

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 977**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING
AN ANNEXATION AND DEVELOPMENT AGREEMENT WITH
THARALDSON ETHANOL PLANT I, L.L.C. FOR THE WATERFRONT
ANNEXATION**

WHEREAS, THARALDSON ETHANOL PLANT I, L.L.C., a Nevada limited liability company (“Owner”), is the record owner of approximately 586.072 acres of land located within the boundaries of the Waterfront Annexation (the “Property”), which Property has been annexed to the Town of Mead by Ordinance No. 970 dated August 30, 2021 (the “Annexation Ordinance”); and

WHEREAS, the Town and the Owner have negotiated the terms of an annexation and development agreement, a copy of which is on file with the Town Clerk’s Office (the “Annexation Agreement”); and

WHEREAS, the Board of Trustees finds that it is in the best interests of the Town to approve the Annexation Agreement; and

WHEREAS, Section 16-8-110(b) of the *Mead Municipal Code* requires that annexation agreements be approved by ordinance.

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. Annexation Agreement Approved. The Board of Trustees hereby approves the Annexation Agreement between the Town and the Owner, a copy of which is on file with the Town Clerk’s office, and authorizes the Mayor to execute the Annexation Agreement on behalf of the Town and further authorizes the Town Clerk to attest the Mayor’s signature.

Section 3. Direction to Town Staff. The Board of Trustees hereby directs Staff to complete all necessary procedures necessary for the effectiveness of the Annexation Agreement including: (1) recording a fully executed copy of the Annexation Agreement in the real property records of Weld County, and (2) filing the fully executed Annexation Agreement of record with the Town Clerk of the Town of Mead, Colorado. The Board of Trustees also directs Staff to undertake all necessary procedures required to complete the annexation of the Property to the Town, consistent with Section 3 of the Annexation 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 8TH DAY OF NOVEMBER, 2021.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD

By: 
Colleen G. Whitlow, Mayor