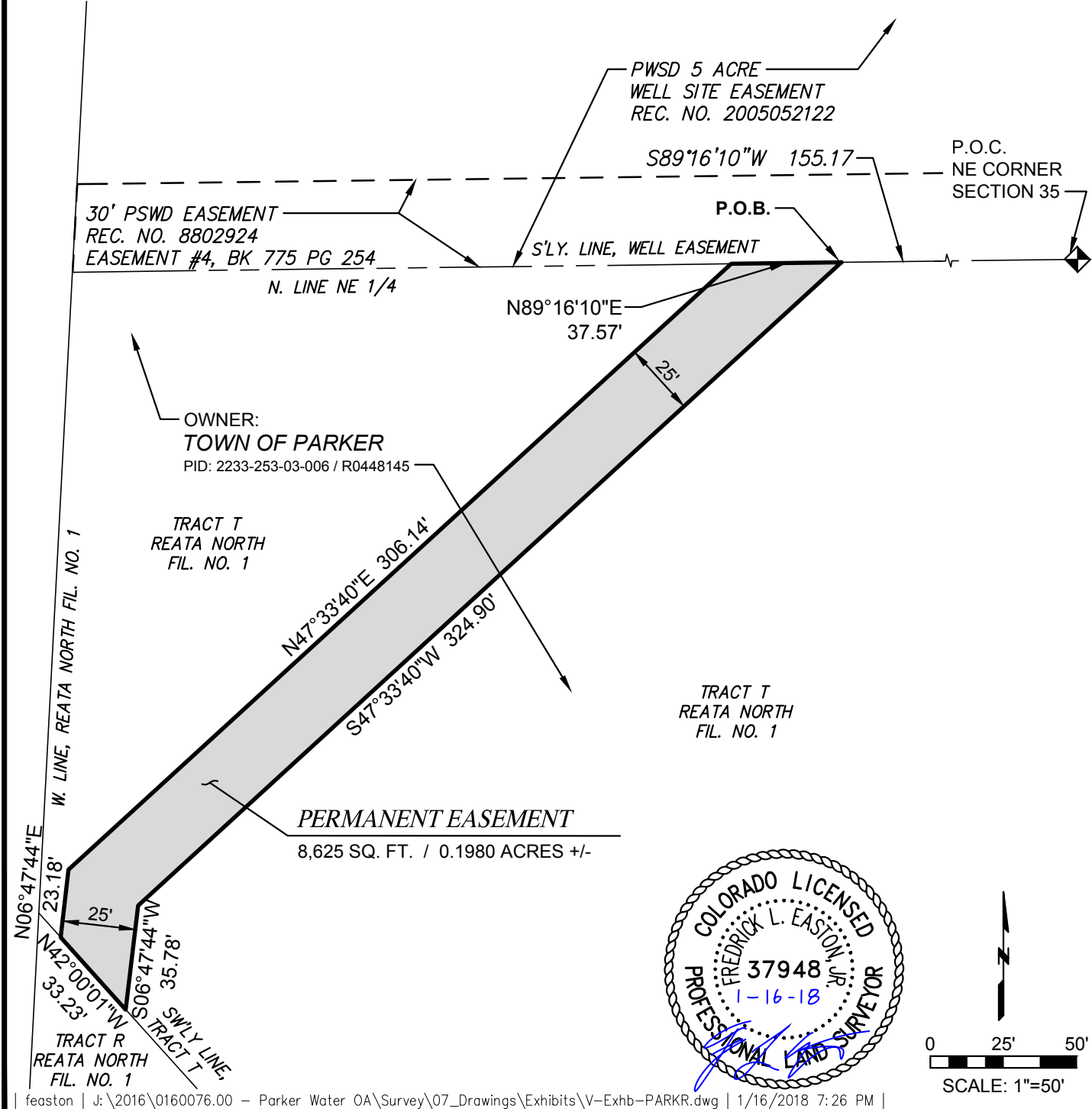


ILLUSTRATION FOR EXHIBIT A

PAGE 1 OF 1

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION. SECTION LINE DIMENSIONS AND CALCULATION OF EXISTING PROPERTY BOUNDARIES ARE BASED ON GIS LAND POSITIONS ONLY.

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
PWSD = PARKER WATER AND SANITATION DISTRICT



feaston | J:\2016\0160076.00 - Parker Water OA\Survey\07_Drawings\Exhibits\V-Exhb-PARKR.dwg | 1/16/2018 7:26 PM |



5613 DTC PARKWAY, SUITE 1100
GREENWOOD VILLAGE, COLORADO 80111
(303) 692-8838 / info@f-w.com

PARKER WATER AND SANITATION DISTRICT
TOWN OF PARKER

PERMANENT EASEMENT IN SECTION 35,
TOWNSHIP 6 SOUTH, RANGE 66 WEST, 6TH P.M.
DOUGLAS COUNTY, STATE OF COLORADO

Project No: 0160076.00
Drawn by: AGW
Approved: FLE
Date: 01/16/2018
Revised:

1 OF 1



Request for Town Council Action

Date: March 5, 2018

Submitted By: Paul Workman, Senior Planner
Stacey Nerger, Associate Planner

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-021**
A Resolution Finding Substantial Compliance of the
Grasslands/Prairie Trail Property's Annexation Petition with
C.R.S. § 31-12-107 and Setting a Public Hearing on April 16,
2018, for the Purpose of Considering Said Annexation

Department: **Community Development, Paul**
Workman
Community Development, Stacey
Nerger

TRAKiT No.: **ANX18-001**

EXECUTIVE SUMMARY

The Town received an annexation petition to annex a certain unincorporated area into the Town, as described below. The purpose of this agenda item is for the Town Council to review the petition, without undue delay, to (1) determine that the petition substantially complies with the requirements of state law and approve the attached resolution, (2) determine that the petition does not substantially comply with state law, which will require no further action by Town Council, or (3) table any action on the petition for a period of time not to exceed one hundred eighty (180) days. Town staff recommends that Town Council approve option (1) described above by adopting Resolution No. 18-021.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town received an annexation petition from certain landowners in unincorporated Douglas County, which is attached (the "Annexation Petition"). These landowners comprise more than fifty percent (50%) of the landowners of the real property described in the Annexation Petition and own more than fifty percent (50%) of the real property described in the Annexation Petition,

excluding public streets and alleys and any land owned by the Town of Parker. The four (4) landowners collectively owning more than fifty percent (50%) of the real property that submitted the Annexation Petition are ABMAR Grasslands, LLC, Charter Communications Holding Company, LLC, M&P Enterprises, LLC, and Woodspear Prairie Trail, LLC (the “Landowners”). The real property that is the subject of the Annexation Petition (the “Real Property”) is described in the annexation map attached to the Petition (the “Annexation Map”).

ABMAR owns Lot 5A, Compark Filing 2, 1st Amendment, Charter owns Lot 4B-1B, Compark Filing No. 2, 6th Amendment, M&P owns Lot 3A, Compark Filing 2, 7th Amendment, Woodspear owns Lot 1, Compark Filing No. 2, Vista South, LLC, owns Lot 6A-1 and Lot 6A-2, Compark Filing No. 2, 6th Amendment, and Compark Business Campus Metropolitan District owns Tract C, Compark Filing No. 2. Vista South, LLC, and Compark Business Campus Metropolitan District are the two (2) landowners collectively owning less than fifty percent (50%) of the real property that did not sign the Annexation Petition and, as such, are not requesting annexation into the Town.

The Annexation Petition was submitted in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., for annexation to the Town of Parker of the unincorporated area described in the Annexation Petition. The Town Clerk, as provided by C.R.S. § 31-12-107(1)(f), referred the Annexation Petition to the Town Council as a communication. The Town Council, as provided by C.R.S. § 31-12-107(1)(f), is required, without undue delay, to take appropriate steps to determine if the Annexation Petition as filed is in substantial compliance with C.R.S. § 31-12-107(1). Additionally, under Section 13.04.250(c) of the Parker Municipal Code, the Town Council may (1) determine that the Annexation Petition substantially complies with the requirements of C.R.S. § 31-12-107(1)(a), which will require that the Town Council establish by resolution the date, time and place that the Town Council will hold the public hearing not less than thirty (30) days nor more than sixty (60) days after the resolution setting the public hearing, unless otherwise required by state law, (2) determine that the Annexation Petition does not substantially comply with the requirements of C.R.S. § 31-12-107(1)(a), which will require no further action, or (3) table any action on the Annexation Petition for a period of time not to exceed one hundred eighty (180) days.

The Real Property, which is subject to the Annexation Petition, is located within the “Town Urban Growth Area,” which is defined in the “Mutually Binding and Enforceable Comprehensive Development Plan,” that was approved by the Town of Parker (the “Town”) and Douglas County (the “County”), pursuant to C.R.S. § 29-20-105, and a related Intergovernmental Agreement (collectively referred to as the “Comprehensive Development Plan”). The Comprehensive Development Plan defines the Town Urban Growth Area as follows:

“Town Urban Growth Area. Represents the boundary of the Town’s potential future annexation area to the year 2022. The level to which this area may or may not be developed shall depend on a number of factors, including, but not limited to, natural features, utility services, and compliance with applicable Town regulations and master plans. This boundary represents the

Town's potential annexation perimeter and will include areas dedicated for open space as well as urban level development . . .”

See Section 1.1 of the Comprehensive Development Plan.

The Comprehensive Development Plan provides that “all unincorporated areas within the Town’s Urban Growth Area are encouraged to annex into the Town” and “the County shall waive annexation impact reports for all unincorporated areas within the Town’s Urban Growth Area.” See Section 2.2 of the Comprehensive Development Plan. Even in those circumstances where a landowner application is submitted to Douglas County, instead of the Town, for an unincorporated area that is contiguous to the Town and within the Town’s Urban Growth Area, the Comprehensive Development Plan provides as follows:

“3.1.1. If there is contiguity, the Town shall process a petition for the annexation. The Town Council shall apply the Standards for Review, as outlined in Paragraph 2.3 of the Plan, when considering a petition for annexation. Final decision authority for said petitions shall be the Town Council following a public hearing, in the manner provided by the Plan.”

The Real Property, which is subject to the Annexation Petition, is located within the Town’s Urban Growth Area and, according to the Annexation Map, the Real Property appears to satisfy the contiguity requirement of C.R.S. § 31-12-104(a). As a result, the Town is required to process the Annexation Petition, subject to the standards of review contained in the Comprehensive Development Plan and the final decision-making authority of the Town Council.

Resolution No. 18-021, Series of 2018, if adopted by Town Council, would determine that the Annexation Petition substantially complies with the requirements of C.R.S. § 31-12-107(1)(a) and would set a public hearing for April 16, 2018, on the eligibility of the unincorporated area described in the Annexation Petition to be annexed into the Town, as provided by state law, as well as the application of the standards for review contained in the Comprehensive Development Plan.

FINANCIAL IMPACT

The Town will assume responsibility of maintaining Grasslands Drive and Upland Drive as described in the Annexation Petition.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Vicinity Map
2. Resolution No. 18-021
3. Annexation Petition

RECOMMENDED MOTION

I move to approve Resolution No. 18-021.

Vicinity Map



RESOLUTION NO. 18-021, Series of 2018

TITLE: A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE GRASSLANDS/PRAIRIE TRAIL PROPERTY'S ANNEXATION PETITION WITH C.R.S. § 31-12-107 AND SETTING A PUBLIC HEARING ON APRIL 16, 2018, FOR THE PURPOSE OF CONSIDERING SAID ANNEXATION

WHEREAS, the Petitioners own a majority of certain real property in Douglas County commonly known as the Grasslands/Prairie Trail Property, which is described on attached **Exhibit A** (the "Real Property");

WHEREAS, the Petitioners submitted to the Town a Petition for Annexation (the "Annexation Petition") concerning the Real Property on February 22, 2018;

WHEREAS, pursuant to C.R.S. § 31-12-107, this Town Council, sitting as the governing body of the Town, shall determine whether the Annexation Petition is in substantial compliance with the requirements of C.R.S. § 31-12-107(1); and

WHEREAS, the Town Council of the Town of Parker, Colorado (the "Town"), has satisfied itself concerning the compliance for the Annexation Petition with the requirements of C.R.S. § 31-12-107(1) and must now proceed to consider the proposed annexation of the Real Property to and by the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Annexation Petition for the proposed annexation of the Real Property into the Town substantially complies with the requirements of C.R.S. § 31-12-107(1).

Section 2. A public hearing on the eligibility of the Real Property to be annexed into the Town will be conducted on April 16, 2018, at the Town of Parker Town Hall, which is located at 20120 East Mainstreet, Parker, Colorado, 80138, to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105 or such part thereof as may be required to establish eligibility under the terms of Colorado Revised Statutes, Title 31, Article 12, Part 1, as amended, known as the Municipal Annexation Act of 1965, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person may appear at such hearing and present evidence upon any matter to be determined by the Town Council.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT A

Legal Description

TRACT C, LOT 1, A PART OF GRASSLANDS DRIVE AND A PART OF UPLAND DRIVE, COMPARK FILING NO. 2, RECORDED AT RECEPTION NO. 00031092, A PART OF UPLAND DRIVE, HIGHFIELD BUSINESS PARK, RECORDED AT RECEPTION NO. 2007041581, LOT 5A, COMPARK FILING NO. 2 – 1ST AMENDMENT, RECORDED AT RECEPTION NO. 00081064, LOTS 4B-1B, 6A-1, AND 6A-2, COMPARK FILING NO. 2 – 6TH AMENDMENT, RECORDED AT RECEPTION NO. 2004122556, AND LOT 3A, COMPARK FILING NO. 2 – 7TH AMENDMENT, RECORDED AT RECEPTION NO. 2005042299, ALL IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6A-2;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 6A-2 SOUTH 00°12'05" EAST, A DISTANCE OF 586.86 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (2) COURSES:

1. NORTH 89°56'20" EAST, A DISTANCE OF 2.54 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 955.00 FEET;
2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°32'24", AN ARC LENGTH OF 175.68 FEET TO THE WESTERLY LINE OF THE COMPARK VILLAGE ANNEXATION – SERIAL NO. II, RECORDED AT RECEPTION NO. 2007018439 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 10°36'04" EAST, A DISTANCE OF 90.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT C AND THE WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE SAID COMPARK FILING NO. 2;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING (7) COURSES:

1. SOUTH 57°03'06" EAST, A DISTANCE OF 33.22 FEET;
2. SOUTH 13°30'08" EAST, A DISTANCE OF 2.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 320.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°22'08", AN ARC LENGTH OF 225.46 FEET;

4. TANGENT TO SAID CURVE SOUTH 26°52'01" WEST, A DISTANCE OF 314.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT C;
5. CONTINUING SOUTH 26°52'01" WEST, A DISTANCE OF 98.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 570.00 FEET;
6. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°07'29", AN ARC LENGTH OF 448.92 FEET;
7. TANGENT TO SAID CURVE SOUTH 71°59'30" WEST, A DISTANCE OF 44.75 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4B-1B NORTH 00°12'05" WEST, A DISTANCE OF 888.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE SOUTH 89°56'20" WEST, A DISTANCE OF 655.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3A THE FOLLOWING (2) COURSES:

1. SOUTH 00°00'00" EAST, A DISTANCE OF 529.36 FEET;
2. SOUTH 89°47'55" WEST, A DISTANCE OF 352.06 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 00°12'05" EAST, A DISTANCE OF 523.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 THE FOLLOWING (2) COURSES:

1. NORTH 89°47'55" EAST, A DISTANCE OF 694.73 FEET;
2. SOUTH 59°57'50" EAST, A DISTANCE OF 44.04 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 360.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 59°53'26" EAST;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID PRAIRIE TRAIL DRIVE THE FOLLOWING (7) COURSES:

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°12'19", AN ARC LENGTH OF 189.79 FEET;
2. TANGENT TO SAID CURVE SOUTH 00°05'45" EAST, A DISTANCE OF 72.42 FEET;

3. SOUTH 05°36'53" WEST, A DISTANCE OF 50.25 FEET;
4. SOUTH 00°05'45" EAST, A DISTANCE OF 73.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 365.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°28'32", AN ARC LENGTH OF 194.14 FEET;
6. TANGENT TO SAID CURVE SOUTH 30°22'46" WEST, A DISTANCE OF 16.46 FEET;
7. SOUTH 75°22'46" WEST, A DISTANCE OF 26.87 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY LINES OF SAID LOT 1 THE FOLLOWING (4) COURSES:

1. NORTH 59°37'14" WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;
2. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°06'53", AN ARC LENGTH OF 350.27 FEET;
3. TANGENT TO SAID CURVE SOUTH 89°15'54" WEST, A DISTANCE OF 145.80 FEET;
4. NORTH 45°28'06" WEST, A DISTANCE OF 27.03 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE SOUTH 89°54'45" WEST, A DISTANCE OF 70.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°12'05" WEST, A DISTANCE OF 280.00 FEET;
2. NORTH 05°30'33" EAST, A DISTANCE OF 50.25 FEET;
3. NORTH 00°12'05" WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH 00°19'52" WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH 00°04'29" EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;

2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'41", AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 138°27'54", AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH 00°03'40" WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A;

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

1. NORTH 89°40'35" EAST, A DISTANCE OF 57.41 FEET;
2. NORTH 89°40'04" EAST, A DISTANCE OF 250.59 FEET;
3. NORTH 89°40'04" EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

February 16, 2018

Ms. Carol Baumgartner, CMC
Town Clerk
20120 E. Mainstreet
Parker, CO 80138-7335

Re: Grasslands Annexation

Dear Ms. Baumgartner:

Pursuant to the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.* (the "Annexation Act"); section 30(1)(b), article II, of the Colorado constitution; and the petition and maps enclosed herewith, annexation by the Town of certain defined property is being requested.

As required by C.R.S. § 31-12-107(1)(f), please refer the petition and maps to the Town Council as a communication so that the Town Council may, without undue delay, take appropriate steps to process the annexation.

Thank you for your time in reviewing this matter. Please feel free to contact me with any questions or if you require additional information.

Sincerely,

**PROPERTY OWNER: ABMAR
GRASSLANDS, LLC**

By: Gregory Everhard

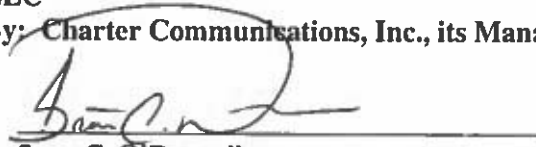
Gregory EVERHARD [Name, title]

MANAGING MEMBER

**PROPERTY OWNER: CHARTER
COMMUNICATIONS HOLDING COMPANY,
LLC**

By: Charter Communications, Inc., its Manager

By:

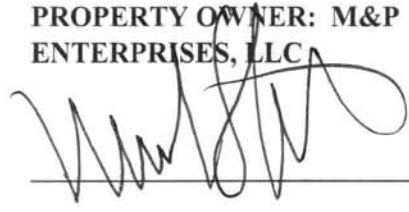
A handwritten signature in dark ink, appearing to read "Scott C. O'Donnell", is written over a horizontal line.

Scott C. O'Donnell

Group Vice President - - Legal, Real Estate

PROPERTY OWNER: M&P
ENTERPRISES, LLC

By:



MONK S. LEFIKOW, MANAGER [Name, title]

PROPERTY OWNER: WOODSPEAR
PRAIRIE TRAIL, LLC

By:



John A. Woodward [Name, title]

Uga

Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**

*20120 East Mainstreet
Parker, CO 80138*

**RE: PROPERTY KNOWN AS:
Grasslands/Prairie Trail Property**

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

*(See **Exhibit A** attached hereto and incorporated herein by this reference.)*

Your Petitioners further state as follows:

1. That it is desirable and necessary that such area be annexed to the Town of Parker, Colorado.
2. That the area sought to be annexed meets the requirements of Sections 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
 - a. Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the Town of Parker, Colorado.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Parker, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the Town of Parker, Colorado.
 - d. 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:
 - i. Is divided into separate parts 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.
 - ii. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - e. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
 - f. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.
 - g. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Parker more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
 - h. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
 - i. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Parker.

3. That attached hereto and incorporated herein by reference are four (4) prints of the annexation map, containing the following information:
 - a. A written legal description of the boundaries of the area proposed to be annexed.
 - b. A map showing the boundary of the area proposed to be annexed.
 - c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Parker and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
4. That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
9. No vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq., C.R.S., have been acquired by Petitioners from any governmental entity. Petitioners waive any vested land use rights attached to any or all of the property.
10. The Petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The property, the owners thereof, and the uses thereon are also bound by any voter authorization under Art. X, §20 of the Colorado Constitution adopted prior to annexation of the property. The Petitioners waive any claims they may have under Art. X, §20 of the Colorado Constitution related to such taxes and fees.

Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

Respectfully submitted this 22nd day of February, 2018.

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

PROPERTY OWNER: ABMAR GRASSLANDS, LLC

By: Gregory Everhard
Gregory EVERHARD [Name, title]
MANAGING MEMBER
Date of Signature: 2/17/18

Mailing Address: 309 17th Street
Manhattan Beach, CA 90266

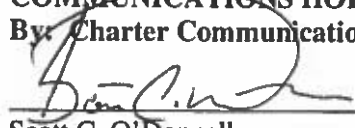
Legal Description of Land Owned by Abmar Grasslands, LLC:

LOT 5A, COMPARK FLG 2, 1ST AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

PROPERTY OWNER: CHARTER
COMMUNICATIONS HOLDING COMPANY, LLC
By: Charter Communications, Inc., its Manager

By:


Scott C. O'Donnell
Group Vice President - - Legal, Real Estate

Date of Signature: February 21, 2018

Mailing Address: 6399 S. Fiddlers Green Circle
6th Floor
Greenwood Village, CO 80111
Attn: Scott C. O'Donnell and
Kathy Carrington, Sr. Vice President,
Corporate Services

Legal Description of Land Owned by Charter Communications Holding Company, LLC:

LOT 4B-1B, COMPARK FLG NO. 2, 6TH AMENDMENT, COUNTY OF DOUGLAS, STATE OF
COLORADO

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

By:  **PROPERTY OWNER: M&P ENTERPRISES, LLC**
MARK S. LESTIK, Manager [Name, title]

Date of Signature: 2/20/18

Mailing Address: 8480 Upland Drive
Ste. 200
Englewood, CO 80112

Legal Description of Land Owned by M&P Enterprises, LLC:

LOT 3A, COMPARK FLG 2, 7TH AMENDMENT, ACCORDING TO THE PLAT THEREOF RECORDED
MAY 12, 2005 AT RECEPTION NO. 2005042299, COUNTY OF DOUGLAS, STATE OF COLORADO

Petition for Annexation

PETITION: Grasslands/Prairie Trail Property
(Annexation Name)

PROPERTY OWNER: WOODSPEAR PRAIRIE
TRAIL, LLC

By:


John A. Woodhead ^{Mgr}
[Name, title]

Date of Signature: 2/21/18

Mailing Address: 5619 DTC Parkway
Ste. 525
Greenwood Village, CO 80111

Legal Description of Land Owned by Woodspear Prairie Trail, LLC:

LOT 1, COMPARK FLG NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO

EXHIBIT A
TO PETITION FOR ANNEXATION

Legal Description of the Property

TRACT C, LOT 1, A PART OF GRASSLANDS DRIVE AND A PART OF UPLAND DRIVE, COMPARK FILING NO. 2, RECORDED AT RECEPTION NO. 00031092, A PART OF UPLAND DRIVE, HIGHFIELD BUSINESS PARK, RECORDED AT RECEPTION NO. 2007041581, LOT 5A, COMPARK FILING NO. 2 – 1ST AMENDMENT, RECORDED AT RECEPTION NO. 00081064, LOTS 4B-1B, 6A-1, AND 6A-2, COMPARK FILING NO. 2 – 6TH AMENDMENT, RECORDED AT RECEPTION NO. 2004122556, AND LOT 3A, COMPARK FILING NO. 2 – 7TH AMENDMENT, RECORDED AT RECEPTION NO. 2005042299, ALL IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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2. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°32'24", AN ARC LENGTH OF 175.68 FEET TO THE WESTERLY LINE OF THE COMPARK VILLAGE ANNEXATION – SERIAL NO. II, RECORDED AT RECEPTION NO. 2007018439 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 10°36'04" EAST, A DISTANCE OF 90.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT C AND THE WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE SAID COMPARK FILING NO. 2;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING (7) COURSES:

1. SOUTH 57°03'06" EAST, A DISTANCE OF 33.22 FEET;
2. SOUTH 13°30'08" EAST, A DISTANCE OF 2.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 320.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°22'08", AN ARC LENGTH OF 225.46 FEET;
4. TANGENT TO SAID CURVE SOUTH 26°52'01" WEST, A DISTANCE OF 314.11 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT C;
5. CONTINUING SOUTH 26°52'01" WEST, A DISTANCE OF 98.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 570.00 FEET;
6. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°07'29", AN ARC LENGTH OF 448.92 FEET;

7. TANGENT TO SAID CURVE SOUTH $71^{\circ}59'30''$ WEST, A DISTANCE OF 44.75 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4B-1B NORTH $00^{\circ}12'05''$ WEST, A DISTANCE OF 888.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4B-1B;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID GRASSLANDS DRIVE SOUTH $89^{\circ}56'20''$ WEST, A DISTANCE OF 655.81 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3A THE FOLLOWING (2) COURSES:

1. SOUTH $00^{\circ}00'00''$ EAST, A DISTANCE OF 529.36 FEET;
2. SOUTH $89^{\circ}47'55''$ WEST, A DISTANCE OF 352.06 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH $00^{\circ}12'05''$ EAST, A DISTANCE OF 523.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 THE FOLLOWING (2) COURSES:

1. NORTH $89^{\circ}47'55''$ EAST, A DISTANCE OF 694.73 FEET;
2. SOUTH $59^{\circ}57'50''$ EAST, A DISTANCE OF 44.04 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF PRAIRIE TRAIL DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 360.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH $59^{\circ}53'26''$ EAST;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID PRAIRIE TRAIL DRIVE THE FOLLOWING (7) COURSES:

1. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $30^{\circ}12'19''$, AN ARC LENGTH OF 189.79 FEET;
2. TANGENT TO SAID CURVE SOUTH $00^{\circ}05'45''$ EAST, A DISTANCE OF 72.42 FEET;
3. SOUTH $05^{\circ}36'53''$ WEST, A DISTANCE OF 50.25 FEET;
4. SOUTH $00^{\circ}05'45''$ EAST, A DISTANCE OF 73.21 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 365.00 FEET;
5. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $30^{\circ}28'32''$, AN ARC LENGTH OF 194.14 FEET;
6. TANGENT TO SAID CURVE SOUTH $30^{\circ}22'46''$ WEST, A DISTANCE OF 16.46 FEET;
7. SOUTH $75^{\circ}22'46''$ WEST, A DISTANCE OF 26.87 FEET TO THE SOUTHERLY LINE OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY LINES OF SAID LOT 1 THE FOLLOWING (4) COURSES:

1. NORTH $59^{\circ}37'14''$ WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;

2. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $31^{\circ}06'53''$, AN ARC LENGTH OF 350.27 FEET;
3. TANGENT TO SAID CURVE SOUTH $89^{\circ}15'54''$ WEST, A DISTANCE OF 145.80 FEET;
4. NORTH $45^{\circ}28'06''$ WEST, A DISTANCE OF 27.03 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE SOUTH $89^{\circ}54'45''$ WEST, A DISTANCE OF 70.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH $00^{\circ}12'05''$ WEST, A DISTANCE OF 280.00 FEET;
2. NORTH $05^{\circ}30'33''$ EAST, A DISTANCE OF 50.25 FEET;
3. NORTH $00^{\circ}12'05''$ WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ACROSS GRASSLANDS DRIVE NORTH $00^{\circ}19'52''$ WEST, A DISTANCE OF 104.07 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE OF UPLAND DRIVE;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH $00^{\circ}04'29''$ EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;
2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $49^{\circ}59'41''$, AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 55.00 FEET;
3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $138^{\circ}27'54''$, AN ARC LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;

THENCE ALONG SAID WESTERLY LINE NORTH $00^{\circ}03'40''$ WEST, A DISTANCE OF 438.22 FEET TO THE NORTHWEST CORNER OF SAID LOT 5A;

THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

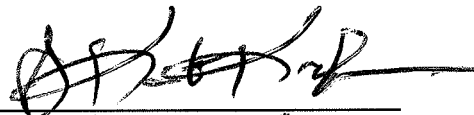
1. NORTH $89^{\circ}40'35''$ EAST, A DISTANCE OF 57.41 FEET;
2. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 250.59 FEET;
3. NORTH $89^{\circ}40'04''$ EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

AFFIDAVIT OF CIRCULATOR FOR ABMAR GRASSLANDS, LLC

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 5A, COMPARK FLG 2, 1ST AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.


Circulator Kent Karber

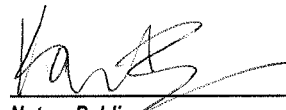
STATE OF COLORADO)
COUNTY OF Denver) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 22nd day of February, 2018, by Kent Karber.

My commission expires: 06/17/2020.

(SEAL)

**KARA A SHILLINGBURG
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19954016197
MY COMMISSION EXPIRES 06/17/2020**


Notary Public

AFFIDAVIT OF CIRCULATOR CHARTER COMMUNICATIONS HOLDING COMPANY, LLC

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 4B-1B, COMPARK FLG NO. 2, 6TH AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

Carol Marx

Carol Marx
Circulator

STATE OF COLORADO)

COUNTY OF Arapahoe) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 21st day of February 2018, by Carol Marx.

My commission expires: October 2, 2017.

(SEAL)

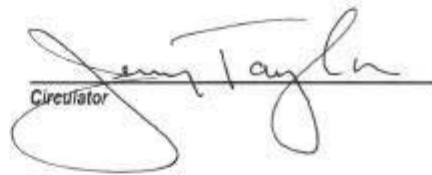
Elizabeth Scheele Gentzen
Notary Public

ELIZABETH SCHEELE GENTZEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134062394
MY COMMISSION EXPIRES OCTOBER 2, 2017

AFFIDAVIT OF CIRCULATOR M&P ENTERPRISES, LLC

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 3A, COMPARK FLG 2, 7TH AMENDMENT, ACCORDING TO THE PLAT THEREOF RECORDED MAY 12, 2005 AT RECEPTION NO. 2005042299, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.


Circulator

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS

The foregoing Affidavit of Circulator was acknowledged before me this 22ND day of 02, 2018, by LISA MARIE KIEFFER

My commission expires: 08/30/2021

(SEAL)


Notary Public

LISA MARIE KIEFFER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20094026870
My commission expires 08/30/2021

AFFIDAVIT OF CIRCULATOR FOR WOODSPEAR PRAIRIE TRAIL, LLC

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of LOT 1, COMPARK FLG NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO, to the Town of Parker, Colorado, consisting of 13 pages, including this page, and the signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.


Circulator

STATE OF COLORADO)
COUNTY OF Arapahoe) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 21st day of February, 2018, by Zachary Kessler.

My commission expires: October 19, 2018.

(SEAL)

MICHELLE L. HARRINGTON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064043040
MY COMMISSION EXPIRES OCTOBER 19, 2018


Notary Public

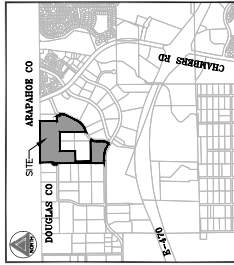
LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

[illegible]

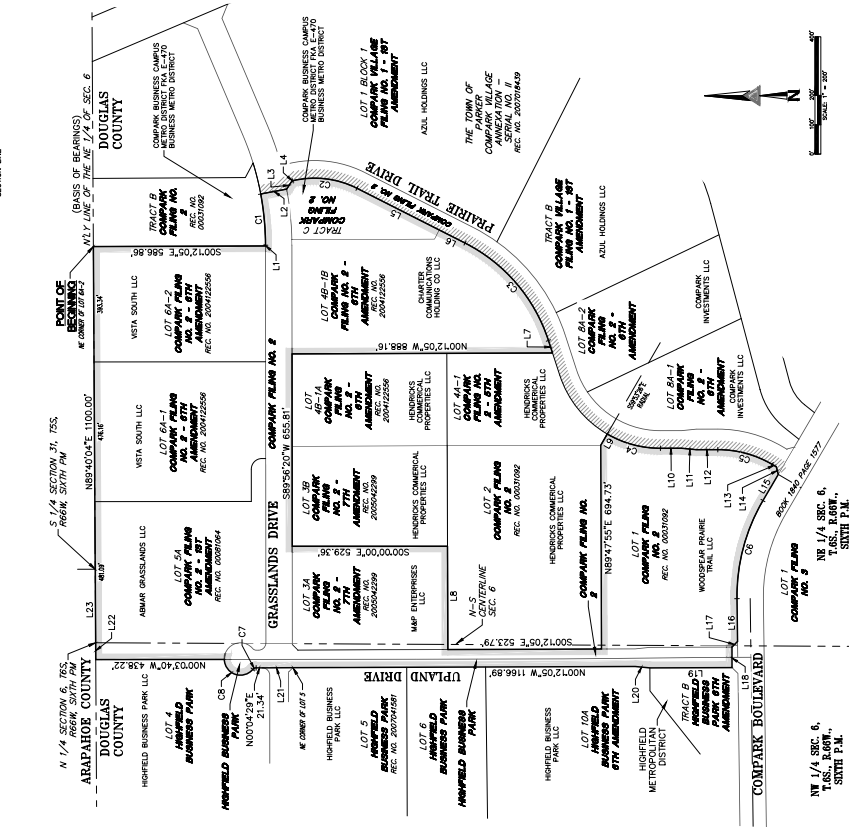
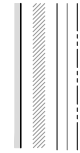
CURVE TABLE			LENGTH
CURVE	DELTA	RADIUS	
C1	10°32'24"	955.00'	175.68'
C2	40°22'08"	320.00'	225.46'
C3	45°07'28"	570.00'	448.92'
C4	30°12'19"	360.00'	189.79'
C5	30°28'32"	365.00'	194.14'
C6	31°06'53"	645.00'	350.27'
C7	49°59'41"	15.00'	13.09'
C8	138°27'54"	55.00'	132.92'

CONTIGUITY

TOTAL PERIMETER = 10,644.95'
CONTIGUOUS PERIMETER = 1,880.79'
1/6 TOTAL PERIMETER = 1,774.16'
TOTAL AREA = 45.376 ACRES±



ANNEXATION BOUNDARY
ADJACENT TO TOWN OF PARKER
SEE CONTIGUITY CALCULATIONS
LOT OR PARCEL LINE
ROW LINE
SECTION LINE



2. NORTH 05°30'33" EAST, A DISTANCE OF 50.25 FEET;
3. NORTH 00°12'05" WEST, A DISTANCE OF 1166.89 FEET TO THE NORTHEAST CORNER OF LOT 5, SAID HIGHFIELD BUSINESS PARK;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINES OF SAID UPLAND DRIVE THE FOLLOWING (3) COURSES:

1. NORTH $00^{\circ}04'29''$ EAST, A DISTANCE OF 21.34 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;

2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $49^{\circ}59'41''$, AN ARC LENGTH OF 13.09 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A

3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $138^{\circ}27'54"$ AM 4PC
RADIUS OF 55.00 FEET;

LENGTH OF 132.92 FEET TO THE WESTERLY LINE OF SAID LOT 5A;
THENCE ALONG SAID WESTERLY LINE NORTH 00°15'40" WEST A DISTANCE OF 18.22 FEET TO
THE CORNER OF THE SOUTHWEST CORNER OF LOT 5A;

THE NORTHWEST CORNER OF SAID LOT 5A;
THENCE ALONG SAID WESTERLY LINE NORTH 00°00'40" WEST, A DISTANCE OF 436.22 FEET TO
THENCE ALONG THE NORTHERLY LINES OF SAID LOTS 5A, 5A-1 AND 5A-2 THE FOLLOWING (2)

INTERFERENCE ALONG THE NORMAL/LINES OF SAND LOT 3A, 6A-1, AND 6A-2 THE FOLLOWING (3) COURSES:

1. NORTH 89°40'35" EAST, A DISTANCE OF 57.41 FEET;
2. NORTH 89°40'04" EAST, A DISTANCE OF 250.59 FEET;

3. NORTH 89°40'04" EAST, A DISTANCE OF 1100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 45.376 ACRES, (1,976,586 SQUARE FEET), MORE OR LESS.

1. BASIS OF BEARINGS: BEARINGS ARE BASED UPON THE NORTHERLY LINE OF THE

NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS BEARING NORTH 89°40'04" EAST, AS SHOWN ON THE RECORDED PLAT OF COMPARK FILING NO. 2 RECORDED AT RECEPTION NO. 00031092 IN

2. DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN U.S. SURVEY FEET UNITS.

3. PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 6.2.2 THE WORD

"CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

4. THIS ANNEXATION MAP WAS PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE IN DOUGLAS COUNTY, COLORADO, TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.

5. THIS ANNEXATION MAP HAS BEEN PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

ACCEPTED BY THE PARKER TOWN COUNCIL THIS _____ DAY OF _____, 2018.

MAYOR TOWN OF PARKER

ATTEST: TOWN CLERK

I, DEAN E. CATES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ANNEXED TO THE TOWN OF PARKER, COLORADO; AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.



DEAN E. GATES
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 22561
FOR AND ON BEHALF OF 42TEC CONSULTANTS, INC.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

STATE OF COLORADO)
-----)

COUNTY OF DOUGLAS)
) ss

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS _____ 2018 A.D., AT _____ DAY OF _____

A.M./P.M. AND WAS RECORDED AT

RECEPTION NO. _____

COUNTY CLERK AND RECORDER

DATE	BY	MISSION DESCRIPTION	2/16/15
1-200	1-200		
DEC	1-200		

AZTEC CONSULTANTS, INC.
www.aztecconsultants.com
Fax: (303) 713-1897
Phone: (303) 713-1898
Littleton, Colorado 80122
300 East Mineral Ave., Suite

GRASSLANDS/PRAIRIE TRAIL PROPERTY ANNEXATION
S6, T6S, R66W, SIXTH PM
DOUGLAS COUNTY, COLORADO
PARCEL ID: 001
THE TOWN OF PARKER
20120 E. MAIN STREET, PARKER, CO 80138

OF 1 SHEETS
1
SHEET
24918-04



Request for Town Council Action

Date: March 5, 2018

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-028**
A Resolution for Town Council Appointment of Mayor Pro Tem and Acting Mayor, and Appointment of Liaison Officers to Certain Boards and Commissions of the Town of Parker

Department: Town Attorney, Jim Maloney

EXECUTIVE SUMMARY

Under the Town Charter and the Parker Municipal Code, the Town Council is required to appoint a mayor pro tem and acting mayor, as well as Town Council liaisons/ex officio members to certain boards and commissions.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town Council makes appointments following the annual Town Council Strategic Planning Retreat. The purpose of this resolution is to approve Town Councilmember appointments related to the mayor pro tem, acting mayor and certain Town boards and commissions, which were discussed at the Town Council retreat.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Resolution No. 18-028

RECOMMENDED MOTION

I move to approve Resolution No. 18-028, as part of the consent agenda.

RESOLUTION NO. 18-028, Series of 2018

TITLE: A RESOLUTION FOR TOWN COUNCIL APPOINTMENT OF MAYOR PRO TEM AND ACTING MAYOR, AND APPOINTMENT OF LIAISON OFFICERS TO CERTAIN BOARDS AND COMMISSIONS OF THE TOWN OF PARKER

WHEREAS, Section 3.3 of the Town of Parker Home Rule Charter provides that a Mayor Pro Tem shall be elected by the Town Council from its own membership;

WHEREAS, Section 3.3 of the Town of Parker Home Rule Charter provides that, in the event of the absence or disability of both the Mayor and the Mayor Pro Tem, the Town Council shall designate one of its members to serve as Acting Mayor during such absence or disability;

WHEREAS, the Town Council of the Town of Parker desires to elect both a Mayor Pro Tem and Acting Mayor, as provided in Section 3.3 of the Town of Parker Home Rule Charter;

WHEREAS, the Town Council of the Town of Parker appoints certain councilmembers to serve as liaison officers concerning certain boards and commissions; and

WHEREAS, the Town Council of the Town of Parker desires to appoint certain councilmembers to serve as Town Council liaison officers, to the extent provided in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby elects John Diak to serve as the Mayor Pro Tem, as provided in Section 3.3 of the Town of Parker Home Rule Charter.

Section 2. The Town Council of the Town of Parker elects Josh Rivero to serve as the Acting Mayor of the Town of Parker, in the event of the absence or disability of both the Mayor and the Mayor Pro Tem, as provided in Section 3.3 of the Town of Parker Home Rule Charter of the Town of Parker.

Section 3. The Town Council of the Town of Parker appoints Renee Williams and John Diak as the liaison officers for the Planning Commission.

Section 4. The Town Council of the Town of Parker appoints Renee Williams and John Diak as the liaison officers for the Special Licensing Authority.

Section 5. The Town Council of the Town of Parker appoints Amy Holland as the ex officio member of the Cultural and Scientific Commission and John Diak as the alternate ex officio member of the Cultural and Scientific Commission.

RESOLVED AND PASSED this _____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



Request for Town Council Action

Date: March 5, 2018

Submitted By: Tom Gill, Associate Project Manager
Chris Hudson, Public Works Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **Parker Road Sidewalk (East Side) Project (CIP 17-024)**

Amount: **\$698,117.10**

Contractor: **Jalisco International, Inc.**

Department: **Engineering, Tom Gill**

EXECUTIVE SUMMARY

Award of a trade contractor agreement with Jalisco International, Inc., for the Parker Road Sidewalk (East Side) Project (CIP 17-024) for \$698,117.10.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town publically opened competitive bids on January 23, 2018, for the Parker Road Sidewalk (East Side) Project (CIP 17-024). Work will include a ten (10) foot wide multi-use sidewalk on the east side of Parker Road (State Highway 83) between the Sulphur Gulch Trail (southern limit) and extend north up to just beyond the Plaza Drive intersection, terminating at the RTD bus stop (northern limit). This project has been in the works for the past few years, with preliminary design starting in 2012 and final design being completed and approved by CDOT in 2016 following several reviews. Some easement acquisition was required which was completed in 2017. The construction project will be partially federally funded at a 80/20 Federal/Town split with the Town being eligible to receive up to \$504k. The sidewalk on the west side of Parker Road from Mainstreet to Lincoln Avenue was constructed in 2012 and was also partially federally funded.

Town received bids from eight (8) contractors, with Jalisco International, Inc., being the lowest responsible bidder. Jalisco International, Inc., completed the “Chambers Road Over Happy Canyon Creek Bridge Repair” project for the Town in 2017. It was completed on schedule and within budget. Therefore, Town staff recommends moving forward with the contract award. The

bids were as follows:

1) Jalisco International, Inc.	\$698,117.10
2) Concrete Express	\$858,380.30
3) Goodland	\$886,420.65
4) Concrete Works	\$941,449.50
5) Hudspeth	\$942,896.56
6) Silva	\$1,010,179.50
7) Noraa Concrete	\$1,038,000.00
8) Keci	\$1,073,115.00
Engineer's Estimate	\$810,000.00

FINANCIAL IMPACT

Funding for this project has been appropriated in the Streets Capital Improvements Projects (301-4310) fund. This project is being partially federally funded with an 80/20 split of the construction contract with a \$504k maximum federal contribution.

STRATEGIC GOAL(S)



ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.



Request for Town Council Action

Date: March 5, 2018

Submitted By: Tom Gill, Associate Project Manager
Chris Hudson, Public Works Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **Jordan Road – Bradbury Parkway to Hess Road (CIP 17-005)
- Contract Modification**

Amount: \$159,059.45
Contractor: HEI Civil
Department: Engineering, Tom Gill

EXECUTIVE SUMMARY

Award of a contract modification with HEI Civil for the Jordan Road – Bradbury Parkway to Hess Road project (CIP 17-005) in the amount of \$159,059.45 for a revised contract amount of \$4,156,673.45.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

During the design process for the proposed Jordan Road widening between Hess Road and Bradbury Parkway, Town staff directed the design consultant to delay implementation of proposed southbound Jordan Road deceleration/right-hand turn lanes to only two (2) of the five (5) intersections within the project limits. This was an improvement that was projected to be needed in the future due to projected traffic increases but not included in the final 2017 design due to current traffic levels and anticipated budget constraints.

The Town competitively bid and awarded the Jordan Road Widening (CIP 17-005) to HEI Civil on June 15, 2017, with construction commencing in the summer of 2017. The awarded contract was less than what was originally budgeted and staff decided to revisit the construction of three (3) remaining deceleration/turn lanes along southbound Jordan Road within the project limits. This addition was reconsidered for safety based on traffic projections and available funding. The additional deceleration/turn lanes will be located at Prairie Wind Lane, Prairie Goat Lane, and Eland Avenue intersections. The additional work would be completed at the same time as the

other two (2) deceleration/turn lanes that are part of the original contract which will save the Town from the increased cost of doing the improvements in the future.

The Contractor will be compensated for this work at the current unit contract prices. The overall project schedule is being adjusted to account for this additional work. The project completion date will be adjusted from the original date of June 8, 2018, to a new completion date of July 13, 2018.

FINANCIAL IMPACT

Funding for this project has been appropriated in the Streets Capital Improvements Projects (301-4310) fund.

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.



Request for Town Council Action

Date: March 5, 2018
Submitted By: Jim Maloney, Town Attorney
Reviewed By: Michelle Kivela, Town Administrator
Title: **SERVICE PLANS FOR BELFORD SOUTH AND
BELFORD NORTH METROPOLITAN DISTRICTS (to be
continued to March 19, 2018)**

Department: Town Attorney, Jim Maloney

- (A) RESOLUTION NO. 18-030**
**A Resolution to Approve the First Amended and
Restated Service Plan for Belford South Metropolitan
District**
- (B) RESOLUTION NO. 18-031**
**A Resolution to Approve the Formation of a Title 32
Special District for Belford North Metropolitan
District**

EXECUTIVE SUMMARY

Separate notices were given pursuant to C.R.S. § 32-1-204(1) for public hearings to be held for (1) the formation of a Title 32 Special District to be named “Belford North Metropolitan District” (the “Belford North Metro District”), and (2) for a First Amended and Restated Service Plan for the Belford South Metropolitan District (the “Belford South Metro District”). The applicant for the formation of the proposed Belford North Metro District and the Board of Directors of the Belford South Metro District are requesting that the public hearings for these matters be continued from the March 5, 2018, Town Council meeting to the Town Council meeting to be held on March 19, 2018.

STAFF RECOMMENDATION

Continue

BACKGROUND/DISCUSSION

An application was submitted for the formation of the Belford North Metro District. The public hearing for this matter was scheduled for March 5, 2018, and Notice of Public Hearing was given as provided by C.R.S. § 32-1-204(1). An application was also submitted by the Board of Directors of the Belford South Metro District for the approval of the First Amended and Restated Service Plan for this District. The public hearing for the matter was scheduled for March 5, 2018, and the Notice of Public Hearing was given as provided by C.R.S. § 32-1-204(1). The applicant for the proposed Belford North Metro District and the Board of Directors of the Belford South Metro District are both requesting the public hearing for each be continued to the March 19, 2018, Town Council meeting.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



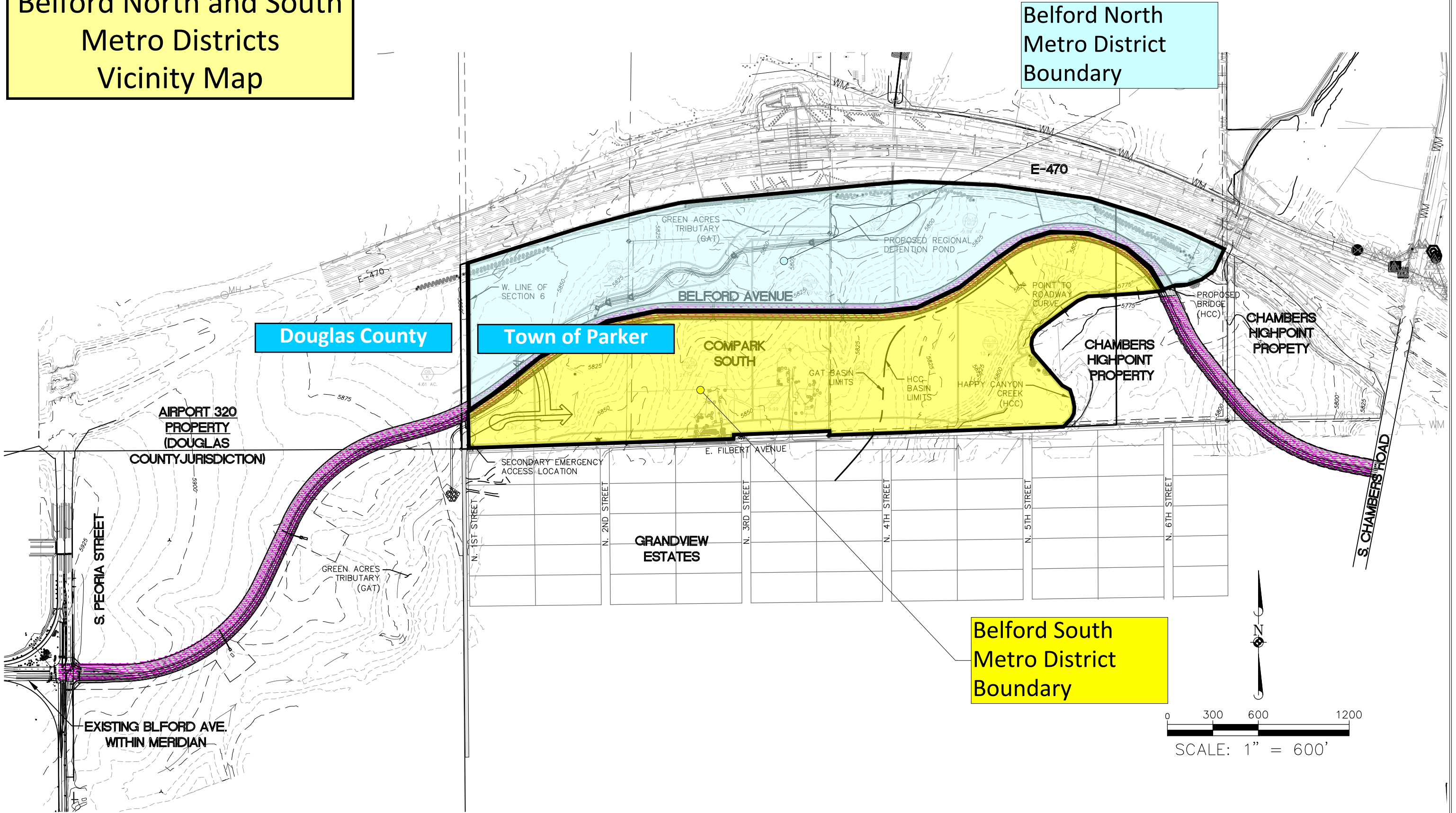
ATTACHMENTS

1. Belford North and South MD Boundaries Map
2. Notice for Public Hearing - Proposed Belford North Metro District
3. Notice of Public Hearing - Belford South Metro District

RECOMMENDED MOTION

I move to continue the public hearings for Resolution Nos. 18-030 and 18-031 to March 19, 2018.

Belford North and South
Metro Districts
Vicinity Map



NOTICE OF PUBLIC HEARING

NOTICE is hereby given pursuant to Section 32-1-204(1), C.R.S., that on Monday, March 5, 2018, at 7:00 P.M., or as soon as possible thereafter, a public hearing will be conducted. The hearing will be conducted in Council Chambers, at the Parker Town Hall, 20120 E. Mainstreet, in the Town of Parker, Douglas County, Colorado 80138, or at such other time and place as this hearing may be continued. A public hearing will be heard upon the application on file with the Town Council of the Town of Parker, by the Petitioners for the proposed Belford North Metropolitan District (the “**District**”), for the formation of a metropolitan district. The affected property is generally located south of E-470, west of South Chambers Road, north of Grand View Estates and east of Peoria Street, in the Town of Parker, County of Douglas, State of Colorado.

NOTICE IS FURTHER GIVEN that, pursuant to Sections 32-1-203(3.5) and 32-1-204(1.5), C.R.S., the owner of real property within the proposed District may file a request with the Town Council of the Town of Parker, requesting that such real property be excluded from the proposed District. Such request may be filed any time after the Service Plan is filed with the Town Council of the Town of Parker, but no later than ten (10) days before the day fixed for the hearing on said Service Plan.

Reason:	Formation of a Title 32 Special District
Project Name:	Belford North Metropolitan District
Date of Application:	July 21, 2017
Type of District:	Metropolitan
Published In:	<i>Douglas County News-Press</i> February 8, 2018

NOTICE OF PUBLIC HEARING

NOTICE is hereby given pursuant to Section 32-1-204(1), C.R.S., that on Monday, March 5, 2018, at 7:00 p.m., or as soon as possible thereafter, a public hearing will be conducted. The hearing will be conducted in Council Chambers, at the Parker Town Hall, 20120 E. Mainstreet, in the Town of Parker, Douglas County, Colorado 80138, or at such other time and place as the hearing may be continued. A public hearing will be heard upon the application on file with the Town Council of the Town of Parker, by the Board of Directors of Belford South Metropolitan District (the “**District**”) for the approval of a First Amended and Restated Service Plan of the District. The affected property is generally located south of E-470, west of South Chambers Road, north of Grand View Estates and east of Peoria Street, in the Town of Parker, County of Douglas, State of Colorado.

NOTICE IS HEREBY FURTHER GIVEN that all protests and objections must be submitted in writing to the Town Council of the Town of Parker at or prior to the hearing or any continuance or postponement thereof in order to be considered, and that any protests and objections to the First Amended and Restated Service Plan, as proposed, shall be deemed to be waived unless presented at the time and in the manner as specified above.

Reason:	First Amended and Restated Service Plan
Project Name:	Belford South Metropolitan District
Type of District:	Metropolitan
Maximum Debt Mill Levy:	35.000 mills, adjusted
Operation & Maintenance of Storm Drainage Improvements	
Mill Levy:	10.000 mills

Published in: *Douglas County News-Press*

Published on: February 8, 2018



Request for Town Council Action

Date: March 5, 2018

Submitted By: Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 8.28.5 - Second Reading**
A Bill for an Ordinance to Amend Chapter 4.03 of the Parker Municipal Code Regarding Sales and Use Tax Concerning Television and Entertainment Services

Department: Finance, Mary Lou Brown

EXECUTIVE SUMMARY

From time to time, minor modifications are required to ensure the intended result of the local sales and use tax code. The change before Town Council is the proposal to amend Section 4.03.030 of the Parker Municipal Code by deleting the definition of "television and entertainment services." Section 4.03.190 subsection (a)(7) of the Parker Municipal Code will be deleted. Neither of these changes constitute a change in tax policy requiring voter approval under TABOR and all of the proposed changes revenue neutral.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

From time to time as part of administering a local sales and use tax code, minor modifications are required to ensure the intended result. Staff has determined, following careful review that none of the changes proposed by this ordinance constitute a change in tax policy requiring voter approval under TABOR and that all of the proposed changes are revenue neutral. The change will be to amend Section 4.03.030 of the Parker Municipal Code by deleting the definition of "television and entertainment services" and delete Section 4.03.190 subsection (a)(7) of the Parker Municipal Code with subsequent subsections being renumbered as appropriate.

FINANCIAL IMPACT

The proposed changes are revenue neutral.

STRATEGIC GOAL(S)

**ATTACHMENTS**

1. Ordinance No. 8.28.5

RECOMMENDED MOTION

I move to approve Ordinance No. 8.28.5 on second reading.

ORDINANCE NO. 8.28.5, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 4.03 OF THE PARKER MUNICIPAL CODE REGARDING SALES AND USE TAX CONCERNING TELEVISION AND ENTERTAINMENT SERVICES

WHEREAS, from time to time as part of administering a local sales and use tax code, minor modifications are required to ensure the intended result; and

WHEREAS, the Town Council has determined, following careful review and recommendation by staff, that none of the changes proposed by this ordinance constitute a change in tax policy requiring voter approval under TABOR and that all of the proposed changes are revenue neutral.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 4.03.030 of the Parker Municipal Code is hereby amended to delete the definition of "television and entertainment services."

Section 2. Section 4.03.190, Paragraph (a)(7) of the Parker Municipal Code is hereby deleted with the subsequent Paragraphs to be renumbered as appropriate.

Section 3. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 4. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. The provisions of this Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney