

ORDINANCE No. 96-9

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COLORADO, ANNEXING APPROXIMATELY 50.519 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. 96-2, 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.

Section 3. The Town hereby consents, pursuant to Section 37-45-136(3.6), C.R.S., to inclusion of the property described in **Attachment A** into the Northern Colorado Water Conservancy District ("District") and the Municipal Subdistrict, Northern Colorado Water Conservancy District ("Subdistrict"). Upon inclusion into the District and the Subdistrict, said property shall be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the District and Subdistrict.

Section 4. 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 5. 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 6. 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, 1997.

Section 7. 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 8. 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 9. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The board of Trustees hereby declares that it would have passed this Ordinance and each part or parts be declared unconstitutional or invalid.

Section 10. 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 11.. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED as amended ONCE IN FULL this 24th day of July, 1996.

TOWN OF HUDSON, COLORADO

George Roskop
Mayor

ATTEST:

Judy Larson
Town Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 1996.

TOWN OF HUDSON, COLORADO

George Roskop
Mayor

ATTEST:

Judy Larson
Town Clerk

Attachment A to Ordinance 96-9

Legal Description:

That part of the NW3 of Section 11, Township 1 North, Range 65 West of the 6th P.M., County of Weld, State of Colorado, described as: Beginning at the Southeast corner said NW3, thence S89E35'36"W along the South line said NW3 a distance of 1046.77 feet to a point on the West ROW line of the Neres Canal said point being on the present Hudson Town limits; Thence Northerly along said West ROW line and along said Town limits the following courses and distances;

- N37E40'13"E 29.96 feet;
- N29E13'43"E 120.50 feet;
- N12E25'55"E 66.01 feet;
- N08E33'37"E 203.21 feet
- N06E37'15"E 278.27 feet;
- N05E36'50"E 267.29 feet;
- N03E25'21"W 203.65 feet;
- N08E43'02"W 170.91 feet;
- N20E19'48"W 185.72 feet;
- N29E10'08"W 156.00 feet;

N44E35'52"W 24.94 feet to a point; thence N45E24'08"E a distance of 80.76 feet to a point on the East ROW line of the Neres Canal; Thence N00E22'45" a distance of 906.34 feet to a point on the South ROW line of Colorado State Highway No. 52; Thence N89E37'15"E along said South ROW line a distance of 690.81 feet; Thence S00E27'26"E a distance of 860.00 feet; Thence N89E37'15"E a distance of 300.0 feet to a point in the East line said NW3; Thence S00E27'26"E along said East line a distance of 1739.28 feet to the point of beginning.

Contains 50.519 acres more or less.

Basis of Bearings: The South line NW3 Section 11. Township 1 North. Range 65 West is assumed to bear S89E35'36"W.

2898.23 Contiguous Perimeter

7330.42 Total Perimeter

39.54% Contiguous (16.67% Required)