

ORDINANCE NO.

17-01
Series of 2017

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF PROPERTY KNOWN AS THE HIGHWAY 52 ANNEXATION UPON PETITION BY THE OWNER OF THE PROPERTY

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Council of the Town of Hudson, Colorado, 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; and

WHEREAS, the Council of the Town of Hudson, Colorado, has conducted a public hearing on April 5, 2017, as required by law to determine the eligibility for annexation of that property described in attached Exhibit A; and

WHEREAS, the 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; and

WHEREAS, the 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; and

WHEREAS, it is the opinion of the 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 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 attached Exhibit A 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 Council, by resolution at a properly noticed meeting on February 15, 2017, 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.

INTRODUCED, READ IN FULL, AND ADOPTED this 15th day of March, 2017.

TOWN OF HUDSON, COLORADO


Raymond Patch, Mayor

ATTEST:


Rebecca Utecht, Town Clerk

PASSED ON SECOND AND FINAL READING this 19th day of April, 2017, AND ORDERED PUBLISHED ONCE BY TITLE ONLY with a complete copy available for public inspection and acquisition in the office of the town clerk.

TOWN OF HUDSON, COLORADO


Raymond Patch, Mayor

ATTEST:


Rebecca Utecht, Town Clerk



APPROVED AS TO FORM:

Corey Y. Hoffmann, Town Attorney

Exhibit A
Property Description

HIGHWAY 52 ANNEXATION

A parcel of land being a portion of the West Half of Section Three (3), Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado:

COMMENCING at the Center Quarter Corner of said Section 3 and assuming the North line of the Southwest Quarter of said Section 3 as bearing South 89°44'39" West a distance of 2664.11 feet with all other bearings contained herein relative thereto:

THENCE South 00°09'02" West along the East line of the Southwest Quarter of said Section 3 a distance of 50.00 feet to the North line of that parcel of land annexed to the Town of Hudson in an Annexation Map recorded September 11, 2002 as Reception No. 2986545 of the Records of Weld County;

THENCE South 89°44'39" West along said North line a distance of 1159.46 feet to the Northwest corner thereof and to the point of **POINT OF BEGINNING**

The next 5 (five) courses are along the West, Southwesterly and Southeasterly lines of that parcel of land annexed to the Town of Hudson in an Annexation Map recorded September 11, 2002 as Reception No. 2986545 of the Records of Weld County:

THENCE South 01°11'21" East a distance of 67.60 feet to the beginning point of a curve, non-tangent to this course;

THENCE along the arc of a curve concave to the Southwest a distance of 581.91 feet, said curve has a Radius of 1985.00 feet, a Delta of 16°47'47" and is subtended by a Chord bearing South 56° 32' 13" East a distance of 579.82 feet to the end point of said curve;

THENCE South 48°08'16" East a distance of 103.00 feet;

THENCE South 43°38'21" East a distance of 743.05 feet;

THENCE North 46°21'09" East a distance of 113.90 feet to the East line of the Southwest Quarter of said Section 3;

THENCE South 00°09'02" West along the East line of the Southwest Quarter of said Section 3 a distance of 381.34 feet to the Southwesterly right of way line of Colorado State Highway 52;

The next 3 (Three) courses are along the Southwesterly right of way lines of Colorado State Highway 52:

THENCE North 43°38'21" West a distance of 815.33 feet;

THENCE North 45°07'27" West a distance of 294.00 feet to the beginning point of a curve, non-tangent to this course;

THENCE along the arc of a curve concave to the Southwest a distance of 1068.59 feet, said curve has a Radius of 1835.00 feet, a Delta of 33°21'55" and is subtended by a Chord bearing North 64°49'18" West a distance of 1053.55 feet;

THENCE North 08°29'45" East along a line radial to the aforesaid curve a distance of 150.00 feet to the beginning point of a curve, concentric with the previously described curve;

THENCE along the arc of a curve concave to the Southwest a distance of 399.57 feet, said curve has a Radius of 1985.00 feet, a Delta of 11°32'00" and is subtended by a Chord bearing South 75°44'15" East a distance of 398.90 feet to the Westerly prolongation of the North line of that parcel of land annexed to the Town of Hudson in an Annexation Map recorded September 11, 2002 as Reception No. 2986545 of the Records of Weld County;
THENCE North 89°44'39" East along the Westerly prolongation of said North line a distance of 159.67 feet to the **POINT OF BEGINNING**;

TOTAL ANNEXED AREA for the SH52 Annexation is 7.693 acres, more or less (±).