

TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2023-49

FINDINGS OF FACT AND CONCLUSIONS BASED THEREON WITH RESPECT TO ANNEXATION OF THE PROPERTY SITUATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, KNOWN BY STREET ADDRESS AS 23165 COLORADO BOULEVARD, JOHNSTOWN, COLORADO 80534, CONSISTING OF APPROXIMATELY 1.22 ACRES

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, the Town owns the real property situated in the Southeast Quarter of Section 1, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado, known by legal description as 25666 PT SE4 1 4 68 COMM SE COR SEC N721.06' TO TRUE POB N86D12'W 240.57' N0D35'E 246.54' ALG EXISTING FENCE LN N89D07'E 237.53' S266.03' TO POB, County of Weld, State of Colorado, by street address as 23165 Colorado Boulevard, Johnstown, Colorado, 80534, and by Parcel No. 106101000024, consisting of approximately 1.22 acres (“Property”); and

WHEREAS, on November 6, 2023, the Town Council conducted a public hearing and, based on the evidence contained in the official records of the Town and the evidence produced at the hearing, desires to enter the following findings of fact and conclusions with the respect to the Property.

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

The Town Council hereby sets forth its findings of fact and conclusions with respect to the Property.

FINDINGS OF FACT

1. The requirements of Section 30(1)(c) of Article II of the State Constitution and the applicable parts of C.R.S. § 31-12-104(1)(a) and C.R.S. § 31-12-105 have been met, including the following:
 - A. The Property is solely owned by the Town;
 - B. Not less than one-sixth of the perimeter of the Property is contiguous with the Town;
 - C. No land held in identical ownership has been divided into separate parts. No land with a valuation of over \$200,000 has been included without written consent. No annexation proceedings concerning this area have been commenced by any other municipality;

- D. This annexation will not result in any detachment of area from any school district;
 - E. No part of the area to be annexed extends any more than three (3) miles from the existing Town boundaries. The Town has in place a plan for that area as required by C.R.S. § 31-1-105; and
 - F. The entire widths of any streets to be annexed are included within the annexation.
2. No petition for annexation election has been submitted and an election is not required pursuant to C.R.S. § 31-12-107(2).
 3. The Town Council has determined that additional terms and conditions will not be imposed.

CONCLUSIONS

1. The requirements of Section 30(1)(c) of Article II of the State Constitution are satisfied.
2. The area proposed for annexation is eligible for annexation pursuant to C.R.S. § 31-12-104(1)(a).
3. None of the limitations of C.R.S. § 31-12-105 apply to restrict annexation.
4. Said Property may be annexed by Ordinance pursuant to C.R.S. § 31-12-106.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS ___ day of _____, 2023.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Hannah Hill, Town Clerk

By: _____
Troy D. Mellon, Mayor