

RESOLUTION NO.

17-17

TITLE: A RESOLUTION MAKING CERTAIN FINDINGS OF FACT REGARDING THE ANNEXATION OF A PARCEL OF LAND TO THE TOWN OF HUDSON, COLORADO, KNOWN AS THE HIGHWAY 52 ANNEXATION

WHEREAS, a Petition in Annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in the County of Weld, State of Colorado, otherwise known as the HIGHWAY 52 ANNEXATION, and described in the attached **Exhibit A**;

WHEREAS, said Petition in Annexation was forwarded by the Town Clerk to the Council;

WHEREAS, the Council of the Town of Hudson, Colorado (the "Council"), by resolution passed on February 15, 2017, found substantial compliance of said Petition with C.R.S. § 31-12-107(1);

WHEREAS, the Council, conducted a public hearing on April 19, 2017, as required by law to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105 to establish eligibility for annexation of that property described in Exhibit A;

WHEREAS, public notice of such public hearing was published once a week for four consecutive weeks and notice by registered mail was given to the Clerk of the Board of County Commissioners, the County Attorney, the school district and to any special district having territory in the area to be annexed as required by law;

WHEREAS, the public hearing on said annexation Petition was conducted in accordance with the requirements of the law; and

WHEREAS, pursuant to C.R.S. § 31-12-110, the Council, sitting as the governing body of the Town of Hudson, Colorado, is required to set forth its findings of fact and its conclusion as to the eligibility for annexation to the Town of Hudson of the property described in Exhibit A.

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

Section 1. With regard to the annexation of the territory described in **Exhibit A**, attached hereto and incorporated herein, the applicable provisions of C.R.S. § 31-12-104 have been met, in that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the territory proposed to be annexed and the Town; the

territory proposed to be annexed is urban or will be urbanized in the near future, and the territory proposed to be annexed is integrated or is capable of being integrated with the Town.

Section 2. The applicable provisions of C.R.S. § 31-12-105 have been met in that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; that the annexation will not result in the detachment of area from a school district; that the annexation will not result in the extension of a municipal boundary more than three miles; that the Town has in place a plan for said three mile area; and that in establishing the boundaries of the area to be annexed the entire width of any street or alley is included within the area annexed.

Section 3. An annexation election is not required under C.R.S. § 31-12-107(2) and that no additional terms or conditions are to be imposed upon the area to be annexed

Section 4. The property described in the attached Exhibit A is eligible for annexation to the Town of Hudson and all requirements of law have been met for such annexation, including the requirements of C.R.S. §§ 31-12-104 and 31-12-105, as amended.

Section 5. An ordinance annexing to the Town of Hudson that property described in the attached Exhibit A was considered by this Council pursuant to C.R.S. § 31-12-111.

Section 6. Effective Date. This resolution shall take effect upon adoption by the Council. However, by operation of C.R.S. § 31-12-113(2), the annexation will not become effective until the Town Clerk completes the filings required by statute.

INTRODUCED, READ and PASSED this 3rd day of May, 2017.



TOWN OF HUDSON, COLORADO


Raymond Patch, Mayor

ATTEST:


Rebecca Utecht, Town Clerk

EXHIBIT A

Property Description

HIGHWAY 52 ANNEXATION

A parcel of land being a portion of the West Half of Section Three (3), Township One North (T.1N.), Range Sixty-five West (R.65W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado:

COMMENCING at the Center Quarter Corner of said Section 3 and assuming the North line of the Southwest Quarter of said Section 3 as bearing South 89°44'39" West a distance of 2664.11 feet with all other bearings contained herein relative thereto:

THENCE South 00°09'02" West along the East line of the Southwest Quarter of said Section 3 a distance of 50.00 feet to the North line of that parcel of land annexed to the Town of Hudson in an Annexation Map recorded September 11, 2002 as Reception No. 2986545 of the Records of Weld County;

THENCE South 89°44'39" West along said North line a distance of 1159.46 feet to the Northwest corner thereof and to the point of **POINT OF BEGINNING**

The next 5 (five) courses are along the West, Southwesterly and Southeasterly lines of that parcel of land annexed to the Town of Hudson in an Annexation Map recorded September 11, 2002 as Reception No. 2986545 of the Records of Weld County:

THENCE South 01°11'21" East a distance of 67.60 feet to the beginning point of a curve, non-tangent to this course;

THENCE along the arc of a curve concave to the Southwest a distance of 581.91 feet, said curve has a Radius of 1985.00 feet, a Delta of 16°47'47" and is subtended by a Chord bearing South 56° 32' 13" East a distance of 579.82 feet to the end point of said curve;

THENCE South 48°08'16" East a distance of 103.00 feet;

THENCE South 43°38'21" East a distance of 743.05 feet;

THENCE North 46°21'09" East a distance of 113.90 feet to the East line of the Southwest Quarter of said Section 3;

THENCE South 00°09'02" West along the East line of the Southwest Quarter of said Section 3 a distance of 381.34 feet to the Southwesterly right of way line of Colorado State Highway 52;

The next 3 (Three) courses are along the Southwesterly right of way lines of Colorado State Highway 52:

THENCE North 43°38'21" West a distance of 815.33 feet;

THENCE North 45°07'27" West a distance of 294.00 feet to the beginning point of a curve, non-tangent to this course;

THENCE along the arc of a curve concave to the Southwest a distance of 1068.59 feet, said curve has a Radius of 1835.00 feet, a Delta of 33°21'55" and is subtended by a Chord bearing North 64°49'18" West a distance of 1053.55 feet;

THENCE North 08°29'45" East along a line radial to the aforesaid curve a distance of 150.00 feet to the beginning point of a curve, concentric with the previously described curve;

THENCE along the arc of a curve concave to the Southwest a distance of 399.57 feet, said curve has a Radius of 1985.00 feet, a Delta of $11^{\circ}32'00''$ and is subtended by a Chord bearing South $75^{\circ}44'15''$ East a distance of 398.90 feet to the Westerly prolongation of the North line of that parcel of land annexed to the Town of Hudson in an Annexation Map recorded September 11, 2002 as Reception No. 2986545 of the Records of Weld County;
THENCE North $89^{\circ}44'39''$ East along the Westerly prolongation of said North line a distance of 159.67 feet to the **POINT OF BEGINNING**;

TOTAL ANNEXED AREA for the HIGHWAY 52 Annexation is 7.693 acres, more or less (\pm).

THENCE along the arc of a curve concave to the Southwest a distance of 399.57 feet, said curve has a Radius of 1985.00 feet, a Delta of 11°32'00" and is subtended by a Chord bearing South 75°44'15" East a distance of 398.90 feet to the Westerly prolongation of the North line of that parcel of land annexed to the Town of Hudson in an Annexation Map recorded September 11, 2002 as Reception No. 2986545 of the Records of Weld County;
THENCE North 89°44'39" East along the Westerly prolongation of said North line a distance of 159.67 feet to the **POINT OF BEGINNING**;

TOTAL ANNEXED AREA for the HIGHWAY 52 Annexation is 7.693 acres, more or less (±).