TOWN OF JOHNSTOWN, COLORADO ORDINANCE NO. <u>2024-245</u>

APPROVAL OF PUD-R ZONING OF THE PROPERTY KNOWN AS THE FRONT RANGE FIRE RESCUE FIRE PROTECTION DISTRICT ANNEXATION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 0.098 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 Council approved annexation of certain property situated in the Southeast Quarter of Section 6, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 0.098 acres, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference, known as the Front Range Fire Rescue Fire Protection District Annexation ("Property"); and

WHEREAS, the property owners applied for PUD-R zoning of the Property in conjunction with annexation, pursuant to Section 16-302 of the Johnstown Municipal Code (which section was amended and replaced subsequent to submittal of the annexation request); and

WHEREAS, pursuant to state law, upon annexation, the Town Council must zone the Property within ninety (90) days; and

WHEREAS, the Town's Planning and Zoning Commission held a hearing and recommended approval of PUD-R zoning for the Property; and

WHEREAS, on March 18, 2024, the Town Council held a public hearing to determine appropriate zoning for the Property and, based upon the evidence received at the hearing, finds that the requested zoning of the Property to PUD-R conforms to the Town's Comprehensive Plan.

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

- 1. <u>Zoning Approval</u>. Zoning of the Property known as the Front Range Fire Rescue Fire Protection District Annexation and more particularly described on the attached <u>Exhibit</u> <u>A</u> shall hereby be designated as PUD-R.
- 2. <u>Effective Date</u>. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of

Johnstown, Colorado ("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 the later of the following: (i) final passage as provided by the Charter or (ii) the effective date of the annexation of the Property. At such time, the Town Clerk is directed to file this Ordinance with the real estate records of the Weld County Clerk and Recorder. Copies of the entire Ordinance are 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 __ day of _____, 2024.

ATTEST:

By: _____

Hannah Hill, Town Clerk

By: _____ Troy D. Mellon, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By:_____ Hannah Hill, Town Clerk

By:_____ Troy D. Mellon, Mayor

FRFR STATION 1 ZONING MAP SITUATE IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

PROPERTY DESCRIP	TION

LOT 1, ROLLING HILLS RANCH PHASE 5, TOWN OF JOHNSTOWN, COUNTY OF WELD, STATE OF COLORADO.

TOGETHER WITH THOSE PORTIONS AS CONVEYED BY DEED RECORDED AUGUST 30, 2005 AT RECEPTION NO. 3318001 AND CORRECTION DEED RECORDED JANUARY 18, 2007 AT RECEPTION NO. 3449443 AND CORRECTION DEED RECORDED MAY 8, 2007 AT RECEPTION NO. 3474369 AND DEED RECORDED DECEMBER 11, 2019 AT RECEPTION NO. 4548956 AND DEED RECORDED OCTOBER 23, 2020 AT RECEPTION NO. 4643684.

EXCEPTING THOSE PORTIONS AS CONVEYED BY DEED RECORDED AUGUST 30, 2005 AT RECEPTION 3318000 AND CORRECTION DEED RECORDED JANUARY 18, 2007 AT RECEPTION NO. 3449444 AND DEED RECORDED DECEMBER 11, 2019 AT RECEPTION NO. 4548957 AND DEED RECORDED OCTOBER 23, 2020 AT RECEPTION NO. 4643683.

AS-SURVEYED DESCRIPTION - SUBJECT PARCEL

A tract of land, being part of that parcel described in the Quitclaim Deed recorded October 23, 2020, as Reception No. 4643684 of the records of the Weld County Clerk and Recorder (WCCR), situate in the Southeast Quarter (SE1/4) of Section Six (6), 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, and being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 6, monumented by a #6 rebar with 3.25" aluminum cap stamped LS 38346 and assuming the East line of said SE1/4 as bearing North 00°38'10" West, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2650.75 feet, monumented by a #6 rebar with 3.25" aluminum cap stamped LS 23520 at the East Quarter corner and with all other bearings contained herein relative thereto;

THENCE North 00°38'10" West, along said East line, a distance of 749.89 feet; THENCE South 89°13'36" West a distance of 30.00 feet to a point on the West Right of Way (ROW) of Weld County Road 15, said point being the Northeast corner of said Reception No. 4643684 and to the POINT OF BEGINNING;

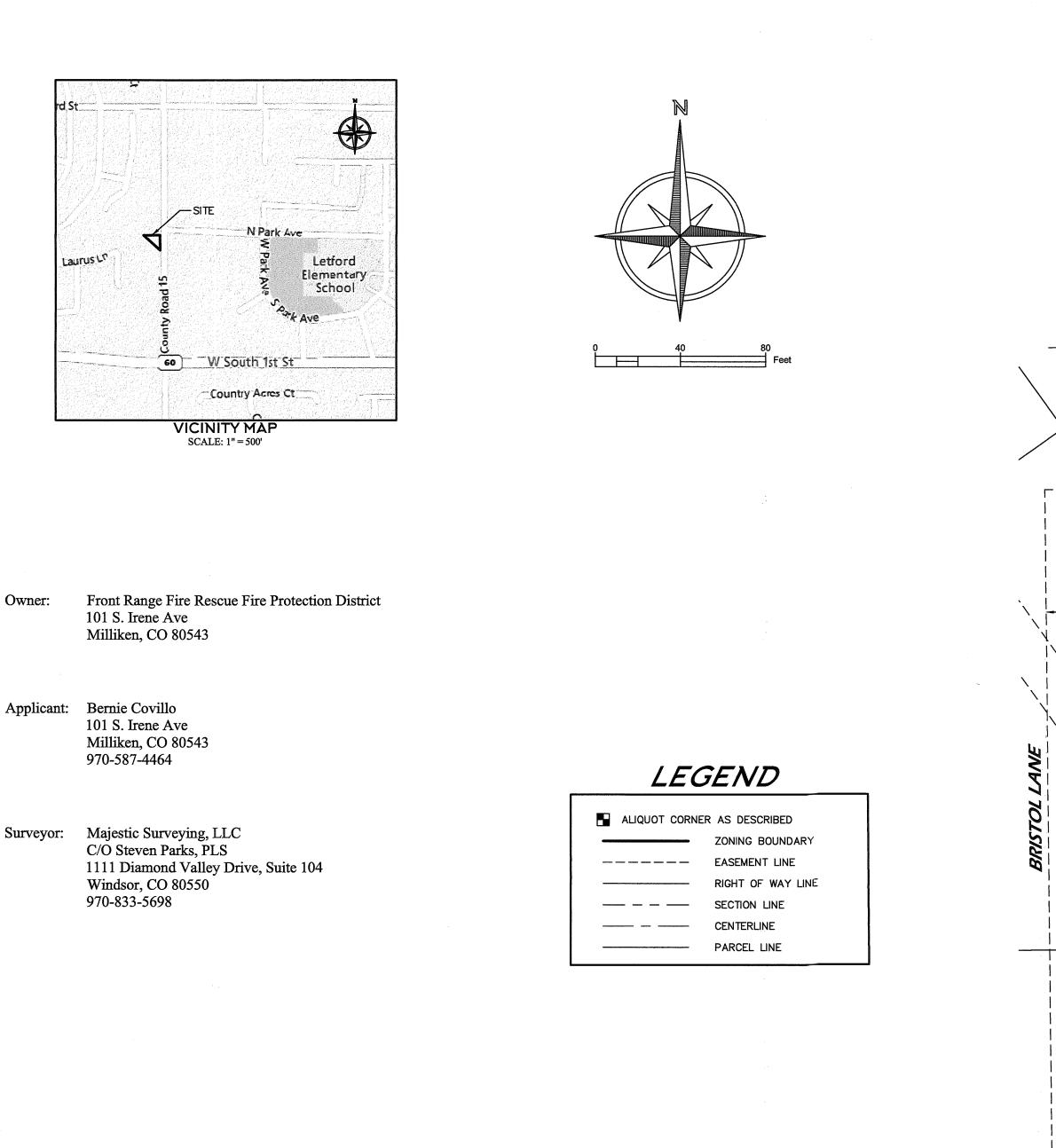
THENCE South 00°38'10" East, along said West ROW, a distance of 89.05 feet to the Southeast corner of the Excepted Parcel described in Rolling Hills Ranch Annexation to the Town of Johnstown, recorded October 4, 1996, as Reception No. 2514298 of the records of the WCCR: THENCE North 47°50'25" West, along the Southwesterly line of said Excepted Parcel, a distance of 130.73 feet to the North line of said

Reception No. 4643684; THENCE North 89°13'36" East, along said North line, a distance of 95.93 feet to the POINT OF BEGINNING;

Said described parcel of land contains 4,271 Square Feet or 0.098 Acres, more or less (±).

	Appli
OWNER: Front Range Fire Rescue Fire Protection District, as the successor entity to Johnstown Fire Protection District	
By: As:	
Witness my hand and seal this day of, 20	Surve
NOTARIAL CERTIFICATE	
STATE OF COLORADO)	
ss COUNTY OF LARIMER) The foregoing instrument was acknowledged before me by as this day of	
, 20	
Witness my Hand and Official Seal.	
My commission expires:	
TOWN COUNCIL APPROVAL	
This Map to be known as FRFR STATION 1 ZONING MAP is approved and accepted to the Town of Johnstown, Colorado by Ordinance Number, passed and adopted on final reading at a regular meeting of the Town Council of the Town of Johnstown, Colorado held on the day of,	BASIS
20	Assum
	of the a Grid
Attest:	distanc
Gary Lebsack, Mayor Town Clerk	The lin
	TITLE
	For all Survey
SURVEYOR'S CERTIFICATE	2024,
I, Steven Parks, a Colorado Licensed Professional Land Surveyor, do hereby state that this Zoning Map is an accurate representation of the property to the best of my knowledge, information, belief, and in my professional opinion. I further state that this certificate does not extend to any unnamed parties or the successors and/or assigns.	This so owner:
and the time to the total to any unitalities of the successors and of assigns.	
OLEN PARE	
ROT 2-12-2024)	NOTIO
NALLAND STREET	Accord years a

Steven Parks - On Behalf of Majestic Surveying, LLC Colorado Licensed Professional Land Surveyor #38348



S OF BEARINGS AND LINEAL UNIT DEFINITION

ning the East line of the Southeast Quarter of Section 6, Township 4 North, Range 67 West e 6th P.M. monumented as shown on this drawing, as bearing North 00°38'10" West, being Bearing of the Colorado State Plane, North Zone, North American Datum 1983/2011, a nce of 2650.75 feet and with all other bearings contained herein relative thereto.

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

COMMITMENT NOTE

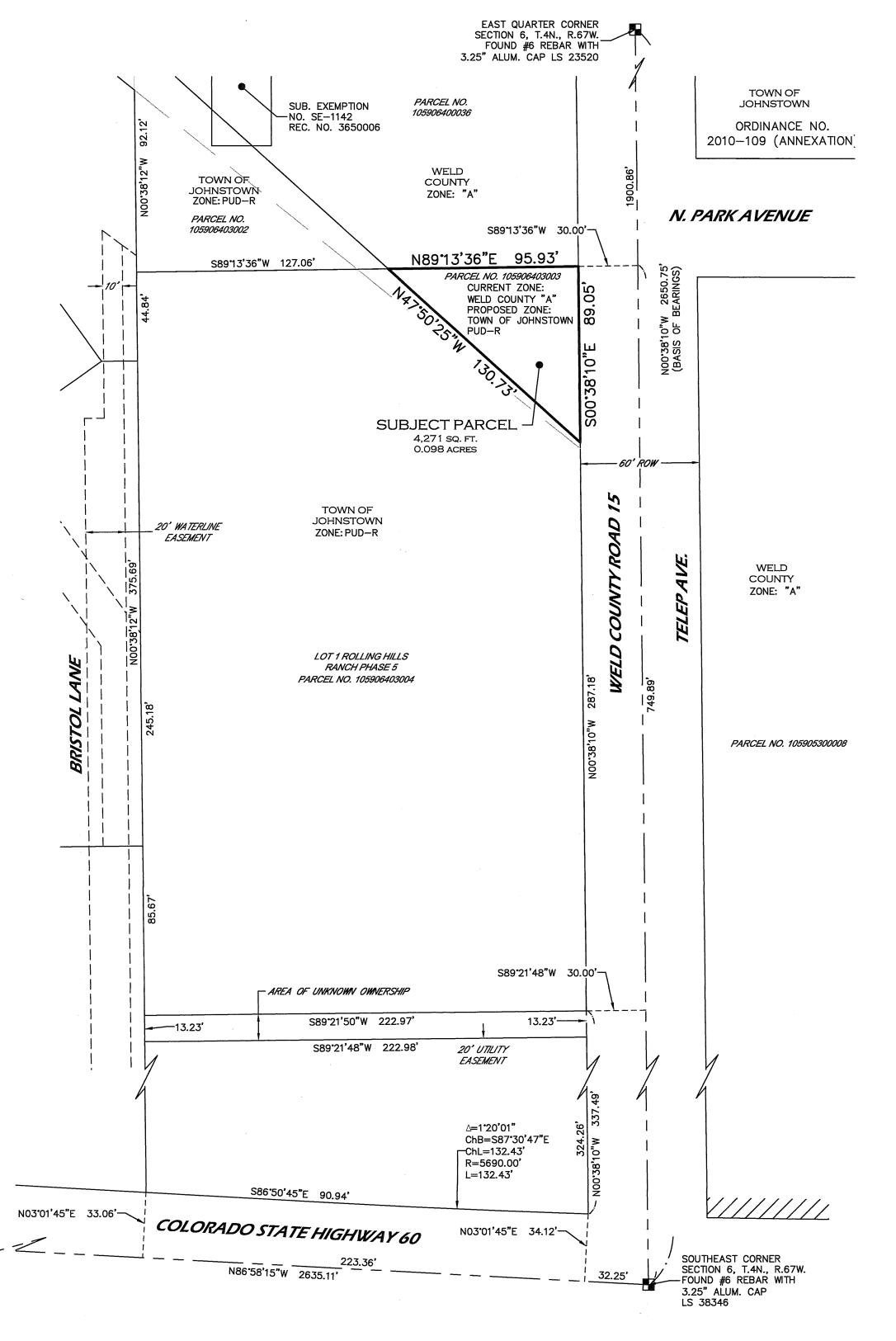
information regarding easements, rights-of-way and title of records, Majestic ying, LLC relied upon Title Commitment Number FCIF25197625, dated January 2, , as prepared by Land Title Guarantee Company to delineate the aforesaid information.

survey does not constitute a title search by Majestic Surveying, LLC to determine rship or easements of record.

ding to Colorado law you must commence any legal action based upon any defect in this survey within three after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

SOUTH QUARTER CORNER SECTION 6, T.4N., R.67W. FOUND #6 REBAR WITH 3.25" ALUM. CAP LS 20613





ROJECT NO: 2022198	PROJECT NAME: 100 TELEP AVE.	REVISIONS:	DATE:	_
OATE: 1-10-2024 CL	CLIENT: FRFR	REDLINES	8-8-22	1
		REDLINES	1-4-24	
RAWN BY: MAK FILE NAME: 20	FILE NAME: 2022198_ZONE			
				_
HECKED BY: SIP	SCALE: 1" = 40'			SHEET 1 OF 1