




**PLANNING & DEVELOPMENT MEMORANDUM  
#6-2024**

**DATE:** Feb. 12, 2024

**TO:** Honorable Mayor Meredith Leighty and City Council Members

**THROUGH:** Heather Geyer, City Manager   
Jason Loveland, Deputy City Manager 

**FROM:** Brook Svoboda, Director of Planning & Development 

**SUBJECT:** CR-47 – Karl's Farm Metro District Director Appointments

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**PURPOSE**

To consider CR-47, a resolution appointing members to the Board of Directors of the Karl's Farm Metropolitan District No. 3.

**BACKGROUND**

The Karl's Farm Metropolitan District No. 3 Board of Directors was inadvertently disqualified recently when the Board's parcel was sold for development. The Board is required to have a parcel of ownership to serve the District. As a result, the Board has identified a new parcel to own, a private road between 120<sup>th</sup> Avenue and 121<sup>st</sup> Avenue (Attachment 2).

**BUDGET/TIME IMPLICATIONS**

There are no financial or time impacts to the City.

**STAFF RECOMMENDATION**

Staff recommends approval of CR-47.

**STAFF REFERENCE**

If Council Members have any questions, please contact Brook Svoboda, Director of Planning & Development, at [bsvoboda@northglenn.org](mailto:bsvoboda@northglenn.org) or 303.450.8937.

**ATTACHMENTS**

1. Letter from Karl's Farm Metro District No. 3 Legal Counsel
2. Board of Directors' Parcel

CR-47 – Karl's Farm Metro District Director Appointments



George M. Rowley  
Shareholder

303-858-1800  
growley@wbapc.com

January 3, 2024

**VIA E-MAIL – CYH@HPWCLAW.COM**

Corey Y. Hoffmann  
Hoffmann, Parker, Wilson & Carberry, P.C.  
511 16th Street, Suite 610  
Denver, CO 80202

Re: Karl's Farm Metropolitan District No. 3


Dear Corey:

The board for Karl's Farm Metropolitan District No. 3 was inadvertently disqualified recently. Pursuant to Section 32-1-905(2.5), C.R.S., "[i]f there are no duly elected directors and if the failure to appoint a new board will result in the interruption of services that are being provided by the district, then the [governing body of the municipality] which approved the organizational petition may appoint all directors from the pool of duly qualified, willing candidates." This is the commercial district, so there are no other eligible electors that can be appointed other than the developer representatives.

We are requesting that the City Council consider the reappointment of the board at the next available meeting. Enclosed with this letter is a proposed resolution for consideration. We appreciate your consideration and assistance. Please let us know if you have any issues or questions regarding this request.

Sincerely,

WHITE BEAR ANKELE TANAKA & WALDRON

  
George M. Rowley  
Shareholder

cc: David Goldberg

**PARCEL DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF LOT 1, KARL'S FARM FILING NO. 1, AMENDMENT NO. 5 RECORDED UNDER RECEPTION NO. 2023000038243, IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDERS OFFICE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF NORTHGLENN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:** THE WEST LINE OF SAID LOT 2, KARL'S FARM FILING NO. 1, AMENDMENT NO. 5 RECORDED UNDER RECEPTION NO. 2023000038243, IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE, IS ASSUMED TO BEAR SOUTH 00°25'41" EAST BASED ON SAID FINAL PLAT.

**BEGINNING** AT THE SOUTHWEST CORNER OF LOT 2, KARL'S FARM FILING NO. 1, AMENDMENT NO. 5;

THENCE ALONG THE SOUTH LINE OF SAID LOT 1 AND THE NORTH RIGHT-OF-WAY LINE OF EAST 120<sup>TH</sup> AVENUE, SOUTH 89° 54' 49" WEST A DISTANCE OF 33.30 FEET;

THENCE DEPARTING SAID SOUTH LINE OF SAID LOT 1 AND THE NORTH RIGHT-OF-WAY LINE OF EAST 120<sup>TH</sup> AVENUE, NORTH 00° 01' 37" WEST A DISTANCE OF 10.23 FEET;

THENCE NORTH 09° 38' 47" EAST, A DISTANCE OF 29.90 FEET;

THENCE NORTH 00° 25' 41" WEST, A DISTANCE OF 286.62 FEET TO A POINT OF CURVATURE;

THENCE NORTHWESTERLY, ALONG A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 10.00 FEET, AN ARC DISTANCE OF 15.71 FEET, A CHORD BEARING NORTH 45° 25' 41" WEST, AND A CHORD DISTANCE OF 14.14 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF EAST 121<sup>ST</sup> AVENUE;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF EAST 121<sup>ST</sup> AVENUE, NORTH 89° 34' 19" EAST A DISTANCE OF 76.00 FEET TO A POINT OF CURVATURE;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE OF EAST 121<sup>ST</sup> AVENUE, SOUTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 10.00 FEET, AN ARC DISTANCE OF 15.71 FEET, A CHORD BEARING SOUTH 44° 34' 19" WEST, AND A CHORD DISTANCE OF 14.14 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00° 25' 41" EAST A DISTANCE OF 127.47 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2;

THENCE ALONG SAID NORTH LINE OF LOT 2, SOUTH 89° 59' 32" WEST A DISTANCE OF 28.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 2;

THENCE ALONG THE WEST LINE OF SAID LOT 2, SOUTH 00° 25' 41" EAST, A DISTANCE OF 199.23 FEET TO THE **POINT OF BEGINNING**.

(CONTINUED ON SHEET 2)

(CONTINUED FROM SHEET 1)

CONTAINING A CALCULATED AREA OF 13,439 SQUARE FEET OR 0.309 ACRES, MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

I, MARK A. HALL, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

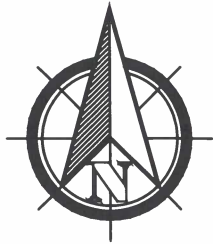


MARK A. HALL, P.L.S.  
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 36073  
FOR AND ON BEHALF OF LJA SURVEY, INC.

I:\JOB FOLDERS\1008 - SOUTH QUINCY RESIDENTIAL DEVELOPERS, INC\1008-22\SURVEY\06 CAD\PRODUCTION FILES\1008-22\_DIRECTORS PARCEL\_LOT 1 PRINTED ON: 1/11/2024 12:15 PM

EAST 121ST AVENUE  
(56' WIDE PUBLIC R.O.W.)

56'



SCALE 1"=50'

N89°34'19"E  
76.00'

$\Delta=90^{\circ}00'00''$   
R=10.00'  
L=15.71'  
CH=N45°25'41"W  
CHL=14.14'

$\Delta=90^{\circ}00'00''$   
R=10.00'  
L=15.71'  
CH=S44°34'19"W  
CHL=14.14'

PARCEL CONTAINS  
13,439 (SQ.FT.)  
0.309 ACRES  
MORE OR LESS

LOT 1  
KARL'S FARM FILING NO. 1,  
AMENDMENT NO. 5  
REC. NO. 2023000038243

SE 1/4, SEC. 35,  
T.1S., R.68W., SIXTH P.M.

LOT 1  
KARL'S FARM FILING NO. 1,  
AMENDMENT NO. 5  
REC. NO. 2023000038243

24' PUBLIC ACCESS EASEMENT  
REC. NO. 2023000038243

N00°25'41"W 286.62'

S00°25'41"E 127.47'

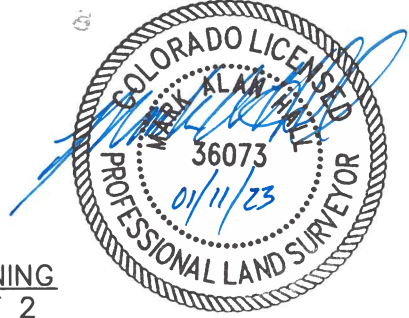
S89°59'32"W  
28.00'

LOT 2  
KARL'S FARM FILING NO. 1,  
AMENDMENT NO. 5  
REC. NO. 2023000038243

56' PUBLIC ACCESS EASEMENT  
REC. NO. 2023000038243

28'

S00°25'41"E 199.23'  
WEST LINE OF LOT 2  
(BASIS OF BEARINGS)



N09°38'47"E  
29.90'

POINT OF BEGINNING  
SW CORNER, LOT 2

N00°01'37"W  
10.23'

FOR AND ON BEHALF OF  
LJA SURVEYING, INC.

S89°54'49"W  
33.30'

EAST 120TH AVENUE  
(165' WIDE PUBLIC R.O.W.)

NOTE: THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED SURVEY. IT IS INTENDED ONLY  
TO DEPICT THE ATTACHED LEGAL DESCRIPTION.



7800 E. Union Avenue  
Suite 575  
Denver, CO 80237  
303-390-8510  
www.lja.com

DIRECTOR'S PARCEL  
KARL'S FARM METROPOLITAN DISTRICT NO. 3  
LOT 1, KARL'S FARM FILING NO. 1, AMENDMENT NO. 5

Prepared: DSB	Horiz. Scale: 1' = 50'	Job No.: 1008-22	Sheet: 3 of 3
Approved: MAH	Vert. Scale: N/A	Date: 1/11/2024	

SPONSORED BY: MAYOR LEIGHTY

COUNCIL MEMBER'S RESOLUTION

RESOLUTION NO.

No. CR-47  
Series of 2024

\_\_\_\_\_  
Series of 2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTHGLENN APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF KARL'S FARM METROPOLITAN DISTRICT NO. 3

WHEREAS, the Karl's Farm Metropolitan District No. 3 (the "District") is a special district located wholly within the boundaries of the City of Northglenn, Colorado; and

WHEREAS, the District operates pursuant to the District's Service Plan, approved by City Council on April 8, 2019 (the "Service Plan"); and

WHEREAS, the District's Board of Directors is vacant, and the District is unable to take any formal action, which has resulted in the interruption of the District's services; and

WHEREAS, the City Council is authorized to appoint individuals to a district's board of directors if the board of directors is entirely vacant and the failure to appoint a new board will result in the interruption of services that are provided by the district, pursuant to § 32-1-905(2.5), C.R.S.; and

WHEREAS, the City Council has received a request for appointment to the District's Board of Directors from the following qualified individuals within the District: David Goldberg, Daniel Frank, Richard Frank, Marc Cooper, and Steven Shoflick (collectively, the "Proposed Directors"); and

WHEREAS, the City Council finds that appointment of the Proposed Directors will facilitate the District's compliance with local government laws and allow the District to resume services as contemplated by District's Service Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City Council determines that failure to appoint qualified individuals to the District's Board of Directors will result in the continued interruption of District's services and result in noncompliance with certain state laws pertaining to local governments.

Section 2. Pursuant to § 32-1-905(2.5), C.R.S., the City Council hereby appoints the following qualified individuals to serve as the District's directors:

David Goldberg May 2025;  
Daniel Frank May 2025;  
Richard Frank May 2027;  
Marc Cooper May 2025; and  
Steven Shoflick May 2027.

Section 3. The District's Board of Directors shall hold a special district election within six months of the date of appointment to elect directors pursuant to the Special District Act, Article 1 of Title 32, C.R.S., the Uniform Election Code of 1992, Articles 1 to 13 of Title 1, C.R.S.; and the Colorado Local Government Election Code, Article 13.5 of Title 1, C.R.S.

DATED, at Northglenn, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
MEREDITH LEIGHTY  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, MMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney