

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 920**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, ANNEXING
TOWN-OWNED PROPERTY TO THE TOWN OF MEAD**

(Mead Ponds Annexation – 37.70 acres)

WHEREAS, the Town of Mead is the owner in fee of real property described in **Exhibit 1** attached hereto, exclusive of existing rights-of-way, commonly known as the Mead Ponds Annexation parcel (the “Subject Property”); and

WHEREAS, the Subject Property is currently located in an unincorporated area of Weld County, Colorado; and

WHEREAS, Section 31-12-106(3), C.R.S., provides that a municipality may annex by ordinance municipally-owned real property without notice and hearing upon the determination that the property is eligible for annexation under Section 30(1)(c) of Article II of the Colorado Constitution, and Sections 31-12-104(1)(a) and 31-12-105 of the “Municipal Annexation Act of 1965”, Part 1 of Article 12 of Title 31, C.R.S.; and

WHEREAS, it is the desire of the Board of Trustees to annex the Subject Property to the Town of Mead; and

WHEREAS, the Board of Trustees finds that it is in the best interests of the Town to annex the Subject Property to the Town.

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. Subject Property Eligible for Annexation. The Board of Trustees finds and concludes that the Subject Property is eligible for annexation to the Town of Mead under Section 30(1)(c) of Article II of the Colorado Constitution, and Sections 31-12-104(1)(a) and 31-12-105, C.R.S. Specifically, the Board of Trustees finds, determines and concludes that:

1. Not less than one-sixth (1/6) of the perimeter of the Subject Property is contiguous with the existing boundaries of the Town of Mead.
2. That a community of interest exists between the Subject Property and the Town of Mead; that the Subject Property is urban or will be urbanized in the near future; and that the Subject Property is



integrated with or capable of being integrated with the Town of Mead.

3. No annexation proceedings concerning the Subject Property have been commenced by another municipality.
4. The annexation of Subject Property will not result in the detachment of area from a school district.
5. The annexation of the Subject Property will not result in the extension of the boundaries of the Town of Mead more than three miles.
6. The Town of Mead has a plan in place for the area to be annexed.

Section 3. Annexation of Subject Property Approved. The Board of Trustees finds that the Subject Property, as more particularly described in **Exhibit 1** attached hereto, is owned by the Town of Mead and that the Subject Property is not solely a public street right-of-way. The Subject Property is hereby annexed to and included within the corporate limits of the Town of Mead, Colorado, in accordance with law.

Section 4. Direction to Town Staff. The Board of Trustees hereby directs Staff to complete all necessary procedures required for annexation of said Property to the Town including: (1) filing for recording three certified copies of this Annexation Ordinance and the map of the Subject Property containing a legal description of the Subject Property annexed by this Ordinance (“Annexation Map”) with the Weld County Clerk and Recorder; (2) filing the original of this Annexation Ordinance together with a copy of the Annexation Map with the Town Clerk of the Town of Mead, Colorado; and (3) taking the post-approval actions specified under Section 16-8-120 of the *Mead Municipal Code*. Promptly following the effective date of this Ordinance, the Town Clerk shall complete all filings required of the Town to be made pursuant to the provisions of C.R.S. § 31-12-113.

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

Section 6. 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 7. 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 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 9TH DAY OF DECEMBER, 2019.

ATTEST:

By: M E Strutt
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: Colleen G. Whitlow
Colleen G. Whitlow, Mayor

Exhibit 1
Legal Description
Mead Ponds Annexation

MEAD PONDS ANNEXATION

THE TOWN OF MEAD, COLORADO IS THE SOLE OWNER OF THE FOLLOWING DESCRIBED PROPERTY, EXCLUSIVE OF EXISTING RIGHTS-OF-WAY:

A PARCEL OF LOCATED IN THE SOUTH HALF OF SECTION 8 AND THE NORTH HALF OF SECTION 17, 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 SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 8 TO BEAR NORTH 89°26'12" EAST, A DISTANCE OF 2639.63 FEET BETWEEN A FOUND #6 REBAR WITH 2" ALUMINUM CAP IN RANGE BOX, "HASKELL T3N R68W PLS 23500" AT THE SOUTHWEST CORNER OF SAID SECTION 8 AND A FOUND #6 REBAR WITH 2" ALUMINUM CAP IN RANGE BOX, "2005 T3N R68W 1/4 S8 S17 LUND LS 34995 KING SURVEYORS INC" AT THE SOUTH QUARTER CORNER OF SECTION 8, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT SAID SOUTH 1/4 CORNER, THENCE SOUTH 00°33'33" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 34, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°26'12" WEST, A DISTANCE OF 909.20 FEET; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, NORTH 00°34'31" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE CONTINUING ALONG SAID BEARING, NORTH 00°34'31" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 34 SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED WITH WELD COUNTY ON JUNE 9, 2004 AT RECEPTION NO. 3188015; THENCE ALONG SAID PARCEL OF LAND THE FOLLOWING ELEVEN (11) COURSES;

- 1) THENCE NORTH 00°34'31" WEST, A DISTANCE OF 709.91 FEET;
- 2) THENCE NORTH 00°32'07" WEST, A DISTANCE OF 710.03 FEET;
- 3) THENCE NORTH 89°25'42" EAST, A DISTANCE OF 455.43 FEET;
- 4) THENCE SOUTH 10°53'35" EAST, A DISTANCE OF 183.41 FEET;
- 5) THENCE SOUTH 28°11'23" EAST, A DISTANCE OF 99.91 FEET;
- 6) THENCE SOUTH 50°22'43" EAST, A DISTANCE OF 175.89 FEET;
- 7) THENCE SOUTH 19°12'20" EAST, A DISTANCE OF 113.70 FEET;



- 8) THENCE SOUTH 01°22'19" WEST, A DISTANCE OF 64.27 FEET;
- 9) THENCE NORTH 89°35'03" EAST, A DISTANCE OF 727.82 FEET;
- 10) THENCE SOUTH 00°53'38" EAST, A DISTANCE OF 315.62 FEET;
- 11) THENCE SOUTH 00°10'51" EAST, A DISTANCE OF 548.18 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL SAID POINT ALSO BEING ON SAID NORTH RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 34; THENCE SOUTH 00°10'51" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE CONTINUING ALONG SAID BEARING, SOUTH 00°10'51" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 34; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°26'41" WEST, A DISTANCE OF 519.76 FEET TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT CONTAINS 37.70 ACRES MORE OR LESS.

Total acreage (approximate): 37.70 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.