

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2024-10**

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

WHEREAS, the Town of Johnstown (“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 the authority to administer the affairs of the Town; and

WHEREAS, on or about January 9, 2024, Yellow Roof Development, LLC, a California limited liability company, submitted a Petition for Annexation; and

WHEREAS, the Town Council 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 finds that a Petition for Annexation of certain property situated in the Southeast Quarter of Section 27, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado, consisting of approximately 5.7 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 January 9, 2024, to be known as the “Yellow Roof 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 April 15th, 2024, 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 Larimer County Board of County Commissioners and to the Larimer 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 _____, 2024.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Hannah Hill, Town Clerk

By: _____
Troy D. Mellon, Mayor

Exhibit A

Legal Description:

All that part of the southeast quarter of Section 27, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado, being more particularly described as follows:

Beginning at a point on the south line of said Section 27, which point is 1247.9 feet west of the southeast corner of said Section 27; thence westerly on the south line of said Section 27 a distance of 170 feet; thence on an angle of $75^{\circ}27'30''$ to the right a distance of 531.2 feet; thence on an angle of $104^{\circ}32'30''$ ($104^{\circ}12'30''$ record) to the right a distance of 519.68 feet to a point on the westerly right of way line of U.S. Highway No. 185; thence on an angle of $75^{\circ}27'30''$ to the right along said right of way line a distance of 442.59 feet; thence on an angle of $93^{\circ}51'30''$ to the right a distance of 333.2 feet; thence on an angle of $79^{\circ}19'00''$ to the left a distance of 24.0 feet to the Point of Beginning.