

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2021-207

ANNEXING CERTAIN UNINCORPORATED LANDS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, KNOWN BY SITE ADDRESS AS 8062 COUNTY ROAD 48 ½, COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 122.71 ACRES, AND KNOWN AS THE HELD FARM ANNEXATION

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. 2021-23, the Town Council of the Town of Johnstown, Colorado found a petition for annexation of certain real property situated in the Southwest Quarter of Section 4, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, known by site address as 8062 County Road 48 ½, County of Weld, State of Colorado, consisting of approximately 122.71 acres, known as the “Held Farm Annexation,” to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, after notice pursuant to C.R.S. § 31-12-108, on September 20, 2021, the Town Council has 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 the Southwest Quarter of Section 4, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, known by site address as 8062 County Road 48 ½, County of Weld, State of Colorado, consisting of approximately 122.71 acres, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference, 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. That 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, 2022.

Section 3. That, 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 two 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 _____, 2021.

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 _____, 2021.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Diana Seele, Town Clerk

By: _____
Gary Lebsack, Mayor

EXHIBIT A

LEGAL DESCRIPTION:

A portion of the Southwest 1/4 of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado being more particularly described as follows:

Considering the East Line of the Southwest 1/4 of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado as bearing S 01°13'11" E, with all bearings contained herein, relative thereto.

COMMENCE at the Center 1/4 Corner (aka the Northeast corner of the Southwest 1/4) of Section 4, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado.

thence N 01°13'11" W for a distance of 30.02 feet along the East line of said Southwest 1/4 to the South right of way line of Weld County Road 48-1/2, said point being the POINT OF BEGINNING;

thence S 01°13'11" E for a distance of 2581.00 feet continue along said East line of Southwest 1/4 to the North right of way line of the Great Western Railroad;

thence N 89°09'34" W for a distance of 1359.94 feet along said North right of way line to the East line of Book 228, Page 4, public records of Weld County, Colorado;

thence N 01°15'59" W for a distance of 1286.61 feet along said East line to the North line of said Book 228, Page 4;

thence S 89°05'51" W for a distance of 1391.47 feet along said North line to the West right of way line of North Parish Avenue;

thence N 01°13'27" W for a distance of 1340.18 feet along said West right of way line to the North right of way line of Weld County Road 48-1/2;

thence S 89°05'20" E for a distance of 2753.57 feet along said North right of way line to the Point of Beginning.

Excepting, that certain parcel of land described in deed recorded August 23, 1926 in Book 807 at Page 76.

Containing 122.71 acres, more or less.

Written by M. Bryan Short, Colorado LS 32444