

ORDINANCE NO. 2017-1013

INTRODUCED BY: Zoe Stieber

ADOPT ORDINANCE 2017-1013 ANNEXING LAND LEGALLY DESCRIBED IN EXHIBIT "A" KNOWN AS PATTERSON ANNEXATION AND APPROVING THE ANNEXATION AGREEMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO:

WHEREAS, a petition for annexation of the subject property was filed with the City on November 28, 2016. The owners of 100% of the territory, with the exception to the right-of-way, hereinafter described as the Patterson Annexation, are Thomas L. Patterson and Renae Y. Patterson, and this territory is not solely a public street or rights-of-ways. The City Council accepted said petition and has found and determined that an election was not required for this annexation under state statute or municipal ordinance or code section and that no additional terms and conditions are to be imposed upon the annexation, other than those expressed in the annexation agreement. The Planning Commission of the City of Fort Lupton, after public hearing on March 21, 2017, has recommended approval of the annexation. After a public hearing on February 6, 2017, Council found that the area to be annexed is eligible for annexation pursuant to Section 31-12-104 C.R.S. as to contiguity; and, the area is not affected by any of the limitations that would prevent annexation set forth in Section 31-12-105 C.R.S.

WHEREAS, the annexation agreement between the applicant and the City has been reviewed by City Staff and by this Council and is approved and shall be signed by the Mayor.

WHEREAS, the City Council, after public notice and hearing, and consideration of the Planning Commission recommendation, declares that the subject property is hereby annexed conditional to the following:

- I. Prior to recording the annexation map:
 - A. The title of the annexation map shall include Project No. ANX2017-0001.
 - B. An additional 25 feet of right of way shall be dedicated along 9th Street (WCR 14).
 - C. Current and proposed zoning shall be marked on the annexation map.
 - D. Any redline comments provided by staff shall be made to the annexation map.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 3rd day of April 2017.


PUBLISHED in the Fort Lupton Press the 12th day of April, 2017.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this 1st day of May, 2017.


PUBLISHED BY TITLE ONLY the 10th day of May, 2017.

EFFECTIVE (after publication) the 9th day of June, 2017.

CITY OF FORT LUPTON, COLORADO


Tommy Holton, Mayor

ATTEST:


City Clerk



Approved as to form:


Andy Ausmus, City Attorney



EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M., BEING A PORTION OF LOT A, RECORDED EXEMPTION NO. 1471-03-1 RE-3846 AS SHOWN ON THE PLAT RECORDED FEBRUARY 8, 2005 AS RECEPTION NO. 3259725 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF LOT A, TO BEAR SOUTH 00°55'47" EAST AS SHOWN ON SAID PLAT, AND AS MONUMENTED HEREON WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO;

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE SOUTH 00°56'20" EAST, A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 14 AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°43'39" WEST, COINCIDENT WITH SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 601.13 FEET TO THE WEST LINE OF SAID LOT A; THENCE SOUTH 00°55'47" EAST, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 2557.45 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY NO. 52; THENCE NORTH 89°20'24" EAST, COINCIDENT WITH THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 364.16 FEET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT B; THENCE NORTH 00°56'20" WEST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 615.50 FEET; THENCE NORTH 89°20'38" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 237.36 FEET; THENCE NORTH 00°56'20" WEST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 1887.90 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 31.648 ACRES, MORE OR LESS.

