

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 812**

AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, ANNEXING A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ALL IN WELD COUNTY, STATE OF COLORADO, UPON THE PETITION OF THE WELD COUNTY BOARD OF COMMISSIONERS, TO BE KNOWN AS THE WCR 13 ANNEXATION TO THE TOWN OF MEAD, COLORADO, AND APPROVING THE REQUESTED LAND USE THEREOF.

WHEREAS, the Board of Trustees of the Town of Mead, Colorado entered a Pre-Annexation Agreement with the Board of Commissioners of Weld County, Colorado, for the annexation of a portion of Weld County Road 13, to the Town of Mead, on December 23, 2015; and

WHEREAS, a petition from the Board of Commissioners of Weld County, Colorado, for the annexation of a portion of Weld County Road 13 to the Town of Mead, Colorado, dated March 28, 2016, has been received for the annexation to the Town of the following described real property, to wit:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ALL IN WELD COUNTY, STATE OF COLORADO, being more particularly described in Exhibit A, attached here to.

WHEREAS, the above described property consists entirely of road right-of-way being annexed to allow for the ownership and maintenance of the road by the Town of Mead; and

WHEREAS, a public hearing was held on said Petition pursuant to statute on Monday, August 29, 2016; and

WHEREAS, the Board of Trustees by Resolution No. 43-R-2016, determined that the applicable parts of C.R.S. 31-12-104 and C.R.S. 31-12-105 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 in the petition for annexation 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 annexation of said property shall be subject to the Pre-Annexation Agreement executed by the Petitioner and the Board of Trustees;

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 Board of Trustees considered the Board of Commissioners request a land use of “AG Agricultural” for the property. The land use for the abutting Grand View Estates Subdivision is RSF-1 and the Mead Comprehensive Plan suggests commercial mixed use and residential uses on the west side of the road. For the above stated reasons, the Board of Trustees has determined the appropriate land use of the property to be “Public Purposes.” 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 with the Weld County Clerk and Recorder.

Section 5. Effective Date. This ordinance shall be published and become effective as provided by law.

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 29th DAY OF August, 2016.

ATTEST:

TOWN OF MEAD

By Linda Blackston
Linda Blackston, Town Clerk

By Gary R. Shields
Gary R. Shields, Mayor



EXHIBIT A

WELD COUNTY ROAD 13 ANNEXATION

LEGAL DESCRIPTION

KNOW ALL MEN BY THESE PRESENTS THAT THE TOWN OF MEAD, STATE OF COLORADO, BEING THE OWNER OF PROPERTY IN WELD COUNTY, COLORADO, EXCLUSIVE OF RIGHTS-OF-WAY, HAVE HERewith PETITIONED TO THE TOWN OF MEAD FOR THE ANNEXATION OF THE PROPERTY BEING DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6TH P.M., AND THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN ALL IN WELD COUNTY, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19 TO BEAR NORTH 00°19'48" WEST, A DISTANCE OF 2652.89 FEET, BETWEEN THE SOUTHWEST CORNER OF SAID SECTION 19 AND THE WEST QUARTER CORNER OF SAID SECTION 19, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 19;

THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19, SOUTH 88°42'13" EAST, A DISTANCE OF 30.01 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 13, SAID POINT ALSO BEING ON THE WESTERLY BOUNDARY OF GRAND VIEW ANNEXATION;

THENCE CONTINUING ALONG SAID EASTERLY AND WESTERLY LINES, AND ALONG THE WESTERLY LINE OF GRAND VIEW ESTATES ANNEXATION NO. 6, AS DESCRIBED IN THE RECORDS OF WELD COUNTY RECORDED ON APRIL 19, 2009, AT RECEPTION NO. 3380479, SOUTH 00°19'48" EAST, A DISTANCE OF 2612.87 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 66;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 89°57'02" WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 13;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 00°19'48" WEST, A DISTANCE OF 2612.89 FEET TO A POINT ON THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24;

THENCE ALONG SAID NORTHERLY LINE, NORTH 88°49'36" EAST, A DISTANCE OF 30.00 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 19 AND THE POINT OF BEGINNING;

THUS DESCRIBED TRACT CONTAINS 156,792 SQ. FT. OR 3.60 ACRES, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHT OF WAYS EXISTING AND/OR OF PUBLIC RECORD.