

**TOWN OF GRAND LAKE
RESOLUTION NO. 21-2023**

**A RESOLUTION FINDING CERTAIN REAL PROPERTY REFERRED TO AS THE
LOVE PARCEL ELIGIBLE FOR ANNEXATION**

WHEREAS, the Board of Trustees (the “Board”) of the Town of Grand Lake, Colorado, pursuant to Colorado statute, is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado (the “Town”); and

WHEREAS, the Genette Simpkins, Revocable Living Trust (the “Applicant”) filed with the Town a Petition for Annexation dated January 31, 2023 (the “Petition”), seeking to annex certain real property commonly referred to as the Love Parcel and more particularly described in **Exhibit A** (“the Property”), attached hereto and incorporated herein, to the Town; and

WHEREAS, on April 24, 2023, the Board adopted Resolution 13-2023, setting the matter for a hearing on June 12, 2023 to determine whether the Property is eligible to be annexed to the Town; and

WHEREAS, in order for the Property to be eligible to be annexed to the Town, it must meet the criteria set forth in Sections 31-12-104 and 31-12-105, C.R.S.; and

WHEREAS, pursuant to C.R.S. § 31-12-110 the Board of Trustees of the Town of Grand Lake, Colorado is required to set forth its findings of fact and its conclusions as to the eligibility of the Property for annexation to the Town.

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

The Board hereby sets forth its findings based on the public hearing with respect to the annexation of the Property:

FINDINGS OF FACT

1. Not less than one-sixth of the perimeter of the Property is contiguous with the existing boundaries of the Town.
2. A community of interest exists between the Property and the Town and the area proposed to be annexed is urban or will be urbanized in the near future.
3. The Property is integrated or is capable of being integrated with the Town.
4. As a result of the proposed annexation, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts of real estate, would be divided into separate tracts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way.
5. As a result of the proposed annexation, no land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising twenty (20) acres or more which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of \$200,000 for ad valorem tax purposes for the year next preceding the annexation, would be included without the written consent of the landowners.

6. No annexation proceedings have been commenced for the annexation of all or part of the Property to another municipality.
7. The proposed annexation of the Property will not result in the detachment of area from any school district and the attachment of the same to another school district.
8. The petition for annexation of the Property meets the requirements of law and is in proper order for annexation of the Property.
9. The proposed annexation will not have the effect of extending the Town's municipal boundary more than three (3) miles in any direction from any point of the Town boundary in any one year, or to the extent the proposed annexation extends beyond such three (3) mile limit, confining the annexation to such three (3) mile limit would have the effect of dividing a parcel of property held in identical ownership and at least fifty (50%) percent of the said property is within the three (3) mile limit.
10. The entire width of any public street or alley to be annexed is included within the proposed annexation.
11. The proposed annexation would not result in denial of reasonable access to landowners, owners of easements, or owners of franchises to use the Town's public ways.
12. The petition was signed by owners of 100% of the Property exclusive of streets and alleys.

CONCLUSIONS

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

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE AFTER PUBLIC HEARING AND SIGNED THIS 26TH DAY OF JUNE 2023.

(S E A L)

Votes Approving:
 Votes Opposed:
 Votes Abstained:
 Votes Absent:

ATTEST:

TOWN OF GRAND LAKE

 Alayna Carrell,
 Town Clerk

 Steve Kudron,
 Mayor