

**TOWN OF JOHNSTOWN, COLORADO**  
**ORDINANCE NO. 2020-186**

**ORDINANCE APPROVING PODTBURG ANNEXATION #1-#5**  
**ANNEXATION AND DEVELOPMENT AGREEMENT**

**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**, on November 2, 2020, the Town Council conducted a public hearing to consider a petition for annexation filed by Podtburg Dairy Limited Partnership, LLLP, a Colorado limited liability limited partnership, and Mary M. Knutson, an individual, for property situated in the West Half of Section 18, the West Half of Section 19, and the Northwest Quarter of Section 30, Township 4 North, Range 67 West and portions of Section 13, Section 24, and the North Half of Section 25, Township 4 North, Range 68 West of the 6<sup>th</sup> P.M., County of Weld, State of Colorado, consisting of approximately 462.35 acres (“Property”); and

**WHEREAS**, subsequent to the public hearing, the Town Council adopted Ordinance No. 2020-185, annexing the Property; and

**WHEREAS**, in conjunction with the annexation, the Town and Podtburg Dairy Limited Partnership, LLLP, the property owner, negotiated and agreed upon an annexation and development agreement (“Agreement”); and

**WHEREAS**, the Agreement contains vested rights pursuant to Article XIII of Chapter 17 of the Johnstown Municipal Code and Article 68 of Title 24, C.R.S., as amended; and

**WHEREAS**, the Town Council has reviewed, and desires to approve, the Agreement.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:** the Annexation and Development Agreement, Podtburg Annexation #1-#5, attached hereto and incorporated herein by reference as Exhibit A, is hereby approved.

**INTRODUCED AND APPROVED** on first reading by the Town Council of the Town of Johnstown, Colorado, this \_\_\_ day of \_\_\_\_\_, 2020.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

By: \_\_\_\_\_  
Diana Seele, 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 \_\_\_\_\_, 2020.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

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

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

EXHIBIT A  
ANNEXATION AND DEVELOPMENT AGREEMENT  
PODTBURG ANNEXATION #1-#5