

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 09-02
Series of 2009

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TITLE: A BILL FOR AN ORDINANCE ZONING THE SHAKLEE ANNEXATION PROPERTY AS PLANNED DEVELOPMENT DISTRICT (PD)

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 the Shaklee Annexation property within the Town of Hudson, Colorado, which property is more particularly described in **Exhibit A** (the "Property"), attached hereto and incorporated herein by this reference, to Planned Development District (PD).
- B. 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 the Property to Planned Development District (PD).

Section 2. The Property is hereby rezoned to Planned Development District (PD).

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning changes.

Section 4. 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 5. 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 6. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 7th day of January, 2009.

TOWN OF HUDSON, COLORADO


Neal Pontius, Mayor

ATTEST:


Judith A. McGill, Town Clerk Pro Tem

PASSED ON SECOND AND FINAL READING this 21st day of January, 2009, 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 -- SHAKLEE ANNEXATION:

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 24, IN SECTION 25 AND IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 65 WEST AND IN SECTION 30, TOWNSHIP 2 NORTH, RANGE 64 WEST, ALL OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 25, WHENCE THE NORTH ONE-QUARTER CORNER OF SECTION 25 BEARS NORTH 89°46'30" EAST 2652.85 FEET; THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24 NORTH 00°07'05" WEST 1318.20 FEET TO THE SOUTH ONE-SIXTEENTH CORNER OF SECTION 23 AND 24; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER NORTH 89°49'14" EAST 1321.25 FEET TO THE SOUTHWEST ONE-SIXTEENTH CORNER OF SECTION 24; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24 NORTH 89°48'40" EAST 1321.21 FEET TO THE CENTER-SOUTH ONE-SIXTEENTH CORNER OF SECTION 24; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24 NORTH 89°48'41" EAST 1321.71 FEET TO THE SOUTHWEST ONE-SIXTEENTH CORNER OF SECTION 24; THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24 SOUTH 00°47'08" EAST 1315.45 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SECTIONS 24 AND 25; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25 NORTH 89°49'46" EAST 1327.23 FEET TO THE NORTHEAST CORNER OF SECTION 25; THENCE ALONG AN EXTENSION OF SAID NORTH LINE NORTH 89°49'46" EAST 40.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 49; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES: 1) SOUTH 01°02'07" EAST 2639.09 FEET; 2) SOUTH 01°02'13" EAST 2368.65 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 76; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES: 1) NORTH 65°03'03" WEST 0.74 FEET; 2) SOUTH 55°18'57" WEST 95.30 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 49; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 01°02'13" WEST 2421.41 FEET TO A POINT ON THE SOUTH LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 25; THENCE ALONG SAID SOUTH LINE SOUTH 89°09'41" WEST 1337.60 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SECTION 25; THENCE ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 25 SOUTH 00°48'23" EAST 2646.25 FEET TO THE EAST ONE-SIXTEENTH CORNER OF SECTIONS 25 AND 36; THENCE ALONG THE SOUTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 25 SOUTH

SOUTH 88°49'31" WEST 1348.25 FEET TO THE SOUTH ONE-QUARTER CORNER OF SECTION 25; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 25 SOUTH 87°27'28" WEST 2592.87 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 47 AS PRESENTLY EVIDENT AND ESTABLISHED BY USAGE, WHENCE THE SOUTHWEST CORNER OF SECTION 25 BEARS SOUTH 87°27'28" WEST 29.74 FEET; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 00°54'07" WEST 2758.42 FEET TO A POINT ON 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 SOUTH 89°18'20" WEST 1867.13 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 26; THENCE ALONG SAID SOUTH LINE NORTH 89°51'30" WEST 736.57 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD NO. 45.5 AS PRESENTLY EVIDENT AND ESTABLISHED BY USAGE, WHENCE THE CENTER ONE-QUARTER CORNER OF SECTION 26 BEARS NORTH 89°51'30" WEST 71.80 FEET; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 00°57'40" WEST 2680.16 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 26, WHENCE THE NORTH ONE-QUARTER CORNER OF SECTION 26 BEARS SOUTH 89°45'50" WEST 76.38 FEET; THENCE ALONG SAID NORTH LINE NORTH 89°45'50" EAST 2576.06 FEET TO THE NORTHWEST CORNER OF SECTION 25 AND THE POINT OF BEGINNING.

THUS DESCRIBED PARCEL CONTAINS 852.893 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.