

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 937**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO,
APPROVING A DISCONNECTION OF 3.52 ACRES FROM THE
TOWN OF MEAD LOCATED IN PORTIONS OF SECTIONS 26
AND 35, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE
SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE
OF COLORADO**

WHEREAS, Sec. 16-8-130 of the *Mead Municipal Code* sets forth that all disconnections of property from the Town shall comply with the Colorado Municipal Annexation Act of 1965, as amended; and

WHEREAS, the Town of Mead is the owner of that certain property described in **Exhibit A** attached hereto which generally consists of the western half of the existing right-of-way of Weld County Road 9-1/2 (“WCR 9.5”) and portions of that certain property deeded to the Town by special warranty deed dated March 29, 2007 and recorded April 6, 2007 at Reception No. 3467195 in the real property records of Weld County, Colorado (“Town Parcel”) (together, the “Subject Property”); and

WHEREAS, the Subject Property consists of 3.52 acres, more or less, and the boundaries of the same are shown in that certain disconnection map of record with the Town Clerk (“Disconnection Map”); and

WHEREAS, the Board of Trustees of the Town of Mead (“Board”) provided written notice to the Board of County Commissioners of Weld County regarding the proposed disconnection of the Subject Property; and

WHEREAS, the Board has given due consideration to the disconnection of the Subject Property from the boundaries of the Town and finds that the best interests of the Town will not be prejudiced by said disconnection; and

WHEREAS, the Board also finds that no special terms or conditions shall be imposed on the disconnection; and

WHEREAS, the Board desires to approve the disconnection of the Subject Property in order to facilitate the subsequent annexation of the Subject Property to the Town of Firestone (“Firestone”), as Firestone will be responsible for the ongoing maintenance of WCR 9.5, including but not limited to signalization of the WCR 9.5 and Weld County Road 28 intersection and paving operations; and

WHEREAS, in connection with the disconnection of the Subject Property, the Board desires to authorize the Mayor to execute a quitclaim deed conveying the Town Parcel to the

Town of Mead for roadway and associated purposes (the “Quitclaim Deed”), so as to clarify the nature and limited use of the Town Parcel as right-of-way; and

WHEREAS, the Board further desires to authorize the Mayor to take such steps as may be necessary or desirable to effectuate the annexation of the Subject Property to Firestone including, but not limited to, executing an annexation petition related thereto;

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

Section 1. The Subject Property is hereby disconnected from, as is no longer a part of, the Town of Mead, Colorado. Immediately upon the filings being made in accordance with C.R.S. § 31-12-501(4), the Subject Property shall be in unincorporated Weld County, Colorado.

Section 2. The Town Clerk is hereby authorized and directed to perform all statutory duties to complete the disconnection. Specifically, and following the effective date of this Ordinance as set forth in Section 5 below, the Town Clerk is authorized and directed to file two (2) certified copies of this Ordinance with the Weld County Clerk and Recorder, together with a written request that the County Clerk proceed to file the second certified copy with the Colorado Division of Local Government, as required by C.R.S. § 31-12-501(4). The Town Clerk shall also file a copy of the Disconnection Map with the Weld County Clerk and Recorder. The Mayor shall be authorized to execute the Disconnection Map, once approved by the Town Engineer and Town Attorney.

Section 3. The Mayor shall be authorized to execute the Quitclaim Deed referenced above, in a form approved by the Town Attorney. The Quitclaim Deed shall be recorded in the Weld County property records prior to recordation of this Ordinance and the Disconnection Map.

Section 4. The Mayor shall also be authorized to: (1) execute an annexation petition seeking the annexation of the Subject Property to Firestone, and (2) to take any other steps to effectuate the annexation of the Subject Property to Firestone. The Town Clerk is hereby authorized and directed to attest the Mayor’s signature, as necessary on the annexation petition, certificate of ownership set forth on the annexation map, or related documents.

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

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

Section 7. Certification. The Town Clerk shall certify to the passage of this Ordinance and make not less than one copy thereof available for inspection by the public during regular business hours.

Section 8. 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 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.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 13th DAY OF JULY, 2020.

ATTEST:

TOWN OF MEAD

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



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

EXHIBIT A
Legal Description of Subject Property
[3.52 acres]

A TRACT OF LAND BEING A PORTION OF SECTIONS 26 AND 35, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MONUMENTED AT THE NORTH END BY A FOUND 3-1/2" ALUMINUM CAP STAMPED "JRE 2001 PLS 27936" AND AT THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS INC. 2016 PLS 38064". SAID EAST LINE BEARS SOUTH 0°42'12" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 35;

THENCE ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35 SOUTH 0°42'12" EAST 2357.60 FEET;

THENCE DEPARTING SAID EAST LINE SOUTH 89°31'44" WEST 60.00 FEET;

THENCE NORTH 0°42'12" WEST 2272.45 FEET TO A POINT OF CURVATURE;

THENCE 47.09 FEET ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 89°17'48" WEST, HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 89°56'37" TO THE SOUTH RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 28;

THENCE NORTH 0°38'49" WEST 110.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 28;

THENCE ON SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES:

1. NORTH 89°21'11" EAST 25.44 FEET;
2. NORTH 44°37'29" EAST 21.31 FEET TO THE WEST RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 9-1/2;

THENCE ON SAID WEST RIGHT-OF-WAY LINE NORTH 00°06'07" WEST 25.44 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE NORTH 89°53'46" EAST 100.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID WELD COUNTY ROAD 9-1/2;

THENCE ON SAID EAST RIGHT-OF-WAY LINE SOUTH 0°06'07" EAST 58.57 FEET TO THE NORTH LINE OF THE TOWN OF FIRESTONE CITY LIMITS;

THENCE ON SAID NORTH LINE SOUTH 89°19'09" WEST 50.00 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26;

THENCE DEPARTING SAID NORTH LINE AND ON SAID EAST LINE SOUTH 0°06'07" EAST 35.89 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINS 153,313 SQUARE FEET, OR 3.52 ACRES, MORE OR LESS.