

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 906**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING THE INITIAL ZONING OF PROPERTY KNOWN AS THE
HARFST ANNEXATION AND AMENDING THE OFFICIAL ZONING
MAP OF THE TOWN OF MEAD**

WHEREAS, a petition for annexation was filed with the Town Clerk (the “Petition”) requesting the annexation of certain property commonly known as the Harfst Annexation, 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 1** attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, on Monday, July 29, 2019, following the conclusion of a duly noticed public hearing, the Board of Trustees of the Town of Mead adopted Ordinance No. 905 (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 July 29, 2019, the Board of Trustees considered establishing the initial zoning for the Property under Sections 16-3-160 and 16-8-120(b) of the *Mead Municipal Code* (“MMC”), specifically, the Board of Trustees considered rezoning the Property from Weld County Agricultural (A) to Agricultural (AG) under the Town’s Land Use Code as specifically shown in the Zoning Map – for Harfst Annexations attached hereto as **Exhibit 2**; and

WHEREAS, the Town’s Planning Commission (“Planning Commission”) considered the proposed annexation and initial zoning of the Property at a duly noticed public hearing held on Thursday, June 27, 2019, and adopted a resolution setting forth its favorable recommendation, which resolution has been forwarded to the 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 (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, the Zoning Map – for Harfst Annexations, the annexation map(s), 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.

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 (AG) under the Town’s Land Use Code, as more specifically shown in the Zoning Map – for Harfst Annexations attached hereto as **Exhibit 2**.

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 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 29TH DAY OF JULY,
2019.

ATTEST:

By:

Mary E. Strutt, AMC, Town Clerk



TOWN OF MEAD:

By:

Colleen G. Whitlow, Mayor

Exhibit 1
Legal Description
Harfst Annexations

HARFST ANNEXATION No. 1

Legal Description

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOGETHER WITH A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13, FROM WHENCE THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE 1/4) BEARS NORTH 00°04'18" EAST A DISTANCE OF 2663.41 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;

THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE 1/4), NORTH 00°04'18" EAST, 30.00 FEET TO A POINT ON THE TOWN OF MEAD CORPORATE BOUNDARY AS ESTABLISHED IN THAT CERTAIN ORDINANCE #879 RECORDED DECEMBER 11, 2018 AT RECEPTION No. 4452496, OFFICIAL RECORDS OF WELD COUNTY, COLORADO, AND BEING THE POINT OF BEGINNING;

THENCE ALONG SAID CORPORATE BOUNDARY, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4), SOUTH 89°17'23" WEST, 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD #13;
THENCE LEAVING SAID CORPORATE BOUNDARY, NORTH 12°27'11" EAST, 139.91 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER (SE 1/4);
THENCE SOUTH 12°22'55" EAST, 139.11 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD #13;
THENCE SOUTH 89°17'23" WEST, 30.00 FEET TO THE POINT OF BEGINNING.

CONTAINING ±4,088 SQUARE FEET OR ±0.094 ACRES OF LAND, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

HARFST ANNEXATION No. 2

Legal Description

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOGETHER WITH A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 13, FROM WHENCE THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE 1/4) BEARS NORTH 00°04'18" EAST A DISTANCE OF 2663.41 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;

THENCE ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4), SOUTH 89°17'23" WEST, 30.00 FEET TO A POINT;

THENCE LEAVING SAID SOUTH LINE, NORTH 00°04'18" EAST, 30.00 FEET TO A POINT ON THE BOUNDARY OF HARFST ANNEXATION No. 1, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD No. 13, AND BEING THE POINT OF BEGINNING;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER (SE 1/4), NORTH 00°04'18" EAST, 655.42 FEET TO A POINT;

THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, SOUTH 08°54'39" EAST, 384.29 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 13;

THENCE ALONG SAID EASE LINE, SOUTH 00°04'18" WEST, 275.03 FEET TO A POINT ON THE AFOREMENTIONED BOUNDARY OF SAID HARFST ANNEXATION No. 1;

THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES:

1. NORTH 12°22'55" WEST, 139.11 FEET TO A POINT;
2. SOUTH 12°27'11" WEST, 139.91 FEET TO THE POINT OF BEGINNING.

CONTAINING ±23,826 SQUARE FEET OR ±0.547 ACRES OF LAND, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

HARFST ANNEXATION No. 3

Legal Description

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, FROM WHENCE THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW 1/4) BEARS NORTH 00°04'18" EAST A DISTANCE OF 2663.41 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;

THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW 1/4), SOUTH 88°03'55" EAST, 30.02 FEET TO A POINT 30.00 FEET DISTANT FROM THE WEST LINE OF SAID SOUTHWEST QUARTER (SW 1/4);

THENCE LEAVING SAID SOUTH LINE, ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD No. 13, NORTH 00°04'18" EAST, 306.41 FEET TO A POINT ON THE BOUNDARY OF HARFST ANNEXATION No. 2, AND BEING THE POINT OF BEGINNING;

THENCE ALONG SAID BOUNDARY, NORTH 08°54'39" WEST, 384.29 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 13;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, NORTH 00°04'18" EAST, 295.26 FEET TO A POINT ON THE WESTERLY PROLONGATION OF THE NORTH LINE OF RECORDED EXEMPTION SURVEY RE-3115;

THENCE ALONG SAID PROLONGATION AND ALONG SAID NORTH LINE, SOUTH 89°55'43" EAST, 494.62 FEET TO THE NORTHEAST CORNER OF SAID EXEMPTION SURVEY;

THENCE ALONG THE BOUNDARY OF SAID EXEMPTION SURVEY THE FOLLOWING TWO (2) COURSES:

1. SOUTH 00°04'18" WEST, 300.11 FEET TO A POINT;
2. NORTH 89°56'44" WEST, 434.62 FEET TO A POINT ON THE AFOREMENTIONED EAST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 13;

THENCE LEAVING SAID BOUNDARY, ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 00°04'18" WEST, 374.59 FEET TO THE POINT OF BEGINNING.

CONTAINING ±159,563 SQUARE FEET OR ±3.663 ACRES OF LAND, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

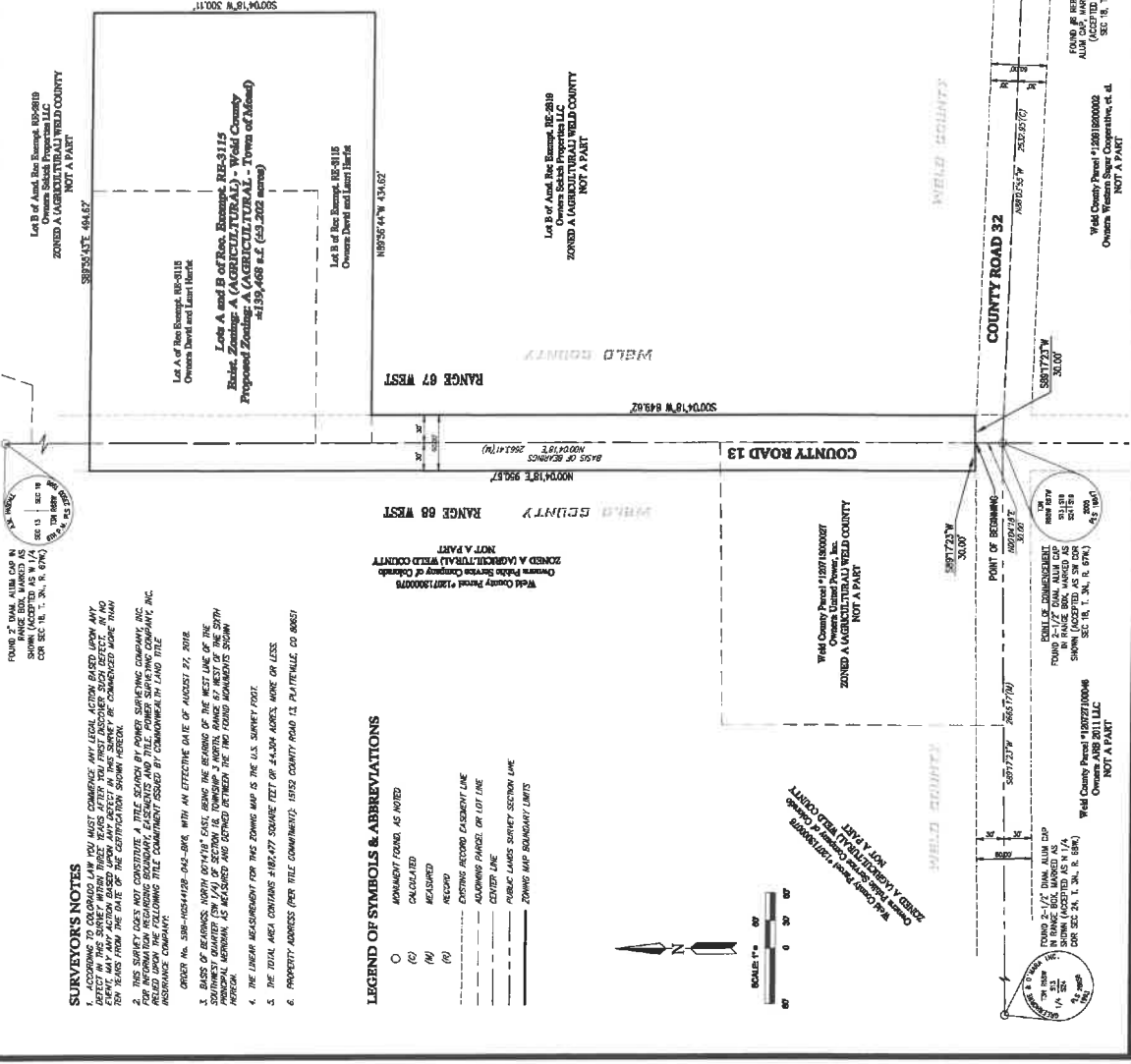
Total acreage (approximate): 4.30 acres, as more particularly shown in the annexation map on file with the Town Clerk. To the extent of any discrepancy between the legal description set forth above and the legal description set forth in the annexation map, the map shall control.



Exhibit 2
Zoning Map – for Harfst Annexations

ZONING MAP

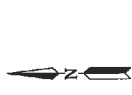
for HARVEST ANNEXATIONS
A PORTION OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 67 WEST AND A PORTION OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO



SURVEYOR'S NOTES
1. THIS SURVEY WAS MADE BY ME OR MY ASSISTANT OR AN ASSISTANT OF A LICENSED SURVEYOR, AND I AM A LICENSED SURVEYOR IN THE STATE OF COLORADO.
2. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF 1969 AND 1978, AND THE RULES AND REGULATIONS THEREUNDER.
3. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF 1969 AND 1978, AND THE RULES AND REGULATIONS THEREUNDER.
4. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF 1969 AND 1978, AND THE RULES AND REGULATIONS THEREUNDER.
5. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF 1969 AND 1978, AND THE RULES AND REGULATIONS THEREUNDER.
6. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF 1969 AND 1978, AND THE RULES AND REGULATIONS THEREUNDER.

LEGEND OF SYMBOLS & ABBREVIATIONS

- O MONUMENT FOUND, AS NOTED
- (C) CALCULATED
- (M) MEASURED
- (R) RECORD
- - - - - EXISTING RECORD EASEMENT LINE
- -- -- ALDING PARCEL OR LOT LINE
- — — — CENTER LINE
- — — — PUBLIC LANDS SURVEY SECTION LINE
- — — — ZONING MAP BOUNDARY LINES



CERTIFICATE OF OWNERSHIP
I, the undersigned, being the owner of the certain lands in Weld County, Colorado, do hereby certify that the zoning map shown on this page is a true and correct copy of the zoning map as shown on file in my office at _____, Colorado, on this _____ day of _____, 20__.

CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES
This zoning map of the Harvest Annexations to the Town of Head is approved and accepted by ordinance No. _____ passed and adopted at the regular meeting of the Board of Trustees of Head, Colorado, held on _____, 20__.

SURVEYOR'S CERTIFICATE
I, Richard B. Garber, P.L.S., a duly registered professional land surveyor in the State of Colorado, do hereby certify that this zoning map is a true and correct copy of the zoning map as shown on file in my office at _____, Colorado, on this _____ day of _____, 20__.

CLERK & RECORDERS CERTIFICATE
I, Carly Koppes, Clerk and Recorder of Weld County, Colorado, do hereby certify that this zoning map is a true and correct copy of the zoning map as shown on file in my office at _____, Colorado, on this _____ day of _____, 20__.

NOTARIAL CERTIFICATE
I, _____, Notary Public for the State of Colorado, do hereby certify that _____ is the true and correct owner of the certain lands in Weld County, Colorado, as shown on this zoning map.

PLANNING COMMISSION CERTIFICATE
I, _____, Chairman of the Planning Commission of the Town of Head, Colorado, do hereby certify that this zoning map is a true and correct copy of the zoning map as shown on file in my office at _____, Colorado, on this _____ day of _____, 20__.

POWER
Surveying Company, Inc.
14441 E. 10th Ave., Suite 100
Denver, CO 80231
Phone: (303) 751-1000
Fax: (303) 751-1001
www.power-surveying.com

FILE NO.	SECTION	DATE
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