

**TOWN OF EMPIRE, COLORADO
RESOLUTION 23-02**

**A RESOLUTION OF THE TOWN OF EMPIRE, COLORADO OF SUBSTANTIAL
COMPLIANCE AND INTENT TO ANNEX**

WHEREAS, a written petition has been filed with the Town Clerk requesting the annexation of certain property to be known as the Harmony Domes Annexation, as more particularly described below; and

WHEREAS, the Board of Trustees desires to initiate annexation proceedings for the Harmony Domes Annexation in accordance with the Municipal Annexation Act, Section 31-12-101, et seq., Colorado Revised Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EMPIRE as follows:

Section 1. That the Board hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Board hereby accepts the annexation petition for the Harmony Domes Annexation, more particularly described as situated in the County of Clear Creek, State of Colorado, to wit:

The subject property consists of multiple mining claims addressed at 433 Park Ave., Empire Colorado. The subject property consists of the Heckla, Emma, Gold Dust, Butte, and Cambrian mining claims as well as a portion of tract within section 28 which is a total of 683, 148 square feet or 15.68 acres. A portion of the property and the claims listed above are currently located within unincorporated Clear Creek County.

The subject site is located within Section 28, Township 3 South, Range 74 West of the 6th Principal Meridian within the Town of Empire, Colorado.

Section 3. That the Board hereby finds and determines that the annexation petition for the Harmony Domes Annexation is in substantial compliance with the Municipal Annexation Act in that the annexation petition contains the following:

- (1) An allegation that it is desirable and necessary that such area be annexed to the municipality;
- (2) An allegation that the requirements of Colorado Revised Statutes sections 31-12- 104 and 31-12-105 exist or have been met;
- (3) An allegation that the signers of the petition comprise more than fifty percent of the landowners in the area and own more than fifty percent of the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality;

- (4) The signatures of such landowners;
- (5) A request that the annexing municipality approve the annexation of the area proposed to be annexed;
- (6) The mailing address of each such signer;
- (7) The legal description of the land owned by such signer;
- (8) The date of signing of each signature; and
- (9) The affidavit of the circulator of such petition that each signature therein is the signature of the person whose name it purports to be.

Section 4. That the Board hereby finds and determines that the annexation map, four copies total, accompanying the annexation petition for the Harmony Domes Annexation is in substantial compliance with the Municipal Annexation Act in that the map contains the following:

- (1) A written legal description of the boundaries of the area proposed to be annexed;
- (2) A map showing the boundary of the area proposed to be annexed;
- (3) Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;
- (4) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

Section 5. That the Notice attached hereto as Exhibit "A" is hereby adopted as a part of this Resolution. Said Notice establishes the date, time and place when a public hearing will be held regarding the passage of annexation and zoning ordinances pertaining to the above-described property. The City Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Municipal Annexation Act.

ADOPTED this 21st day of March 2023.

TOWN OF EMPIRE

BY:

Wendy Koch, Mayor

ATTEST:

Jeannette Piel, Town Clerk

EXHIBIT A

A public hearing on the Harmony Domes Annexation shall be held at the Empire Board of Trustees Meeting on Tuesday April 18th, 2023.

DRAFT