

ORDINANCE No. 94-12

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COLORADO, ANNEXING APPROXIMATELY 2.257 ACRES IN SECTION 11, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Board of Trustees of the Town of Hudson, Colorado (the "Town Board") has determined that the annexation of the land described in **Attachment A** hereto is in substantial compliance with the Municipal Annexation Act of 1965, Section 31-12-101, et seq., 12B C.R.S. (1986 Repl. Vol.) (the "Act"); and

WHEREAS, after notice pursuant to Section 31-12-108 of the Act, the Town Board has held a public hearing on the proposed annexation to determine if the annexation complies with the applicable provisions of the Act; and

WHEREAS, the Town Board has by resolution determined that the requirements of the Act have been met, and that an election is not required, and that no additional terms or conditions are to be imposed in the annexed area; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. The property owner(s) signed the annexation petition which is attached to Resolution No. 94-6, and together with the owners of the property described in said petition, they are the owner of one hundred percent of the property described in said petition, exclusive of streets and roads.

Section 2. The property described in **Attachment A** hereto, located in the County of Weld, State of Colorado, is hereby annexed to the Town of Hudson, Colorado, and incorporated in and made a part thereof as the 1st part of a five part series annexation.

Section 3. The annexation by and to the Town of Hudson, Colorado, of the property described in **Attachment A** hereto meets all the requirements of law.

Section 4. Pursuant to Section 31-12-115 of the Act, the zoning of the property described in **Attachment A** hereto, which zoning has been initiated by the property owners, shall be completed within ninety (90) days from the effective date of this Ordinance.

Section 5. The annexation of the property described in **Exhibit A** hereto shall be complete and effective on the effective date of this Ordinance, except for the purpose of imposition of general property taxes which shall be effective on and after the first day of January, 1995.

Section 6. Within thirty (30) days after the effective date of this Ordinance, the Town Clerk is directed to:

(a) File one copy of the amended annexation map with the original of this Ordinance in the office of the Town Clerk of Hudson, Colorado.

(b) File two certified copies of this Ordinance and the map of the area annexed containing a legal description of such area with the Weld County Clerk and Recorder.

(c) Record the annexation and subdivision agreement(s) to be agreed upon between the Town and the property owners.

Section 7. Repeal. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 8. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 9. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 10. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED ONCE IN FULL this 28th day of September, 1994.

TOWN OF HUDSON, COLORADO

Kathryn D. Whisenant
Mayor

ATTEST:

Judy Larson
Town Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 1994.

TOWN OF HUDSON, COLORADO

Judith K. Parker
Mayor Pro-Tem

ATTEST:

Judith A. McGill
Town Clerk Pro-Tem

Attachment A

PROPERTY DESCRIPTION

A parcel of land being part of the Northwest Quarter (NW3) of Section Eleven (11), Township One North (T.1N.), Range Sixty-five West (R.65W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest Corner (NW Cor) of said Section 11 and assuming the North line of said NW3 to bear South 90E00'00" East with all other bearings contained herein relative thereto:

THENCE South 90E00'00" East along said North line a distance of 682.01 feet to the **TRUE POINT OF BEGINNING**:

THENCE continuing South 90E00'00" East a distance of 141.00 feet to the NW Cor of that parcel of land as Annexed by that plat as recorded November 18, 1983 in Book 1013 as Reception Number 01947546 of the records of the Weld County Clerk and Recorder (WCCR); THENCE along the West, South, and East lines of said annexation by the following Three (3) courses and distances:

THENCE South 00E00'00" East a distance of 130.00 feet;

THENCE South 90E00'00" East a distance of 125.00 feet;

THENCE North 00E00'00" West a distance of 92.00 feet;

THENCE South 90E00'00" East a distance of 59.74 feet;

THENCE South 00E24'00" West a distance of 455.10 feet;

THENCE North 89E49'25" West a distance of 201.00 feet;

THENCE South 00E24'00" West a distance of 50.00 feet;

THENCE North 89E49'25" West a distance of 125.00 feet;

THENCE North 00E24'00" East a distance of 110.00 feet to the Southwest Corner (SW Cor) of that parcel of land as described in Book 1165 as Reception Number 02109051 as recorded July 31., 1987;

THENCE along the South and East line of the aforesaid parcel of land, the East line of that parcel of land as described in Book 1377 as Reception Number 02328139 as recorded April 8, 1993, and the East and North lines of that parcel of land as described in book 1001 as Reception Number 01932278 as recorded July 5, 1983 by the following Three (3) courses and distances:

THENCE South 89E49'25" East a distance of 125.00 feet;

THENCE North 00E24'00" East a distance of 400.00 feet;

THENCE South 89E49'25" West a distance of 125.00 feet;

THENCE North 00E24'00" East a distance of 32.10 feet to the **TRUE POINT OF BEGINNING**.

Said described parcel of land contains 2.257 Acres, more or less(∇), and is subject to any rights-of-way or other easements as granted or reserved by instruments of records or as now existing on said described parcel of land.