

**TOWN OF JOHNSTOWN, COLORADO**  
**RESOLUTION NO. 2021-23**

**A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR  
INITIATING ANNEXATION PROCEEDINGS AND SETTING A  
PUBLIC HEARING DATE FOR THE HELD FARM ANNEXATION**

**WHEREAS**, Platte Land & Water, LLC, a Delaware limited liability company, submitted a Petition for Annexation; and

**WHEREAS**, the Town Council of the Town of Johnstown has reviewed the Petition for Annexation, and, finding substantial compliance as set forth below, desires to initiate annexation proceedings in accordance with the law and set a public hearing.

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

**Section 1.** The Town Council of the Town of Johnstown finds that a Petition for Annexation of certain property situated in the Southwest Quarter of Section 4, Township 4 North, Range 67 West of the 6<sup>th</sup> P.M., County of Weld, State of Colorado, known by site address as 8062 County Road 48 ½, County of Weld, State of Colorado, consisting of approximately 122.71 acres, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, filed with the Town Clerk on or about March 9, 2021, to be known as “The Held Farm Annexation,” is in substantial compliance with §31-12-107(1), and that a public hearing should be held to determine if the proposed annexation complies with §§31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility pursuant to §31-12-101, *et seq.*

**Section 2.** The Town Council hereby sets a public hearing for such purposes on September 20, 2021, at 7:00 p.m., at 450 South Parish Avenue, Johnstown, Colorado.

**Section 3.** The Town Clerk shall publish notice of the hearing once per week for four (4) consecutive weeks in the *Johnstown Breeze*, with the first publication at least thirty (30) days prior to the date of the hearing. The Town Clerk shall also send a copy of the published notice, together with a copy of this Resolution and the Petition for Annexation, by registered mail to the Weld County Board of County Commissioners and to the Weld County Attorney and to any special district or school district having territory within the area to be annexed at least twenty-five (25) days prior to the date fixed for such hearing.

**Section 4.** This Resolution shall be effective on the date hereof.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS \_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

**TOWN OF JOHNSTOWN, COLORADO**

By: \_\_\_\_\_  
Diana Seele, Town Clerk

By: \_\_\_\_\_  
Gary Lebsack, Mayor

# Legal Description

## LEGAL DESCRIPTION:

A portion of the Southwest 1/4 of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado being more particularly described as follows:

Considering the East Line of the Southwest 1/4 of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado as bearing S 01°13'11" E, with all bearings contained herein, relative thereto.

COMMENCE at the Center 1/4 Corner (aka the Northeast corner of the Southwest 1/4) of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado.  
thence S 01°13'11" E for a distance of 30.02 feet along the East line of said Southwest 1/4 to the South right of way line of Weld County Road 48-1/2, said point being the POINT OF BEGINNING;  
thence S 01°13'11" E for a distance of 2581.00 feet continue along said East line of Southwest 1/4 to the North right of way line of the Great Western Railroad;  
thence N 89°09'34" W for a distance of 1359.94 feet along said North right of way line to the East line of Book 228, Page 4, public records of Weld County, Colorado;  
thence N 01°15'59" W for a distance of 1286.61 feet along said East line to the North line of said Book 228, Page 4;  
thence S 89°05'51" W for a distance of 1391.47 feet along said North line to the East right of way line of the aforesaid Great Western Railroad;  
thence N 01°13'27" W for a distance of 1340.18 feet along said East right of way line to the aforesaid South right of way line of Weld County Road 48-1/2;  
thence S 89°05'20" E for a distance of 2753.57 feet along said South right of way line to the Point of Beginning.  
Excepting, that certain parcel of land described in deed recorded August 23, 1926 in Book 807 at Page 76.

Containing 122.71 acres, more or less.

Written by M. Bryan Short, Colorado LS 32444

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

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#	Date	Revisions	Field Date n/a	Prepared for:	Project#: 20062.004
			Party Chief n/a	<b>Platte Land &amp; Water</b>  PLS Corporation 532 West 66th Street Loveland, Colorado 80538 Office 970.669.2100 - Info@plscorporation.com	
			Survey Tech <b>BAB</b>		
			Proj. Manager <b>MBS</b>		