

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 07-09  
Series of 2007

07-09  
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**TITLE: A BILL FOR AN ORDINANCE ZONING A PORTION OF THE SAND HILLS ANNEXATION PROPERTY AS INDUSTRIAL-THREE DISTRICT (I-3), AND ZONING THE REMAINDER OF THE PROPERTY AS INDUSTRIAL-ONE DISTRICT (I-1)**

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

Section 1. Findings of Fact.

- A. The Town desires to rezone a certain portion of the Sand Hills Annexation property defined in the zoning application for the property, collectively the "Property," within the Town of Hudson, Colorado, which 126.431 acre portion is more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, to Industrial-Three District (I-3).
- B. In conjunction with the zoning of the 126.431 acre portion of the Property to Industrial-Three District (I-3), the Town will consider, by separate resolution, a Conditional Use Permit application that would allow a 1250-inmate medium security correctional facility.
- C. The Town desires to rezone the remaining portion of the Property within the Town of Hudson, Colorado, which 198.492 acre portion is more particularly described in **Exhibit B**, attached hereto and incorporated herein by this reference, to Industrial-One District (I-1).
- D. Public notice has been given of such rezoning by one publication in a newspaper of general circulation within the Town at least fifteen (15) days before the public hearing of such rezoning and by posting of the Property at each adjacent public right-of-way.
- E. Written notice of such hearing on the proposed rezoning was sent by first class mail at least fifteen (15) days prior to the hearing to owners of property within five hundred (500) feet of the Property.
- F. A need exists for rezoning 126.431 acres of the Property to Industrial-Three District (I-3).

G. A need exists for rezoning 198.492 acres of the Property to Industrial-One District (I-1).

Section 2. The portion of the Property described in Exhibit A is hereby rezoned to Industrial-Three District (I-3).

Section 3. The portion of the Property described in Exhibit B is hereby rezoned to Industrial-One District (I-1).

Section 4. A Conditional Use Permit for a 1250-inmate medium security correctional facility for the 1-3 portion of the Property shall be considered by separate resolution.

Section 5. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning changes.

Section 6. 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 7. 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 8. Effective Date. This Ordinance shall become effective upon the approval of the ballot question titled, "Town of Hudson Question No. 1: concerning the approval of Industrial-Three District (I-3) zoning and associated conditional use permit for 126.431 acres of the Sand Hills Annexation property to permit a 1250-inmate medium security correctional facility, with the balance of the property, 198.492 acres, being zoned Industrial-One District (I-1)," at the special election within the Town on May 8, 2007. In the event said ballot question is not approved, this ordinance shall be null and void.

INTRODUCED, READ IN FULL, AND ADOPTED this 4<sup>th</sup> day of April, 2007.



TOWN OF HUDSON, COLORADO

Neal Pontius, Mayor

ATTEST:

Judy Larson  
Judy Larson, Town Clerk

PASSED ON SECOND AND FINAL READING this 18<sup>th</sup> day of April,  
2007, AND ORDERED PUBLISHED ONCE IN FULL.

TOWN OF HUDSON, COLORADO



Neal Pontius  
Neal Pontius, Mayor

ATTEST:

Judy Larson  
Judy Larson, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann  
Corey Y. Hoffmann, Town Attorney

# EXHIBIT A



SAND HILLS ANNEXATION NO. 4  
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTIONS 23, 25, 26, 35 AND 36 OF 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 FOR 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 INTERSECTION OF NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 76 AND THE WESTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 47 AS PRESENTLY EVIDENT AND ESTABLISHED BY USAGE AND THE TRUE POINT OF BEGINNING;

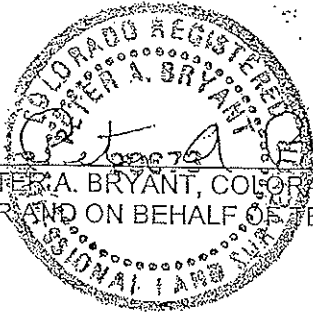
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 47 AS PRESENTLY EVIDENT AND ESTABLISHED BY USAGE, THE FOLLOWING 3 COURSES: 1) NORTH 00°53'58" WEST 1858.42 FEET; 2) NORTH 00°53'27" WEST 2594.94 FEET; 3) NORTH 01°24'28" WEST 2750.18 FEET TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 47 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 16.5 AS PRESENTLY EVIDENT AND ESTABLISHED BY USAGE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE SOUTH 89°13'14" WEST 2592.66 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 16.5 AND THE NORTH-SOUTH CENTERLINE OF SECTION 26; THENCE ALONG SAID NORTH-SOUTH CENTERLINE OF SECTION 26 SOUTH 01°03'33" EAST 2626.30 FEET TO THE SOUTH ONE-QUARTER CORNER OF SECTION 26; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26 NORTH 89°05'59" WEST 2638.72 FEET TO THE SOUTHWEST CORNER OF SECTION 26; THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 26 NORTH 01°13'35" WEST 2662.60 FEET TO THE WEST ONE-QUARTER CORNER OF SECTION 26; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 26 NORTH 01°13'23" WEST 2693.24 FEET TO THE INTERSECTION OF THE EXTENSION OF THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 26 AND THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 18; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 18 BEING 30 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 26 NORTH 89°46'52" EAST 2729.37 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 18 AND THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 45.5 AS PRESENTLY EVIDENT AND ESTABLISHED BY USAGE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 00°57'40" EAST 2720.88 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 45.5 AND THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 16.5 AS PRESENTLY EVIDENT AND ESTABLISHED BY USAGE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 89°18'20" EAST 2603.57 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 16.5 AND THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 47 AS PRESENTLY EVIDENT AND ESTABLISHED BY USAGE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING 3 COURSES: 1) SOUTH 00°54'07" EAST 2762.14 FEET; 2) SOUTH 00°56'59" EAST 2631.84 FEET; 3) SOUTH 00°55'10" EAST 1875.53 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 47 AND THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 76; THENCE NORTH 01°15'05" WEST 7214.51 FEET; THENCE SOUTH 00°45'45" EAST 7203.45 FEET TO THE TRUE POINT OF BEGINNING.

SHEET 1 OF 2  
01/15/07



TETRA TECH, INC.

THUS DESCRIBED TRACT CONTAINS 340.417 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.



*Peter A. Bryant*

DATE: 1/16/07

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

EXHIBIT B

**PROPERTY PROPOSED TO BE ZONED I-3, INDUSTRIAL, WITH A CONDITIONAL USE PERMIT**

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

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SECTION 26, WHENCE THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 26 BEARS NORTH  $89^{\circ}05'59''$  WEST, SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION; THENCE ALONG THE NORTH-SOUTH CENTERLINE OF SECTION 26 NORTH  $01^{\circ}03'33''$  WEST 2626.30 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH  $89^{\circ}13'14''$  WEST 415.22 FEET; THENCE SOUTH  $00^{\circ}00'02''$  EAST 1432.28 FEET; THENCE SOUTH  $89^{\circ}59'58''$  WEST 1449.31 FEET; THENCE NORTH  $00^{\circ}00'02''$  WEST 3290.38 FEET; THENCE NORTH  $89^{\circ}59'58''$  EAST 1830.26 FEET TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SECTION 26; THENCE ALONG SAID NORTH-SOUTH CENTERLINE SOUTH  $01^{\circ}03'33''$  EAST 1852.77 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,507,345 SQUARE FEET OR 126.431 ACRES, MORE OR LESS.