

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2023-244

ANNEXING CERTAIN UNINCORPORATED LANDS LOCATED IN PORTIONS OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 16 AND THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 47.49 ACRES, AND KNOWN RESPECTIVELY AS THE ARCHDIOCESE ANNEXATION NOS. 1-3.

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. 2023-06, the Town Council found a petition for annexation of certain property situated in a portion of Sections 15 and 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 82.59 acres, known as the “Archdiocese Annexation No. 1 and Archdiocese Annexation No. 2,” to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, subsequent thereto, the Archdiocese modified its request and only seeks to annex 47.49 acres of the 82.59 acres into the municipal boundaries of the Town in order to exclude lands which contain the Little Thompson/Hillsborough Reservoir and Ditch; and

WHEREAS, consistent with the foregoing, the Archdiocese seeks to annex a Portion of the North Half of the Northeast Quarter of Section 16 and a Portion of the West Half of the Northwest Quarter of Section 15, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 47.49 acres, as more particularly described on Exhibit A, attached hereto and incorporated herein by reference, known as the “Archdiocese Annexation Nos. 1-3;”

WHEREAS, after notice pursuant to C.R.S. § 31-12-108, on April 17, 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 a Portion of the North Half of the Northeast Quarter of Section 16 and a Portion of the West Half of the Northwest Quarter of Section 15, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 47.49 acres, being more particularly described on Exhibit A, known as the Archdiocese Annexation Nos. 1-3, 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. 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. 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 three 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

EXHIBIT A

PROPERTY DESCRIPTION:

ARCHDIOCESE ANNEXATION No. 1

An area of land being a portion of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

COMMENCING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot".

THENCE South 01°04'34" East along the West line of the NE1/4 of said Section 16 a distance of 1054.41 feet to the POINT OF BEGINNING;

THENCE South 79°32'21" East a distance of 673.25 feet;

THENCE South 77°23'12" West a distance of 673.25 feet to the Center North Sixteenth corner of said Section 16;

THENCE North 01°04'34" West along the West line of the NW1/4NW1/4 a distance of 269.30 feet to the POINT OF BEGINNING.

Said area of land contains 2.04 Acres (+/-88,822 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

AND

ARCHDIOCESE ANNEXATION No. 2

An area of land being a portion of the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

COMMENCING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25"

aluminum cap stamped LS 7242 at the West aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot".

THENCE South 01°04'34" East along the West line of the NE1/4 of said Section 16 a distance of 1054.41 feet to the POINT OF BEGINNING;
THENCE South 89°01'10" East a distance of 1357.98 feet;
THENCE North 00°54'49" West a distance of 756.16 feet;
THENCE North 90°00'00" East a distance of 376.23 feet;
THENCE North 00°00'16" East a distance of 274.14 feet to the North line of said N1/2NE1/4;
THENCE South 88°26'46" East along said North line a distance of 466.38 feet;
THENCE South 00°44'27" East a distance of 1301.34 feet to the South line of said N1/2NE1/4;
THENCE North 89°01'10" West along said South line a distance of 2200.27 feet to the Center North Sixteenth corner of said Section 16;
THENCE North 77°23'12" East a distance of 673.25 feet;
THENCE North 79°32'21" West a distance of 673.25 feet to the POINT OF BEGINNING.

Said area of land contains 29.24 Acres (+/-1,273,591 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

AND

ARCHDIOCESE ANNEXATION No. 3

An area of land being a portion of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Sixteen (16) and a portion of the West Half of the Northwest Quarter (W1/2NW1/4) of Section Fifteen (15), both of Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

COMMENCING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983 (2011), a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot".

THENCE South 88°26'46" East along the North line of the NE1/4 of said Section 16 a distance of 2208.80 feet to the POINT OF BEGINNING;

THENCE continuing South 88°26'46" East along said North line a distance of 514.19 feet to the Northeast corner of said Section 16;

THENCE South 89°22'30" East along the approximate North line of said W1/2NW1/4 of Section 15 a distance of 30.01 feet to the East right-of-way line of County Road Nineteen (19);

THENCE South 00°44'50" East along said East right-of-way line a distance of 1296.39 feet to the Easterly extension of the South line of said NE1/4NE1/4 of Section 16;

THENCE North 89°01'10" West along said Easterly extension a distance of 30.01 feet to the North Sixteenth corner of said Sections;

THENCE continuing North 89°01'10" West along said South line of the NE1/4NE1/4 a distance of 514.15 feet;

THENCE North 00°44'27" West a distance of 1301.34 feet to the North line of said NE1/4NE1/4 of Section 16 and to the POINT OF BEGINNING.

Said area of land contains 16.21 Acres (+/-706,259 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

PREPARED BY:

Lat40°, Inc.

Professional Land Surveyors

6250 W. 10th Street, Unit 2

Greeley, CO 80634

(970) 515-529