


Brenda J Castle, CMC, Deputy City Clerk
12503 East Euclid Drive, Suite 200,
Centennial, Colorado 80111

**CITY OF CENTENNIAL,
COLORADO**

Arapahoe County Clerk & Recorder, Nancy A. Doty
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ORDINANCE NO. 2006-O-14

**AN ORDINANCE OF THE CITY OF CENTENNIAL,
COLORADO APPROVING INITIAL ZONING FOR
CERTAIN LAND KNOWN AS THE TAGAWA PROPERTY
BY REZONING SUCH LAND FROM ARAPAHOE
COUNTY A-1 (AGRICULTURAL) TO CITY OF
CENTENNIAL A-1 (AGRICULTURAL) AND AMENDING
THE OFFICIAL ZONING MAP OF THE CITY OF
CENTENNIAL, COLORADO**

WHEREAS, the applicant, Tagawa Rose Farms, Inc. ("Applicant") has submitted to the City of Centennial an annexation petition to seek annexation of property generally located southwest of the intersection of E. Broncos Parkway and S. Parker, as more particularly described on Exhibit A (the "Property"); and

WHEREAS, pursuant to a duly noticed public hearing held on May 22, 2006, the City Council approved by ordinance the annexation of the Property to the City of Centennial; and

WHEREAS, in accordance with § 31-12-115 of the Municipal Annexation Act, C.R.S., zoning of the Property must be accomplished within ninety (90) days after the effective date of the annexation ordinance; and

WHEREAS, the Applicant wishes to maintain and confirm the existing agricultural zoning designation of the Property; and

WHEREAS, a public hearing was held before the City of Centennial City Council at 12503 East Euclid Drive, Suite 200, on the 19th day of June, 2006, at 7:00 p.m., at which time evidence and testimony were presented to the City Council concerning said zoning request; and

WHEREAS, the administrative record for this case includes, but is not limited to, the City of Centennial Land Development Code, City of Centennial Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with all City of Centennial Land Use application processing policies that relate to the subject matter of the public hearing, any and all submittals of the Applicant, any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the Planning and Engineering case managers pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S. as amended, City Council has determined that the proposed initial zoning of the Property, subject to the conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; generally conforms with the City Comprehensive Plan; is compatible with surrounding uses; and otherwise meets the applicable criteria of the City of Centennial Land Development Code; and

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with state law and the Centennial Land Development Code by setting a public hearing in order to provide the Applicant and the public an opportunity to present testimony and evidence regarding the application. Approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the application or the proposed project.

NOW, THEREFORE, BE IT ORDAINED by the City of Centennial City Council as follows:

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The City of Centennial City Council hereby grants and approves zoning of the Property to City of Centennial A-1 (Agricultural) subject to applicable terms and conditions of the Annexation and Development Agreement between the City and Tagawa Rose Farms, Inc. dated June 19, 2006.

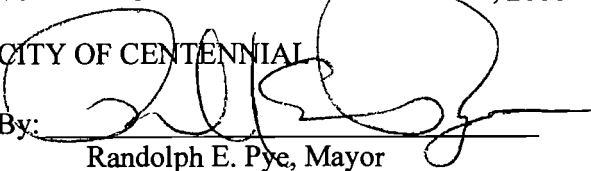
Section 3. The Zoning Map of the City of Centennial shall be and the same is hereby amended to conform to and reflect said initial zoning.

Section 4. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

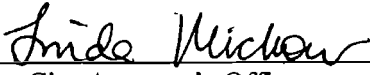
Section 5. Effective Date. This Ordinance shall become effective thirty days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE 5TH DAY OF JUNE, 2006.

CITY OF CENTENNIAL

By: 
Randolph E. Pye, Mayor

Approved as to Form:


For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of June 5, 2006, and ordered to be published one time by *The Villager* newspaper on June 8, 2006.

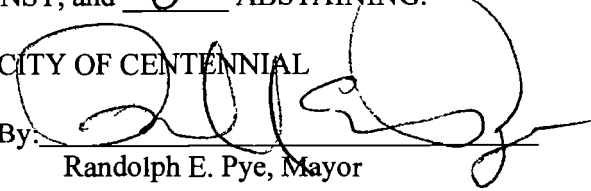
SEAL

ATTEST:

By: 
Goldie Fishbein, City Clerk

FINALLY ADOPTED, PASSED, APPROVED AND ORDERED PUBLISHED BY TITLE AND WITH ANY AMENDMENTS, BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE 19th DAY OF June, 2006, BY A VOTE OF 8 IN FAVOR, 0 AGAINST, and 0 ABSTAINING.

CITY OF CENTENNIAL

By: 
Randolph E. Pye, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of June 19, 2006, and ordered published by title only, with amendments if any, one time by *The Villager* newspaper on June 22, 2006.

SEAL

ATTEST:

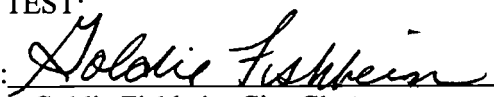
By: 
Goldie Fishbein, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 32 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SECTION 32, THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 32 SOUTH $01^{\circ}06'52''$ WEST 928.84 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED RECORDED MARCH 1, 1989 IN BOOK 5641 AT PAGE 421 OF THE ARAPAHOE COUNTY RECORDS, THENCE ALONG THE SOUTH LINE OF SAID PARCEL ALSO BEING THE SOUTH LINE OF RIVER RUN II, A PLAT RECORDED APRIL 24, 2000 AT RECEPTION NO. B0047132 NORTH $89^{\circ}48'52''$ EAST 1241.88 FEET; THENCE SOUTH $00^{\circ}11'08''$ EAST 100.00 FEET TO THE TRUE POINT OF BEGINNING,

NORTH ALONG A LINE 100.00 FEET SOUTH OF AND PARALLEL WITH SAID SOUTH LINE OF RIVER RUN II NORTH $89^{\circ}48'52''$ EAST 660.00 FEET; THENCE SOUTH $00^{\circ}11'08''$ EAST 660.00 FEET; THENCE SOUTH $89^{\circ}48'52''$ WEST 660.00 FEET THENCE NORTH $00^{\circ}11'08''$ WEST 660 00 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINING 10.000 ACRES, MORE OR LESS.