

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 868**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING THE  
INITIAL ZONING OF PROPERTY KNOWN AS THE MARY JENSEN  
HIGHLAND LAKE RECREATION SITE ANNEXATION NOS. 1, 2 AND 3, AND  
AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF MEAD**

WHEREAS, the Town of Mead filed that certain petition for annexation with the Town Clerk (the "Petition") requesting the annexation of certain property commonly known as the Mary Jensen Highland Lake Recreation Site Annexation Nos. 1 -3, including certain rights-of-way as more particularly described in the Petition, and which property is described with particularity in the annexation maps on file with the Town Clerk and in **Exhibit A, Exhibit B and Exhibit C** attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, on Monday, June 11, 2018, following the conclusion of a duly noticed public hearing, the Board of Trustees of the Town of Mead adopted Ordinance No. 867 (the "Annexation Ordinance") approving the annexation of the Property into the Town of Mead; and

WHEREAS, as required by C.R.S. § 31-12-115(2), property annexed to the Town must be zoned pursuant to the Town's zoning regulations within ninety (90) days after the effective date of the Annexation Ordinance; and

WHEREAS, at the same public hearing held and concluded on June 11, 2018, the Board of Trustees considered establishing the initial zoning for the Property under Section 16-3-30(a)(3) of the *Mead Municipal Code* ("MMC"), specifically, the Board of Trustees considered rezoning the Property from Weld County Agricultural (A) to Agricultural District (AG) under the Town's Land Use Code; and

WHEREAS, the Town's Planning Commission ("Planning Commission") considered the proposed initial zoning of the Property at a duly noticed public hearing held on Wednesday, June 6, 2018, and subsequently forwarded its favorable recommendation to Board of Trustees; and

WHEREAS, public notice has been properly given of the proposed initial zoning of the Property by publication, in the *Longmont Times-Call*, a newspaper of general circulation within the Town of Mead, by posting of the Property, and notice has been given in accordance with applicable requirements of the Land Use Code; and

WHEREAS, a public hearing on the proposed initial zoning of the Property was held before the Board of Trustees, at which time evidence and testimony were presented to the Board of Trustees concerning the proposed initial Agricultural District (AG) zoning of the Property; and

WHEREAS, the administrative record for this case includes, but is not limited to, the Town of Mead Comprehensive Plan and all other applicable ordinances, resolutions and regulations of the Town, together with all Town of Mead policies that relate to the subject matter of the public hearing, reports, studies and all other submittals of the property owner(s), any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the Town's Planning Director or planning department pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, Board of Trustees has determined that the proposed zoning of the Property, subject to the conditions set forth herein, furthers the

public health, safety, convenience and general welfare of the community; conforms with the Town's Comprehensive Plan, constituting the community's three-mile plan, as amended and updated; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the Land Use Code; and

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

**Section 1. Recitals Incorporated.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Board of Trustees.

**Section 2. Initial Zoning of Property Approved.** The Board of Trustees hereby grants and approves zoning of the Property from Weld County Agricultural (A) to Agricultural District (AG).

**Section 3. Direction to Town Staff.** In accordance with Section 16-3-160(g) of the MMC, the Official Zoning Map of the Town of Mead shall be amended to conform to and reflect the Property's Agricultural District (AG) zoning. Town Staff is directed to change the zoning of the Property on the Town's Official Zoning Map and to make any technical corrections to the Official Zoning Map necessitated by the initial zoning of the Property established by this Ordinance.

**Section 4. Effective Date.** This ordinance shall be published and become effective as provided by law.

**Section 5. Severability.** 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 part, section, subsection, sentence, clause or phrase is declared invalid.

**Section 6. Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

**Section 7. 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 11TH DAY OF JUNE, 2018.**

**ATTEST:**

By:   
Mary E. Strutt, CMC, Town Clerk



The seal is circular with a double-line border. The outer ring contains the text "TOWN OF MEAD" at the top and "WELD COUNTY, COLORADO" at the bottom, separated by two stars. In the center, the word "SEAL" is written in a large, bold, serif font. Below "SEAL" are two horizontal lines with small decorative flourishes at their ends.

**TOWN OF MEAD:**

By:   
Joyce E. Palaszewski, Mayor Pro Tem

**EXHIBIT A**

**MARY JENSEN HIGHLAND LAKE RECREATION SITE  
ANNEXATION NO. 1 TO THE TOWN OF MEAD**

**CERTIFICATE OF OWNERSHIP:**

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 NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 68 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 ¼ OF THE NORTHWEST ¼ OF SAID SECTION 9 TO BEAR NORTH 01°05'32" WEST, A DISTANCE OF 1328.28 FEET BETWEEN A FOUND #6 REBAR WITH 3 ½" ALUMINUM CAP "¼ S8 S9 T3N R68W 2017 FLATIRONS SURVEYING LS 16406" AT THE WEST ¼ CORNER OF SECTION 9 AND A FOUND #6 REBAR WITH 2" ALUMINUM CAP "LS 23S00 1998 A. MICHAEL HASCALL T3N R68W N 1/16 S8 S9 6TH P.M." AT THE NORTH 1/16TH CORNER OF SECTION 8-9, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 9;  
THENCE ALONG SAID WEST LINE, NORTH 01°05'32" WEST, A DISTANCE OF 60.00 FEET;  
THENCE DEPARTING SAID WESTERLY LINE NORTH 88°58'56" EAST, A DISTANCE OF 165.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 5 AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 10°31'09" EAST, A DISTANCE OF 150.00 FEET;  
THENCE SOUTH 12°33'17" EAST, A DISTANCE OF 150.00 FEET TO A POINT ON THE NORTHERLY LINE OF THE ANNEXATION MAP OF SCHELL ANNEXATION NO. FOUR TO THE TOWN OF MEAD AS DESCRIBED IN THE RECORDS OF WELD COUNTY ON JUNE 1, 2009, AT RECEPTION NO. 3626545;  
THENCE ALONG SAID NORTHERLY LINE, SOUTH 88°58'56" WEST, A DISTANCE OF 60.00 FEET, TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT CONTAINS 4,409 SQ. FT. OR 0.10 ACRES, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHT OF WAYS EXISTING AND/OR OF PUBLIC RECORD.

**EXHIBIT B**

**MARY JENSEN HIGHLAND LAKE RECREATION SITE  
ANNEXATION NO. 2 TO THE TOWN OF MEAD**

**CERTIFICATE OF OWNERSHIP:**

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 NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 68 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 ¼ OF THE NORTHWEST ¼ OF SAID SECTION 9 TO BEAR NORTH 01°05'32" WEST, A DISTANCE OF 1328.28 FEET BETWEEN A FOUND #6 REBAR WITH 3 ¼" ALUMINUM CAP "¼ S8 S9 T3N R68W 2017 FLATIRONS SURVEYING LS 16406" AT THE WEST ¼ CORNER OF SECTION 9 AND A FOUND #6 REBAR WITH 2" ALUMINUM CAP "LS 23500 1998 A. MICHAEL HASCALL T3N R68W N 1/16 S8 S9 6TH P.M." AT THE NORTH 1/16TH CORNER OF SECTION 8-9, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 9;  
THENCE ALONG SAID WEST LINE, NORTH 01°05'32" WEST, A DISTANCE OF 60.00 FEET;  
THENCE DEPARTING SAID WEST LINE NORTH 88°58'56" EAST, A DISTANCE OF 165.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 5 AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 01°16'29" EAST, A DISTANCE OF 750.00 FEET;  
THENCE SOUTH 03°18'37" EAST, A DISTANCE OF 750.00 FEET;  
THENCE NORTH 12°33'17" WEST, A DISTANCE OF 150.00 FEET;  
THENCE SOUTH 10°31'09" WEST, A DISTANCE OF 150.00 FEET, TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT CONTAINS 18,073 SQ. FT. OR 0.41 ACRES, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHT OF WAYS EXISTING AND/OR OF PUBLIC RECORD.

## EXHIBIT C

### MARY JENSEN HIGHLAND LAKE RECREATION SITE ANNEXATION NO. 3 TO THE TOWN OF MEAD

#### CERTIFICATE OF OWNERSHIP:

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 NORTHWEST QUARTER OF SECTION 9 AND THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 68 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  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SAID SECTION 9 TO BEAR NORTH  $01^{\circ}05'32''$  EAST, A DISTANCE OF 1328.28 FEET BETWEEN A FOUND #6 REBAR WITH  $3\frac{1}{4}$ " ALUMINUM CAP " $\frac{1}{4}$  S8 S9 T3N R68W 2017 FLATIRONS SURVEYING LS 16406" AT THE WEST  $\frac{1}{4}$  CORNER OF SECTION 9 AND A FOUND #6 REBAR WITH 2" ALUMINUM CAP "LS 23500 1998 A. MICHAEL HASCALL T3N R68W N 1/16 S8 S9 6TH P.M." AT THE NORTH  $\frac{1}{16}$ TH CORNER OF SECTION 8-9, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE WEST  $\frac{1}{4}$  CORNER OF SAID SECTION 9;  
THENCE ALONG SAID WEST LINE, NORTH  $01^{\circ}05'32''$  WEST, A DISTANCE OF 60.00 FEET;  
THENCE DEPARTING SAID WEST LINE, NORTH  $88^{\circ}58'56''$  EAST, A DISTANCE OF 165.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 5 AND THE POINT OF BEGINNING;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES:  
NORTH  $01^{\circ}05'32''$  WEST, A DISTANCE OF 1180.69 FEET;  
THENCE NORTH  $65^{\circ}06'51''$  EAST, A DISTANCE OF 516.83 FEET;  
THENCE NORTH  $47^{\circ}21'14''$  EAST, A DISTANCE OF 152.44 FEET;  
THENCE NORTH  $12^{\circ}03'46''$  EAST, A DISTANCE OF 85.77 FEET;  
THENCE NORTH  $11^{\circ}50'06''$  EAST, A DISTANCE OF 324.57 FEET;  
THENCE NORTH  $03^{\circ}25'47''$  EAST, A DISTANCE OF 192.66 FEET;  
THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF A PARCEL OF LAND AS DESCRIBED IN THE RECORDS OF WELD COUNTY ON AUGUST 17, 2016, AT RECEPTION NO. 4228674, THE FOLLOWING THREE (3) COURSES:  
NORTH  $06^{\circ}52'20''$  WEST, A DISTANCE OF 126.99 FEET;  
THENCE NORTH  $15^{\circ}53'15''$  WEST, A DISTANCE OF 199.79 FEET;  
THENCE NORTH  $27^{\circ}12'09''$  WEST, A DISTANCE OF 210.76 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST  $\frac{1}{4}$  OF SAID SECTION 4;  
THENCE ALONG SAID SOUTH LINE, NORTH  $89^{\circ}22'43''$  EAST, A DISTANCE OF 141.34 FEET;  
THENCE DEPARTING SAID SOUTH LINE AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 5, NORTH  $08^{\circ}00'45''$  WEST, A DISTANCE OF 188.94 FEET;  
THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH  $83^{\circ}47'30''$  EAST, A DISTANCE OF 60.03 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE;  
THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING ELEVEN (11) COURSES:

SOUTH 08°00'45" EAST, A DISTANCE OF 194.83 FEET;  
THENCE SOUTH 08°39'53" EAST, A DISTANCE OF 151.07 FEET;  
THENCE SOUTH 06°19'59" EAST, A DISTANCE OF 72.75 FEET;  
THENCE SOUTH 00°37'51" EAST, A DISTANCE OF 81.14 FEET;  
THENCE SOUTH 01°50'27" WEST, A DISTANCE OF 208.04 FEET;  
THENCE SOUTH 03°37'03" WEST, A DISTANCE OF 197.86 FEET;  
THENCE SOUTH 11°50'06" WEST, A DISTANCE OF 329.10 FEET;  
THENCE SOUTH 12°03'46" WEST, A DISTANCE OF 104.97 FEET;  
THENCE SOUTH 47°21'14" WEST, A DISTANCE OF 180.90 FEET;  
THENCE SOUTH 65°06'51" WEST, A DISTANCE OF 487.08 FEET;  
THENCE SOUTH 01°05'32" EAST, A DISTANCE OF 1141.65 FEET;  
THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 03°18'37" WEST, A DISTANCE  
OF 750.00 FEET;  
THENCE SOUTH 01°16'29" WEST, A DISTANCE OF 750.00 FEET TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT CONTAINS 197,490 SQ. FT, OR 4.53 ACRES, MORE OR LESS,  
TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHT OF WAYS EXISTING AND/OR OF  
PUBLIC RECORD.