

TOWN OF JOHNSTOWN, COLORADO

ORDINANCE NO. 2021-203

AN ORDINANCE DISCONNECTING CERTAIN LAND BEING A PORTION OF THE MAXFIELD ANNEXATION NO. 1 AND ALL OF OUTLOT E, THOMPSON CROSSING II, FILING NO. 1, SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF JOHNSTOWN, COUNTY OF LARIMER, STATE OF COLORADO, AND CONSISTING OF APPROXIMATELY 0.21 ACRES

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a municipal corporation duly organized and existing under its Home Rule Charter adopted pursuant to Article XX of the Constitution of the State of Colorado; and

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

WHEREAS, pursuant to the Maxfield Annexation No. 1, recorded with the Larimer County Clerk and Recorder at Reception No. 20070084418 (“Maxfield Annexation”), the Town annexed, or may have annexed, depending on whether the annexation map is read to include property described by deed or by monumentation, property being a portion of the Maxfield Annexation and all of Outlot E, Thompson Crossing II, Filing No. 1, situated in the Northeast Quarter of the Southeast Quarter of Section 14, Township 5 North, Range 68 West of the 6th Principal Meridian, Town of Johnstown, County of Larimer, State of Colorado, consisting of approximately 0.21 acres, which property is legally described and shown on the map attached hereto and incorporated herein by reference as Exhibit A (“Property”); and

WHEREAS, on or about December 17, 2020, the owners of the Property, Brittany and Jonathan Coonrad, who reside at 641 North County Road 3, submitted an application to disconnect the Property from the boundaries of the Town and thereafter provided notice as required by § 31-12-501, C.R.S.; and

WHEREAS, the Town Council has given due consideration to the application and has determined that the best interests of the Town will not be prejudiced by disconnection of the Property; and

WHEREAS, the Town Council has determined that the requirements of § 31-12-501, C.R.S., have been met; and

WHEREAS, by approving the disconnection, the Town Council does not intend to waive or limit the Town’s right to re-annex the Property at a subsequent date based on the status of the Property as an enclave of the Town; and

WHEREAS, the Town Council thus finds that it is in the best interest of the Town to approve the disconnection of the Property.

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

Section 1. Disconnection of the Property, described on Exhibit A, is hereby approved.

Section 2. The Town Clerk is hereby authorized and directed to:

- A. File the original copy of the Ordinance along with the legal description and attached map in the office of the Town Clerk; and
- B. File two certified copies of Ordinance along with the legal description and attached map with the Larimer County Clerk and Recorder.

Section 3. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Town's Home Rule Charter and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk and by the certificate of publication. This Ordinance shall become effective upon final passage as provided by the Town's Home Rule Charter and as provided by state law. Copies of the entire Ordinance shall be 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 14 day of July, 2021.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: Diana Seele
Diana Seele, Town Clerk

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 _____, 2021.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor