

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 07-07  
Series of 2007

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**TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF PARCEL NO. 3, CONSISTING OF PUBLIC RIGHT OF WAY, OF CONTIGUOUS UNINCORPORATED TERRITORY IN WELD COUNTY IN CONNECTION WITH THE PETITION OF THE OWNER OF THE SAND HILLS ANNEXATION**

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Board of Trustees of the Town of Hudson, Colorado, written petition(s) for annexation to and by the Town of Hudson, Colorado, of that property described in attached **Exhibit A**, being contiguous unincorporated territory, including right-of-way, situated, lying and being in the County of Weld, State of Colorado; and

WHEREAS, the Board of Trustees of the Town of Hudson, Colorado, has conducted a public hearing on March 7, 2007, which was continued to and completed on April 4, 2007, as required by law to determine the eligibility for annexation of that property described in attached Exhibit A; and

WHEREAS, the Board of Trustees 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 Board of Trustees 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 Board of Trustees 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 BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. The Board of Trustees finds that the property described in the attached Exhibit A is part of the serial annexation of a larger parcel of land.

Section 2. 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 3. The owner(s) of more than fifty percent (50%) of the area of the property described in attached Exhibit A, exclusive of public streets and alleys, petitioned for annexation with the Town Board of Trustees by filing a Petition for Annexation, together with four (4) copies of the annexation map, as required by law, on January 3, 2007.

Section 4. The Board of Trustees, by resolution at a properly noticed meeting on January 17, 2007, 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 5. 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 6. 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 7. Upon a favorable vote by the registered electors of the Town of Hudson at the May 8, 2007, special election approving the zoning and conditional use permit for the property being annexed, 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 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. Upon a favorable vote by the registered electors of the Town of Hudson at the May 8, 2007, special election approving the zoning and conditional use permit for the property being annexed, 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 10. 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. The Board of Trustees hereby directs that the Town Clerk shall not complete such filings, as described at Sections 7 and 9 hereof, unless and until voters approve at the May 8, 2007, special municipal election the rezoning of the Sand Hills Annexation property and the grant of a conditional use permit allowing a 1250-inmate medium security correctional facility on the property, and the other preconditions to such filings, as set forth in the Annexation Agreement, which is attached hereto as **Exhibit B**, have been satisfied. 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 27<sup>th</sup> day of March, 2007.



ATTEST:

Judy Larson  
Judy Larson, Town Clerk

TOWN OF HUDSON, COLORADO

Neal Pontius  
Neal Pontius, Mayor

PASSED ON SECOND AND FINAL READING this 4<sup>th</sup> day of April, 2007, AND ORDERED PUBLISHED ONCE IN FULL.



ATTEST:

Judy Larson  
Judy Larson, Town Clerk

TOWN OF HUDSON, COLORADO

Neal Pontius  
Neal Pontius, Mayor

APPROVED AS TO FORM:

Corey Y. Hoffmann  
Corey Y. Hoffmann, Town Attorney



TETRA TECH, INC.

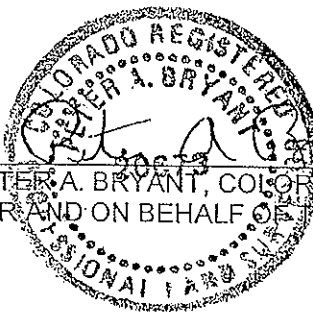
SAND HILLS ANNEXATION NO. 3  
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 26, THE WEST HALF OF SECTION 25, THE EAST HALF OF SECTION 35 AND THE WEST HALF OF SECTION 36, ALL BEING IN TOWNSHIP 2 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 35, WHENCE THE EAST LINE OF SAID SECTION 35 BEARS NORTH 01°06'55" WEST, SAID LINE FORMING THE BASIS OF BEARING OF THIS DESCRIPTION, THENCE NORTH 01°06'55" WEST 772.14 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 76; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 46°43'04" WEST 61.82 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°45'45" WEST 7203.45 FEET; THENCE SOUTH 01°15'05" EAST 7214.51 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 47 AND NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 76; THENCE NORTH 01°51'38" WEST 1854.27 FEET; THENCE SOUTH 00°02'51" WEST 1843.31 FEET TO THE TRUE POINT OF BEGINNING.

THUS DESCRIBED TRACT CONTAINS 3.786 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.



*Peter A. Bryant*  
PETER A. BRYANT, COLORADO PLS NO. 20673  
FOR AND ON BEHALF OF TETRA TECH RMC

DATE: 1/16/07