



(Correction Ordinance) 4165830
TOWN OF MEAD, COLORADO
ORDINANCE NO. 794

AN ORDINANCE ANNEXING A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, UPON THE PETITION OF THE TOWN OF MEAD, TO BE KNOWN AS THE STATE LAND BOARD ENCLAVE ANNEXATION NO. 2, TO THE TOWN OF MEAD, COLORADO, AND APPROVING THE REQUESTED LAND USE THEREOF AND DECLARING AN EMERGENCY.

WHEREAS, C.R.S. 31-12-106 (1), provides that when any unincorporated area is entirely contained within the boundaries of a municipality, the governing body may by ordinance annex such territory to the municipality in accordance with Section 30 (1) (c) of Article II of the State Constitution, but without complying with Sections 31-12-104, 31-12-105, 31-12-108, or 31-12-109, if said area has been so surrounded for a period of not less than three years; and

WHEREAS, it is the intent of the Board of Trustees to annex the following described real property as an Enclave Annexation, to wit:

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, being more particularly described in Exhibit A; and

WHEREAS, the above described property consists of public property under single ownership; and

WHEREAS, a public meeting was held on said annexation pursuant to statute on December 14, 2015; and

WHEREAS, the Board of Trustees by Resolution No. 36-R-2015, determined that the applicable parts of C.R.S. 31-12-106(1) have been met; and

WHEREAS, it has been determined by the Board of Trustees that it is desirable and necessary that the described real property be annexed to the Town of Mead, Colorado; and

WHEREAS, a land use for the property was requested as allowed by C.R.S. 31-12-115, said land use to be accomplished by separate ordinance to become effective following final adoption of this annexation ordinance; and

WHEREAS, the Town has been in discussions with the Colorado State land Board for more than two years regarding these two annexations; and

WHEREAS, the objective has been to generate tax revenues and in order to do so for tax year 2016 the ordinances must be effective in 2015, and based on time constraints, the ordinance must be adopted as an emergency ordinance;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. Annexation of Property. The above described property is hereby annexed and included within the town limits of the Town of Mead.

Section 2. Three-mile Annexation Plan. The “*TOWN OF MEAD COMPREHENSIVE PLAN, March 2009*” published by the Town of Mead Planning Commission in March 2009, along with accompanying maps, plats, charts and descriptive material, has been adopted as the master plan for the three-mile area surrounding the Town of Mead as required by C.R.S. 31-12-105 (1) (e). The “Three Mile Annexation Plan” as adopted by Ordinance 654, on August 10, 2009, is hereby amended to the extent necessary to incorporate the above described property and to update said Plan thereby.

Section 3. Land Use of the Property. The land use of the property shall be “A - Agricultural.”. Said land use shall be accomplished by separate ordinance, the effective date of which shall be not sooner than the effective date of this annexation ordinance.

Section 4. Ministerial Action. The Mayor and Town Clerk are authorized and directed to complete all the necessary procedures required for annexation of said property to the Town including, filing the required certified copies of the annexation ordinance, a map of the area to be annexed containing a legal description of such area, and the Annexation Agreement with the Weld County Clerk and Recorder.

Section 5. Effective Date. This ordinance shall be effective immediately.

Section 6. Validity. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

Section 7. Necessity. In the opinion of the Board of Trustees of the Town of Mead, this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Mead.

Section 8. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 14th DAY OF December, 2015.

ATTEST:

TOWN OF MEAD

By Linda Blackston
Linda Blackston, CMC, Town Clerk

By Gary R. Shields
Gary R. Shields, Mayor

EXHIBIT A

STATE LAND BOARD ENCLAVE ANNEXATION NO. 2.

Legal Description:

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 16 AND THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16 TO BEAR NORTH 89°13'55" EAST, A DISTANCE OF 2658.89 FEET, BETWEEN A FOUND #6 REBAR WITH 2" ALUMINUM CAP IN RANGE BOX (ILLEGIBLE) AT THE NORTH QUARTER CORNER OF SAID SECTION 16 AND A FOUND 2 ½" ALUMINUM PIPE WITH 3 ¼" CAP IN RANGE BOX, (ILLEGIBLE), AT THE NORTHEAST CORNER OF SAID SECTION 16, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID NORTH QUARTER CORNER, THENCE ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, NORTH 89°13'55" EAST, A DISTANCE OF 529.17 FEET, MORE OR LESS, TO A POINT ON A EASTERLY LINE OF THE MEAD VILLAGE ANNEXATION AS RECORDED IN THE RECORDS OF WELD COUNTY AT RECEPTION NO. 3946651 DATED JULY 10, 2013, THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY LINE, NORTH 00°46'05" WEST, A DISTANCE OF 30.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF THE MEAD WESTERN MEADOWS ANNEXATION MAP AS RECORDED IN THE RECORDS OF WELD COUNTY AT RECEPTION NO. 2675747 DATED FEBRUARY 25, 1999;

THENCE ALONG SAID SOUTHERLY LINE, NORTH 89°55" EAST, A DISTANCE OF 575.98 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF THE TOWN OF MEAD AS RECORDED IN THE RECORDS OF WELD COUNTY AS CASE NO. 2393 DATED MARCH 16, 1908;

THENCE ALONG SAID WESTERLY LINE, SOUTH 00°00" EAST, A DISTANCE OF 60.01 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 34;

THENCE CONTINUING ALONG SAID WESTERLY LINE, SOUTH 00°00" EAST, A DISTANCE OF 669.18 FEET TO A POINT ON THE NORTHERLY LINE OF THE MEAD VILLAGE ANNEXATION AS RECORDED IN THE RECORDS OF WELD COUNTY AT RECEPTION NO. 3946651 DATED JULY 10, 2013;

THENCE ALONG SAID NORTHERLY LINE, SOUTH 89°13'55" WEST, A DISTANCE OF 566.21 FEET TO A EASTERLY LINE OF SAID MEAD VILLAGE ANNEXATION;

THENCE ALONG SAID EASTERLY LINE, NORTH 00°46'05" WEST, A DISTANCE OF 669.12 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 34;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 00°46'05" WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT CONTAINS 416,395 SQ. FT. OR 9.56 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.