

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 07-15
Series of 2007

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TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF PROPERTY KNOWN AS THE WU 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 Board of Trustees 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 Board of Trustees of the Town of Hudson, Colorado, has conducted a public hearing on December 5, 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 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, 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 September 10, 2007.

Section 3. The Board of Trustees, by resolution at a properly noticed meeting on December 5, 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 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 _____ day of _____, 2007.

TOWN OF HUDSON, COLORADO

Neal Pontius, Mayor

ATTEST:

Judith A. McGill, Town Clerk Pro Tem

PASSED ON SECOND AND FINAL READING this _____ day of _____,
2007, AND ORDERED PUBLISHED ONCE IN FULL.

TOWN OF HUDSON, COLORADO

Neal Pontius, Mayor

ATTEST:

Judith A. McGill, Town Clerk Pro Tem

APPROVED AS TO FORM:

Corey Y. Hoffmann, Town Attorney

EXHIBIT A, LEGAL DESCRIPTION

PART OF THE NW ¼ OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 11, TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6TH P.M., AND ASSUMING THE NORTH LINE OF THE NW ¼ OF SAID SECTION 11 BEARS N 90 DEGREES 00' 00" E WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO: THENCE N 90 DEGREES 00' 00" E ALONG THE NORTH LINE OF THE NW ¼ OF SAID SECTION 11 A DISTANCE OF 681.87 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF DATE STREET; THENCE S 00 DEGREES 24' 00" W ALONG SAID NORTHERLY EXTENSION, 38.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 52, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N 90 DEGREES 00' 00" E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 125.00 FEET; THENCE S 00 DEGREES 24' 00" W ALONG THE WEST RIGHT OF WAY LINE OF AN APPARENT 16 FOOT WIDE ALLEY, A DISTANCE OF 255.47 FEET TO THE EAST POINT OF AN AGREED PROPERTY LINE RECORDED FEBRUARY 26, 2003 AT RECEPTION NO. 3036300, SAID POINT BEING MONUMENTED BY A FOUND NO. 5 REBAR WITH CAP, LS 25937; THENCE S 90 DEGREES 00' 00" W, PARALLEL WITH SAID NORTH LINE OF THE NW ¼ , ALONG SAID AGREED PROPERTY LINE A DISTANCE OF 125.00 FEET TO THE WEST POINT OF SAID AGREED PROPERTY LINE, SAID POINT BEING MONUMENTED BY A SET NO. 5 REBAR WITH CAP, LS 28283; THENCE N 00 DEGREES 24' 00" E ALONG THE EAST RIGHT OF WAY LINE OF DATE STREET A DISTANCE OF 255.47 FEET TO THE TRUE POINT OF BEGINNING.