

RESOLUTION NO.

11-20

TITLE: A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION AND ESTABLISHING OCTOBER 19, 2011 AS THE DATE OF PUBLIC HEARING ON THE REQUESTED ANNEXATION OF A PARCEL OF UNINCORPORATED TERRITORY LOCATED IN THE COUNTY OF WELD (RITCHEY/ROY PROPERTY ANNEXATION)

WHEREAS, the owner of unincorporated territory, comprising more than fifty percent (50%) of the area proposed for annexation pursuant to C.R.S. § 31-12-107, has filed a petition for annexation (the "Petition") of a certain unincorporated property to the Town, which territory is more particularly described in Exhibit A attached to the Petition; and

WHEREAS, C.R.S. § 31-12-108 requires that the Town accept the Petition and establish a date, time and place that the Board of Trustees will hold a public hearing to consider the annexation and the various requirements of Title 31, Article 12, C.R.S.; and

WHEREAS the Board of Trustees, at its regular meeting on July 20, 2011, reviewed the Petition and various documents submitted in support of the Petition; and

WHEREAS, the Board of Trustees has examined the record in this case and the various exhibits; has considered the request, the Comprehensive Plan, and the recommendations of the staff; and based upon the record which has been made concerning the request, has arrived at its decision; and

WHEREAS, it has been found and determined that the applicant has complied with all of the procedural requirements as provided in Title 31, Article 12, C.R.S., in connection with the Petition.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COLORADO, AS FOLLOWS:

Section 1. That the Petition is hereby accepted and found to be in substantial compliance with the requirements of Title 31, Article 12, C.R.S.

Section 2. That a public hearing to consider the Petition is scheduled for October 19, 2011, at 7:00 p.m., at the Town of Hudson Town Hall, which is located at 557 Ash Street, Hudson, Colorado, 80642, to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105 or such part thereof as may be required to establish eligibility under the terms of Title 31, Article 12, Part 1, as amended, known as the Municipal Annexation Act of 1965, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the municipality to which the area is proposed to be annexed, any municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Weld County, may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

INTRODUCED, READ and PASSED this 7th day of September, 2011.

TOWN OF HUDSON, COLORADO



ATTEST:


Neal Pontius, Mayor


Linnette Barker, Town Clerk

Exhibit A

EXHIBIT A, LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2 AND IN THE SOUTHEAST QUARTER OF SECTION 3, ALL IN TOWNSHIP 1 NORTH, RANGE 65 WEST OF THE 6th P.M., WELD COUNTY, COLORADO, PARCEL 1 AND PARCEL 2 BEING THAT TRACT OF LAND DESCRIBED IN CHICAGO TITLE OF COLORADO INC. TITLE COMMITMENT NO. 1243913, DATED OCTOBER 10, 2001 AND THE NORTH HALF OF EIGHTH AVENUE OF THE VACATED TOWN OF HUDSON LYING EASTERLY OF INTERSTATE 76 RIGHT-OF-WAY, THE PERIMETER OF SAID TRACTS OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2 AND CONSIDERING THE WEST LINE OF SAID SOUTHWEST QUARTER TO BEAR NORTH 00° 27' 00" EAST AND WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 00° 27' 00" EAST, 1427.04 FEET ALONG SAID WEST LINE TO THE CENTERLINE OF EIGHTH AVE. OF THE VACATED TOWN OF HUDSON AND THE TRUE POINT

OF BEGINNING;

THENCE SOUTH 89° 14' 31" WEST, 486.45 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 76;

THENCE NORTH 55° 16' 30" EAST, 53.69 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF SAID PARCEL 2;

THENCE NORTH 55° 16' 30" EAST, 541.30 FEET, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY TO THE NORTHEAST CORNER OF SAID PARCEL 2 AND THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 2;

THENCE NORTH 55° 16' 30" EAST, 793.16 FEET, CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE WEST RIGHT-OF-WAY LINE OF THE NERES CANAL;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE BY THE FOLLOWING 2 (TWO) COURSES;

1) SOUTH 42° 08' 25" EAST, 315.87 FEET;

2) SOUTH 17° 35' 02" EAST, 127.21 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE BY THE FOLLOWING 2 (TWO) COURSES;

1) SOUTH 52° 36' 12" WEST, 456.68 FEET;

2) SOUTH 53° 41' 30" WEST, 194.52 FEET;

THENCE SOUTH 89° 03' 56" WEST, 385.12 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 2 AND THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 2;

THENCE SOUTH 00° 27' 00" WEST, 30.01 FEET ALONG SAID WEST LINE TO THE TRUE POINT OF BEGINNING.

Contains 10.85 acres more or less and is subject to all existing easements and / or rights-of-way of record and as existing on the ground.