

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. 09-15  
Series of 2009

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**TITLE: A BILL FOR AN EMERGENCY ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF PARCEL NO. 3, CONSISTING OF CONTIGUOUS UNINCORPORATED TOWN OWNED TERRITORY IN WELD COUNTY**

WHEREAS, the Town of Hudson owns the real property described in attached **Exhibit A**, which is contiguous unincorporated territory situated, lying, and being in the County of Weld, State of Colorado;

WHEREAS, the Board of Trustees of the Town of Hudson, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the Town of Hudson, Colorado.

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 Town of Hudson owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.

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 interest 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. 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.

Section 7. 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 8. The Town Clerk 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.

Section 9. 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 immediate 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 10. 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 11. Emergency Declaration. It is hereby found and determined by the Board of Trustees that the annexation of the Property is immediately necessary and in the public interest in order to properly and safely provide water storage to serve the Town and its residents. As a result of the foregoing, the Board of Trustees hereby declares that an emergency exists, and that this Ordinance is necessary to the immediate preservation of the public health and safety, all in accordance with §31-16-105, C.R.S.

Section 12. Effective Date. This Ordinance shall take effect upon adoption by the affirmative vote of three-fourths (3/4) of the members of the Board of Trustees pursuant to §31-16-105, C.R.S.

INTRODUCED, READ IN FULL, and ADOPTED AS AN EMERGENCY ORDINANCE ON THIS FIRST AND ONLY READING AND ORDERED PUBLISHED this 1<sup>st</sup> day of July, 2009.



TOWN OF HUDSON, COLORADO

  
Neal Pontius, Mayor

ATTEST:

  
\_\_\_\_\_  
Linnette Barker, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Corey Y. Hoffmann, Town Attorney

Exhibit A

**SPARBOE ANNEXATION NO.3 TO THE TOWN OF HUDSON**

A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 34;  
THENCE SOUTH 00°39'56" EAST, ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING;  
THENCE NORTH 89°39'13" WEST, PARALLEL WITH AND 50.00 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 987.86 FEET;  
THENCE SOUTH 00°20'47" WEST, 318.58 FEET;  
THENCE NORTH 89°39'13" WEST, 93.85 FEET;  
THENCE SOUTH 00°20'47" WEST, 158.71 FEET;  
THENCE NORTH 89°39'13" WEST, 208.71 FEET;  
THENCE NORTH 00°20'47" EAST, 208.71 FEET;  
THENCE SOUTH 89°39'13" EAST, 252.56 FEET;  
THENCE NORTH 00°20'47" EAST, 318.58 FEET TO SAID NORTH LINE;  
THENCE SOUTH 86°53'43" EAST, 1039.06 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 87,628 SQUARE FEET OR 2.01 ACRES, AS DESCRIBED, MORE OR LESS.

BASIS OF BEARING: THE NORTH LINE OF THE NE 1/4 OF SECTION 34 BEARS NORTH 89°39'13" WEST.