

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 893**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,  
APPROVING THE LYONS 66 PACIFIC COMMERCE PARK –  
REPLAT A, LOTS 13-14 LOT LINE ELIMINATION**

**WHEREAS**, the Town of Mead is authorized pursuant to Title 31, Article 23, C.R.S. and the Town of Mead Land Use Code to regulate the subdivision of land; and

**WHEREAS**, Own It Storage North, LLC, a Colorado limited liability company (the “Applicant”) has submitted an application for an administrative plat designated as the LYONS 66 PACIFIC COMMERCE PARK – REPLAT A, LOTS 13 AND 14 LOT LINE ELIMINATION (“Administrative Plat”) for property consisting of 4.07 acres, more or less, and generally located in the Southeast quadrant of Interstate Highway 25 and State Highway 66, and more particularly described in Exhibit A, attached hereto and incorporated herein (the “Property”); and

**WHEREAS**, the Applicant and Lyons 66 Pacific, LLC are the record owners of the Property; and

**WHEREAS**, Section 16-4-110 of the Mead Municipal Code (“MMC”) authorizes administrative staff review and approval of the Administrative Plat, subject to confirmation by the Board of Trustees through the adoption of an ordinance approving the Administrative Plat; and

**WHEREAS**, the Applicant is proposing the Administrative Plat in order to eliminate an existing lot line between Lots 13 and 14; and

**WHEREAS**, the administrative record for this matter includes, but is not limited to, the Town of Mead Land Use Code, the Town of Mead Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff files and reports of the Planning Director and Town Engineer related to the Administrative Plat, any and all submittals by the Applicant and members of the public, and the tape recordings and minutes of the Board of Trustees meeting at which the Administrative Plat was considered; and

**WHEREAS**, all conditions of approval have been agreed to, as stated in this ordinance; and

**WHEREAS**, the Board of Trustees has determined that the Administrative Plat meets all applicable requirements of the Town of Mead Land Use Code and MMC and that the review criteria set forth in Section 16-4-110(3)(f) of the MMC have been satisfied; and

**WHEREAS**, the Board of Trustees has further determined that approval of the Administrative Plat will advance the public health, safety, convenience and general welfare of the residents of the Town, subject to the conditions of approval as hereinafter set forth.

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

**Section 1.** The Administrative Plat designated as the LYONS 66 PACIFIC COMMERCE PARK – REPLAT A, LOTS 13-14 LOT LINE ELIMINATION, be approved subject to the following conditions of approval:

- a. Prior to and as a condition of recordation of the Administrative Plat, the Applicant shall resolve/correct any minor technical issues as directed by Town Staff; and
- b. The Applicant shall pay all fees and costs incurred by the Town and its consultants, including without limitation legal fees and costs, for review and processing of the Administrative Plat application within forty-five (45) days of receiving an invoice from the Town. If the fees and costs are not paid within forty-five (45) days of receiving an invoice, the Town may withhold issuance of building permits or further approvals until the invoices have been paid.
- c. The Applicant shall pay recording fees and other costs billed by the Town, as authorized by Section 16-4-110(3)(h)(1) of the MMC.

**Section 2.** Subject to review and approval of the Administrative Plat mylar by the Town Staff, and satisfaction of the conditions set forth in a. through c. in Section 1 above, the Mayor and other Town officials, as applicable, are hereby authorized to sign the Administrative Plat mylar and cause the same to be recorded in the real property records of Weld County, Colorado.

**Section 3. Effective Date.** This ordinance shall be published and become effective as provided by law.

**Section 4. Certification.** The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted ordinance available for inspection by the public during regular business hours.

**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 ordinances or resolutions, nor revive any ordinances or resolutions thereby.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 10TH DAY OF JUNE, 2019.**


**ATTEST:**

By:

  
Mary E. Strutt, Clerk  


**TOWN OF MEAD**

By:

  
Colleen G. Whitlow, Mayor



**EXHIBIT A  
(LEGAL DESCRIPTION)**

ALL OF LOTS 13 AND 14, LYONS 66 PACIFIC COMMERCE PARK AS DESCRIBED IN THE RECORDS OF WELD COUNTY ON JUNE 20, 2006, AT RECEPTION NO. 3397412, AND PARCEL C AS SHOWN ON THE RIGHT-OF-WAY VACATION MAP AS DESCRIBED IN THE RECORDS OF WELD COUNTY ON MARCH 27, 2015, AT RECEPTION NUMBER 4094015, LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF MEAD, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF LOTS 13 AND 14, LYONS 66 PACIFIC COMMERCE PARK TO BEAR SOUTH 89°25'41" WEST, A DISTANCE OF 436.78 FEET BETWEEN A FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP "FLATIRONS SURV 16406" AT AN ANGLE POINT ON THE SOUTH LINE OF LOT 14 AND A FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP "FLATIRONS SURV 16406" AT THE SOUTHWEST CORNER OF LOT 13, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 13; THENCE ALONG THE WEST LINE OF SAID LOT 13 AND SAID PARCEL C, NORTH 00°34'30" WEST, A DISTANCE OF 328.57 FEET TO THE NORTHWEST CORNER OF SAID PARCEL C; THENCE ALONG THE NORTH LINE OF SAID PARCEL C, LOT 13 AND LOT 14, NORTH 89°25'30" EAST, A DISTANCE OF 544.20 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE ALONG THE EAST LINE OF SAID LOT 14, SOUTH 00°34'30" EAST, A DISTANCE OF 300.52 FEET TO THE SOUTHEAST CORNER OF SAID LOT 14; THENCE ALONG THE SOUTH LINES OF SAID LOTS 14 AND 13, THE FOLLOWING TWO (2) COURSES: 1) SOUTH 74°46'48" WEST, A DISTANCE OF 111.03 FEET; 2) THENCE SOUTH 89°25'41" WEST, A DISTANCE OF 436.78 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.



