

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1023**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING
THE INITIAL ZONING OF PROPERTY KNOWN AS THE SHIERS
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 Shiers Annexation, and which property is described with particularity in the annexation map on file with the Town Clerk and in **Exhibit 1** attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, on Monday, February 27, 2023, following the conclusion of a duly noticed public hearing regarding the eligibility of the Property for annexation to the Town, the Board of Trustees of the Town of Mead adopted Ordinance No. 1022 (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 February 27, 2023, 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 Residential (R) to Residential Single-Family Estate District (RSF-E) under the Town’s Land Use Code as specifically shown in the Shiers Annexation Zoning Map attached hereto as **Exhibit 2** (the “Zoning Amendment Map”); 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 Wednesday, February 15, 2023, and adopted Resolution 03-PC-2023 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 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 Amendment Map, the annexation map, and the

staff files and reports of the Town's Community Development 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 establishing the initial zoning of the Property in the Town of Mead as Residential Single-Family Estate District (RSF-E) under the Town's Land Use Code, as specifically shown in the Zoning Amendment Map 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 Residential Single-Family Estate District (RSF-E) 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. The Town Clerk is instructed to record the Zoning Amendment Map for the Property in the real property records of Weld County, Colorado following the date on which the Community Development Director and Town Engineer have made any technical corrections to the Zoning Amendment Map to conform the same to all applicable requirements of the Land Use Code or otherwise requested by the Community Development Director and Town Engineer and the Applicant has fully paid any outstanding fees to the Town related to the Town's review and processing of the Zoning Amendment Map.

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 ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 27TH DAY OF FEBRUARY, 2023.

ATTEST:

TOWN OF MEAD

By: 
Mary E. Strutt, MMC, Town Clerk



By: 
Colleen G. Whitlow, Mayor

Exhibit 1
Legal Description
Shiers Annexation

LOT B, AMENDED RECORDED EXEMPTION NO. 1207-03-2-RE627, RECORDED AUGUST 18, 1995 AT RECEPTION NO. 2451917, BEING A PORTION OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 3, NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

SAID PARCEL CONTAINING 268,205.84 SQ.FT. OR 6.16 ACRES, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

Total acreage (approximate): 6.16 acres, as more particularly shown in the annexation map(s) on file with the Town Clerk.

Exhibit 2
Shiers Annexation Zoning Map
(attached)

SIERS ANNEXATION ZONING AMENDMENT MAP
LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 68 WEST
OF THE SIXTH P.M. COUNTY OF WELD, STATE OF COLORADO

CERTIFICATE OF OWNERSHIP:

THE UNDERSIGNED, BEING THE OWNERS OF ALL PRIVATE LOTS SITUATED WITHIN WELD COUNTY, COLORADO, LEGALLY DESCRIBED AS FOLLOWS:
 LOT 8 OF THE NINTH RECORDED EXEMPTION NO. 1207-04-3-0027, RECORDED AT RECORDER NUMBER 20827, LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, WHERE PARTICULARLY DESCRIBED AS FOLLOWS:
 BLOCK 7 OF LOT 8, BEING THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN TO BEAD SOUTH APPROXIMATELY WEST BETWEEN THE NORTHWEST CORNER AND THE WEST QUARTER CORNER OF SAID SECTION. WITH ALL BORDERS CORNERED FROM RELATIVE INTERIOR.
 COMMENSAL AT THE NORTHWEST CORNER OF SAID SECTION 3 BEARS NORTH APPROXIMATELY EAST A DISTANCE OF 504.11 FEET.
 THENCE NORTH APPROXIMATELY EAST ON THE NORTH LINE OF SAID LOT 8 A DISTANCE OF 201.0 FEET TO THE EAST RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 7; AND THE POINT OF BEGINNING.
 THENCE ON THE LINE COMMON TO LOTS A AND B, OF SAID NINTH RECORDED EXEMPTION NO. 1207-04-3-0027 THE FOLLOWING TWO (2) COURSES:
 1. NORTH APPROXIMATELY EAST A DISTANCE OF 233.23 FEET;
 2. NORTH 77°51' EAST A DISTANCE OF 221.17 FEET TO THE COMMON LINE OF SAID LOT 8 AND LOT 9, BEADLAND EXISTENCE, THENCE SOUTH APPROXIMATELY EAST ON SAID COMMON LINE OF LOT 8 AND LOT 9, INCLUDING EXISTENCE A DISTANCE OF 208.82 FEET TO THE COMMON LINE OF SAID LOT 9 AND TRACT NO. 3, LINE FOLLOW EXISTENCE.
 THENCE ON THE COMMON LINE OF SAID LOT 8 AND TRACT NO. 3, LINE FOLLOW EXISTENCE THE FOLLOWING FOUR (4) COURSES:
 1. SOUTH 71°22' WEST A DISTANCE OF 145.60 FEET;
 2. SOUTH 25°06' WEST A DISTANCE OF 64.49 FEET;
 3. SOUTH 43°27' EAST A DISTANCE OF 342.91 FEET;
 4. SOUTH 62°57' WEST A DISTANCE OF 195.57 FEET TO THE COMMON LINE OF SAID LOT 8 AND TRACT A, RECORDED EXEMPTION NO. 1207-04-3-0016.
 THENCE ON THE COMMON LINE OF SAID LOT 8 AND TRACT A, RECORDED EXEMPTION NO. 1207-04-3-0016 THE FOLLOWING TWO (2) COURSES:
 1. SOUTH APPROXIMATELY WEST A DISTANCE OF 242.97 FEET;
 2. SOUTH APPROXIMATELY WEST A DISTANCE OF 63.82 FEET TO THE EAST RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 7; THENCE NORTH APPROXIMATELY EAST ON SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 233.80 FEET TO THE POINT OF BEGINNING.
 SAID LOT CONTAINING APPROXIMATE SQUARE FEET OR 619 ACRES MORE OR LESS.
 SAID LOT 8 BEING LOT 8 AND EXEMPTION HAS BEING HERETOFORE MAP OF THE ABOVE-DESCRIBED LAND UNDER THE NAME AND STYLE OF SHIERS ANNEXATION ZONING AMENDMENT MAP, THE NINTH RECORDED EXEMPTION NO. 1207-04-3-0027.
 a. THE CHANGE IN ZONING SHALL BE FROM AGRICULTURE (A) TO WOOD PROCESSING (WP) PLANT (P) - (1)
 b. THE CHANGE IN ZONING SHALL BE FROM AGRICULTURE (A) TO WOOD PROCESSING (WP) PLANT (P) - (1)
 c. ALL CONTIGUOUS TRACTS AND PARTICIPANTS (EXEMPTIONS OR EXEMPTIONS) MUST BE SIGNED BY THE OWNERS AND THE WELLS, PROPERTY, INCLUDING WITH THE REQUIRED APPROVALS HAVE BEEN OBTAINED.
 d. THE SIGNATURE PERSON OR ANY REPRESENTATIVE OF A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATE ENTITY, AS THAT DESCRIBED ON SAID AMENDMENT MAP CONTAINING SAID SQUARE FEET OR 619 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL CONDITIONS AND AGREEMENTS OF SAID AMENDMENT MAP AND SAID EXEMPTION NO. 1207-04-3-0027, AND SAID AMENDMENT MAP AND SAID EXEMPTION NO. 1207-04-3-0027, BE BEING HERETOFORE SET FOR HAVING) THIS _____ DAY OF _____, 20____.

OWNER: 17790 CR 7, LLC
 BY: _____
 NAME: _____
 TITLE: _____



WITNESSES:
 STATE OF COLORADO }
 COUNTY OF _____ } SS
 I, _____, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING CERTIFICATE OF OWNERSHIP WAS SUBMITTED TO ME ON _____ DAY OF _____ OF 17790 CR 7, LLC AND BY DORIAN DOWLE AS _____ OF SAID COUNTY.
 WITNESSES MY HAND AND OFFICIAL SEAL.

OWNER NAME: 17790 CR 7, LLC
 OWNER ADDRESS: _____
 PHONE: (720)81-1652

- GENERAL NOTES:**
- THE LAW DOES NOT REQUIRE A UNMORTGAGED LAND SURVEY. IT IS REQUIRED ONLY TO DEFECT THE ATTACHED LEGAL DESCRIPTION.
 - THE ZONING MAP WAS PREPARED BY WILSON TAYLOR DESIGN, P.L.L.C. UNDER THE SUPERVISION AND CONTROL OF DAVID B. WILSON, A LICENSED PROFESSIONAL LAND SURVEYOR, NO. 20385 UNDER THE SURVEYING ACT, COLORADO, P.E. 8524.
 - DEFECTS ON THIS MAP ARE CORRECTED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS 0.3048 METER EXACTLY.
 - THE LAND DOES NOT CONSTITUTE A TRUST SUBJECT TO ANY INTERESTS AND IS NOT SUBJECT TO ANY RIGHTS OF ANY OTHER PARTY.
 - THE ZONING AMENDMENT MAP WAS PREPARED BY THE BOARD OF PLANNING AND ZONING COMMISSIONERS OF WELD COUNTY, COLORADO, IN ACCORDANCE WITH THE ZONING ACT, COLORADO, P.E. 8524. THE BOARD OF PLANNING AND ZONING COMMISSIONERS OF WELD COUNTY, COLORADO, HAS REVIEWED AND APPROVED THE ZONING AMENDMENT MAP AND LEGAL DESCRIPTION WAS PREPARED UNDER ITS PERSONAL SUPERVISION AND IN ACCORD WITH THE ZONING ACT, COLORADO, P.E. 8524.
 - THE ZONING AMENDMENT MAP WAS PREPARED BY THE BOARD OF PLANNING AND ZONING COMMISSIONERS OF WELD COUNTY, COLORADO, IN ACCORDANCE WITH THE ZONING ACT, COLORADO, P.E. 8524.

PLANNING COMMISSION CERTIFICATE:

RECOMMENDED FOR APPROVAL BY THE WELD PLANNING COMMISSION THIS _____ DAY OF _____, 2020.

CHAIRPERSON _____
 SECRETARY _____

CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES:

THE ZONING AMENDMENT MAP SPONSOR HEREON IS APPROVED AND ACCEPTED BY RESOLUTION NO. _____ OF THE BOARD OF TRUSTEES OF WELD COUNTY, COLORADO, HELD ON THIS _____ DAY OF _____, 20____.

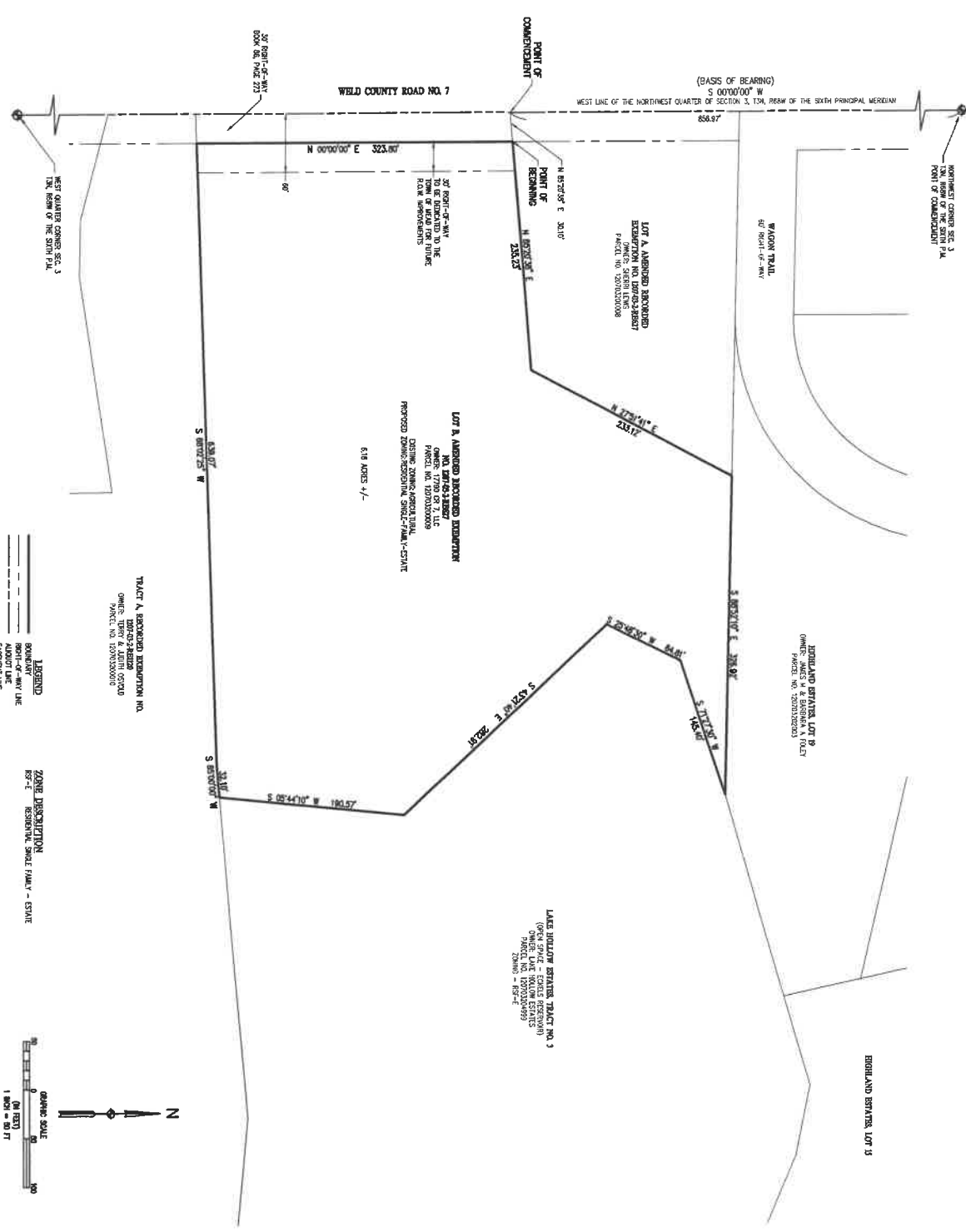
WARRANT _____
 ATTORN _____
 TIME CLERK _____

NOTICE:

THIS CASE, 17790-CR-7, YOU MUST COMPLETE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER THE FIRST RECORD OF THIS DEFECT. IN NO EVENT SHALL ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED AFTER THE FIRST RECORD OF THIS DEFECT. THE COST OF THIS SURVEY AND THE COST OF ANY LEGAL ACTION, INCLUDING COURT COSTS AND ATTORNEY FEES, SHALL NOT BE LIMITED TO MORE THAN THE COST OF THIS SURVEY AND THE COST OF ANY LEGAL ACTION, INCLUDING COURT COSTS AND ATTORNEY FEES. THE COST OF THIS SURVEY AND THE COST OF ANY LEGAL ACTION, INCLUDING COURT COSTS AND ATTORNEY FEES, SHALL NOT BE LIMITED TO MORE THAN THE COST OF THIS SURVEY AND THE COST OF ANY LEGAL ACTION, INCLUDING COURT COSTS AND ATTORNEY FEES. THE COST OF THIS SURVEY AND THE COST OF ANY LEGAL ACTION, INCLUDING COURT COSTS AND ATTORNEY FEES, SHALL NOT BE LIMITED TO MORE THAN THE COST OF THIS SURVEY AND THE COST OF ANY LEGAL ACTION, INCLUDING COURT COSTS AND ATTORNEY FEES.

TOWN OF MEAD COUNTY OF WELD SIERS ANNEXATION ZONING AMENDMENT MAP 17790 WCR 7 17790 CR 7, LLC	REVISION DESCRIPTION PREPARED BY DATE DESIGNED BY CHECKED BY APPROVED BY	<p>400 8 LINCOLN AVENUE SUITE 400 • LOVELAND, COLORADO 80537 P: 970.233.1800 • F: 970.233.8990 • www.baselineinc.com</p>
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SHIERS ANNEXATION ZONING AMENDMENT MAP
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 68 WEST
 OF THE SIXTH P.M., COUNTY OF WELD, STATE OF COLORADO



LEGEND
 BOUNDARY
 RIGHT-OF-WAY LINE
 EASEMENT LINE

ZONING DESIGNATION
 RSE-E RESIDENTIAL SINGLE-FAMILY - EXIST
 CS-VAE COMMERCIAL SINGLE-FAMILY - EXIST



17790 CR 7, LLC COUNTY OF WELD SHIERS ANNEXATION ZONING AMENDMENT MAP 17790 WCR 7	REVISION DESCRIPTION	PREPARED BY DATE	DESIGNED BY
	TOWN OF MEAD	DKL	AAD

BASELINE
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