

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2023-240

APPROVAL OF H-A ZONING OF THE PROPERTY KNOWN AS THE RIEDER FARM ANNEXATION, LOCATED IN A PORTION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, NOW DEFINED AND DESCRIBED AS LOT B, RECORDED EXEMPTION NO. 1059-5-4-RE 1592, RECORDED SEPTEMBER 29, 1997 AT RECEPTION NO. 2571299, COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 40.899 ACRES MORE OR LESS

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, the Town Council approved annexation of certain property situated in a portion of the North 1/2 of the Southeast 1/4 of Section 5, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, now defined and described as Lot B, Recorded Exemption No. 1059-5-4-RE 1592, Recorded September 29, 1997 at Reception No. 2571299, County of Weld, State of Colorado, consisting of approximately 40.899 acres more or less, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference, known as the Rieder Farm Annexation (“Property”); and

WHEREAS, the property owners applied for Holding-Agricultural (“H-A”) zoning of the Property in conjunction with annexation; and

WHEREAS, pursuant to state law, upon annexation, the Town Council must zone the Property within ninety (90) days; and

WHEREAS, the Town’s Planning and Zoning Commission held a hearing and recommended approval of H-A zoning for the Property; and

WHEREAS, on January 18, 2023, the Town Council held a public hearing to determine appropriate zoning for the Property and, based upon the evidence received at the hearing, finds that the requested zoning of the Property to H-A conforms to the Town’s Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

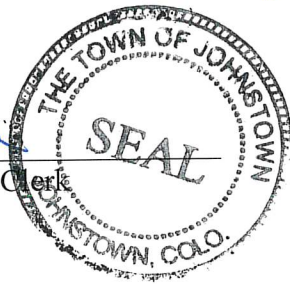
1. Zoning Approval. Zoning of the Property known as the Rieder Farm Annexation and more particularly described on the attached Exhibit A shall hereby be designated as Holding-Agricultural.

2. Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon the later of the following: (i) final passage as provided by the Charter or (ii) the effective date of the annexation of the Property. At such time, the Town Clerk is directed to file this Ordinance with the real estate records of the Weld County Clerk and Recorder. Copies of the entire Ordinance are available at the office of the Town Clerk.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this 8 day of January, 2023.

ATTEST:

By: Hannah Hill
Hannah Hill, Town Clerk



TOWN OF JOHNSTOWN, COLORADO

By: Gary Lebsack
Gary Lebsack, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2023.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Gary Lebsack, Mayor

EXHIBIT A

PROPERTY

LEGAL DESCRIPTION:

A PORTION OF THE N 1/2 OF THE SE 1/4 OF SECTION 5, TOWNSHIP 4 NORTH,
RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

NOW DEFINED AND DESCRIBED AS:

LOT B, RECORDED EXEMPTION NO 1059-5-4-RE 1592, RECORDED SEPTEMBER 29,
1997 AT RECEPTION NO. 2571299, COUNTY OF WELD, STATE OF COLORADO