

ORDINANCE NO.

18-13
Series of 2018

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY IN WELD COUNTY (ROCKY MOUNTAIN ENERGY CENTER ANNEXATION)

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Town Council of the Town of Hudson, Colorado, a written petition for annexation to and by the Town of Hudson, Colorado, of that property described in attached **Exhibit A**, being contiguous unincorporated territory, situated, lying and being in the County of Weld, State of Colorado;

WHEREAS, the Town Council of the Town of Hudson, Colorado, conducted a public hearing on November 7, 2018, as required by law to determine the eligibility for annexation of that property described in attached Exhibit A;

WHEREAS, the Town Council of the Town of Hudson, Colorado, has satisfied itself concerning the eligibility for annexation of that property described in attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law in the annexation policy of the Town of Hudson, Colorado;

WHEREAS, the Town Council of the Town of Hudson, Colorado, by resolution determined that the applicable parts of C.R.S. §§ 31-12-104 and 31-12-105 have been met, that an election is not required under C.R.S. § 31-12-107(2), and that no additional terms and conditions are to be imposed;

WHEREAS, it is the opinion of the Town Council that it is desirable and necessary that the property described in the attached Exhibit A be annexed to the Town; and

WHEREAS, it is in the best interest of the Town and its citizens to annex said parcel.

BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. The annexation by and to the Town of Hudson, State of Colorado, of that property described in attached **Exhibit A**, situated, lying and being in the County of Weld, State of Colorado, meets all requirements of law and the annexation policy of the Town of Hudson, and therefore, said annexation is hereby approved and made effective.

Section 2. The owner of more than fifty percent (50%) of the area of the property described in the attached Exhibit A, exclusive of public streets and alleys, petitioned for annexation

with the Town Council by filing a Petition for Annexation, together with four (4) copies of the annexation map, as required by law.

Section 3. The Town Council, by resolution at a properly-noticed meeting on September 19, 2018, accepted said Petition and found and determined that the applicable parts of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, as amended, have been met and further determined that an election was not required under the Act and that no additional terms and conditions were to be imposed upon said annexation.

Section 4. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the Municipal Laws of the State of Colorado pertaining to towns and to all ordinances, resolutions, rules and regulations of the Town of Hudson.

Section 5. Considering all of the foregoing, and based on the conviction that annexation of this property to the Town of Hudson will serve the best interests of the Town of Hudson and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the Town of Hudson, Colorado.

Section 6. Upon passage of this Ordinance, the Town Clerk shall file for recording three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Weld, State of Colorado, and shall keep one (1) copy of the annexation map along with the original of this Annexation Ordinance in the Town Clerk's office.


Section 7. The Town Clerk shall request that the Weld County Clerk and Recorder shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs, in addition to filing one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Colorado Department of Revenue

Section 8. The Annexation Map showing the boundaries of the newly annexed territory as above described shall be kept on file in the office of the Weld County Clerk and Recorder.

Section 9. Effective Date. By operation of C.R.S. § 31-12-113(2), the annexation and this ordinance will not become effective until the Town Clerk completes the filings required by statute. For the purpose of general taxation, this ordinance shall become effective on January 1st of the next succeeding year following its passage. This Ordinance shall otherwise become effective ten (10) days after final publication by title only.

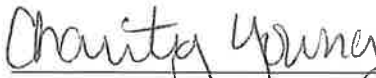
INTRODUCED, READ BY TITLE, AND ADOPTED ON FIRST READING this 17th day of October, 2018.

TOWN OF HUDSON, COLORADO



Laura Hargis, Mayor Pro-Tem


ATTEST:



Charity Young, Interim Town Clerk

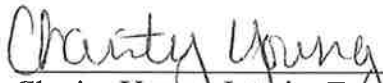
PASSED by a vote of 5 for and 0 against AND ORDERED PUBLISHED BY TITLE ONLY, with a complete copy available for public inspection and acquisition in the office of the Town Clerk this 5 day of December, 2018.

TOWN OF HUDSON, COLORADO



Dwayne Haynes, Mayor


ATTEST:



Charity Young, Interim Town Clerk



APPROVED AS TO FORM:



Corey Y. Hoffmann, Town Attorney

EXHIBIT A

Legal Description

Parcel Number: 130531400030

A Parcel of Land Lying in the South Half of Section 31, Township 2 North, Range 64 West of the 6th Principal Meridian, County of Weld, State of Colorado, described as follows:

Beginning at a point that bears $N67^{\circ}54'50''E$, 1642.88 feet from the Southwest Corner of said Section 31;

Thence $N00^{\circ}31'26''W$, 1961.35 feet;

Thence $N89^{\circ}30'04''E$, 1966.30 feet;

Thence $S00^{\circ}33'39''E$, 1958.51 feet;

Thence $S89^{\circ}25'06''W$, 1967.57 feet to the Point of Beginning.