

**TOWN OF JOHNSTOWN, COLORADO**  
**ORDINANCE NO. 2023-239**

**ANNEXING CERTAIN UNINCORPORATED LANDS 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 6<sup>TH</sup> 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, AND KNOWN AS THE RIEDER FARM ANNEXATION**

**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**, by Resolution No. 2022-47, the Town Council found a petition for 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 6<sup>th</sup> 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,” to be in substantial compliance with C.R.S. § 31-12-107(1); and

**WHEREAS**, after notice pursuant to C.R.S. § 31-12-108, on January 18, 2023, the Town Council held a public hearing on the proposed annexation to determine if the annexation complies with C.R.S. §§ 31-12-104 and 105; and

**WHEREAS**, the Town Council has determined that the requirements of C.R.S. §§ 31-12-104 and 105 have been met, that an election is not required and that no additional terms or conditions are to be imposed on the annexed area.

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

**Section 1.** The annexation of certain unincorporated property situated in in a portion of the North 1/2 of the Southeast 1/4 of Section 5, Township 4 North, Range 67 West of the 6<sup>th</sup> 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, be and the same is hereby approved and said unincorporated area is hereby incorporated and made a part of the Town of Johnstown, Colorado.

**Section 2.** That the annexation of such unincorporated area to the Town of Johnstown, Colorado shall be complete and effective on the effective date of this Ordinance, except for the purpose of general property taxes, and shall be effective as to general property taxes on and after the first day of January 2024.

**Section 3.** That, within thirty (30) days of the effective date of this Ordinance, the Town Clerk be and is hereby authorized and directed to:

- A. File one copy of the annexation map with the original of the annexation ordinance in the office of the Town Clerk; and
- B. File two certified copies of the annexation ordinance and map of the area annexed containing a legal description of such area with the Weld County Clerk and Recorder.

**Section 4.** This Ordinance shall take effect as provided by State law.

**INTRODUCED AND APPROVED** on first 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

**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