

ORDINANCE NO. 2024-1177

INTRODUCED BY: BRUCE FITZGERALD

ADOPT ORDINANCE 2024-1177 ANNEXING LAND LEGALLY DESCRIBED IN EXHIBIT "A" KNOWN AS THE LANCASTER CROSSING 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, legally described in Exhibit "A", was filed with the City on April 19, 2024. The owners of 100% of the territory, with the exception of any road rights-of-ways, if applicable, is Thermo Farms General Partnership, LLC, 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 August 22, 2024, has recommended approval of the annexation known as the Lancaster Crossing Annexation. After a public hearing on July 16, 2024, 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. Any redline comments provided by City Staff shall be made to the annexation map.
 - B. Applicant shall address the City Engineer's comments.

INTRODUCED, READ, AND PASSED ON FIRST READING, AND ORDERED PUBLISHED this 3rd day of September 2024.

PUBLISHED in the Fort Lupton Press the 12th day of September 2024.

FINALLY READ BY TITLE ONLY, PASSED AND ORDERED PUBLISHED BY TITLE ONLY this 1st day of October 2024.

PUBLISHED BY TITLE ONLY the 10th day of October 2024.

EFFECTIVE (after publication) the 9th day of November 2024.

CITY OF FORT LUPTON, COLORADO


Zo Hubbard, Mayor



ATTEST:


Maricela Peña, City Clerk

Approved as to form:

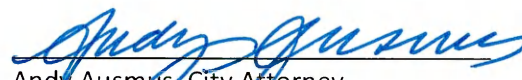

Andy Ausmus, City Attorney

EXHIBIT A
LEGAL DESCRIPTION

A PLAT OF A PARCEL OF LAND BEING A PORTION OF THE NORTH HALF (N1/2) OF SECTION THIRTY-THREE (33), AND A PORTION OF THE SOUTH HALF (S1/2) OF SECTION TWENTY-EIGHT (28), TOWNSHIP TWO NORTH (T.2N.), RANGE SIXTY-SIX WEST (R.66W.) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), COUNTY OF WELD, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION THIRTY-THREE (33) AS MONUMENTED BY A #6 REBAR WITH AN ILLEGIBLE 3.25" ALUMINUM CAP AND ASSUMING THE NORTH LINE OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 33 AS MONUMENTED AT THE EAST END BY A #6 REBAR WITH A 2.5" ALUMINUM CAP LS 13482 AS BEARING NORTH 89°09'47" EAST BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983, A DISTANCE OF 2640.93 FEET WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THE LINEAL DIMENSIONS AS CONTAINED HEREIN ARE BASED UPON THE U. S. SURVEY FOOT.

THENCE SOUTH 00°34'40" EAST ALONG THE WEST LINE OF THE NE1/4 OF SAID SECTION 33 A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 16 AND TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°43'30" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 2646.93 FEET TO THE WEST LINE OF THE NW1/4 OF SAID SECTION 33;

THENCE NORTH 00°36'14" WEST ALONG THE WEST LINE OF SAID NW1/4 A DISTANCE OF 30.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 33;

THENCE NORTH 00°44'36" WEST ALONG THE WEST LINE OF THE SW1/4 OF SAID SECTION 28 A DISTANCE OF 30.00 FEET TO THE WESTERLY EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 16;

THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND ALONG THE NORTH RIGHT-OF-WAY OF SAID COUNTY ROAD 16 THE FOLLOWING TWO (2) COURSES AND DISTANCES:

THENCE NORTH 89°43'30" EAST A DISTANCE OF 2647.07 FEET;

THENCE NORTH 89°09'47" EAST A DISTANCE OF 1707.45 FEET TO THE NORTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD 31 AS DESCRIBED IN DEED RECORDED MAY 23, 1980 IN BOOK 904, REC. NO. 1825641;

THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION AND ALONG THE WEST RIGHT-OF-WAY OF SAID COUNTY ROAD 31 THE FOLLOWING SIX (6) COURSES AND DISTANCES

THENCE SOUTH 00°31'13" EAST A DISTANCE OF 30.00 FEET;

THENCE CONTINUING SOUTH 00°31'13" EAST A DISTANCE OF 436.34 FEET TO A POINT OF CURVATURE (PC);

THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE EAST A DISTANCE OF 706.46 FEET, SAID CURVE HAS A RADIUS OF 2321.83 FEET, A DELTA ANGLE OF 17°26'00", AND IS SUBTENDED BY A CHORD BEARING SOUTH 09°14'13" EAST A DISTANCE OF 703.74 FEET;

THENCE SOUTH 17°57'13" EAST A DISTANCE OF 327.18 FEET TO A PC;

THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE WEST A DISTANCE OF 633.33 FEET, SAID CURVE HAS A RADIUS OF 5699.58 FEET, A DELTA ANGLE OF 06°22'00", AND IS SUBTENDED BY A CHORD BEARING SOUTH 14°46'13" EAST A DISTANCE OF 633.01 FEET;

THENCE SOUTH 11°35'13" EAST A DISTANCE OF 547.40 FEET;

THENCE SOUTH 89°32'00" WEST ALONG A LINE FIFTY (50) FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NE1/4 OF SAID SECTION 33 A DISTANCE OF 1452.11 FEET TO THE CENTERLINE OF THE FULTON DITCH;

THENCE NORTHERLY ALONG THE CENTERLINE OF SAID FULTON DITCH THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES:

THENCE NORTH 29°51'07" WEST A DISTANCE OF 84.85 FEET;

THENCE NORTH 11°38'56" WEST A DISTANCE OF 382.04 FEET;

THENCE NORTH 02°36'51" WEST A DISTANCE OF 360.14 FEET;

THENCE NORTH 08°45'29" EAST A DISTANCE OF 208.08 FEET;

THENCE NORTH 16°21'09" WEST A DISTANCE OF 92.77 FEET;

THENCE NORTH 45°52'37" WEST A DISTANCE OF 173.40 FEET;

THENCE NORTH 74°25'26" WEST A DISTANCE OF 122.24 FEET;

THENCE NORTH 56°44'42" WEST A DISTANCE OF 109.68 FEET;

THENCE NORTH 17°32'34" WEST A DISTANCE OF 155.42 FEET;

THENCE NORTH 27°00'54" WEST A DISTANCE OF 237.74 FEET;

THENCE NORTH 46°35'33" WEST A DISTANCE OF 161.51 FEET TO THE WEST LINE OF THE NE1/4 OF SAID SECTION 33;

THENCE NORTH 00°34'40" WEST ALONG SAID WEST LINE A DISTANCE OF 760.58 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL OF LAND CONTAINS 97.24 ACRES ($\pm 4,235,887$ SQ.FT.), MORE OR LESS (+/-), AND IS SUBJECT TO ANY RIGHTS-OF-WAY OR OTHER EASEMENTS OF RECORD AS NOW EXISTING ON SAID DESCRIBED PARCEL OF LAND.

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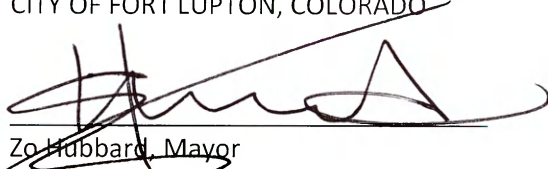
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Zo Hubbard, Mayor

ATTEST:


Maricela Peña, City Clerk

Approved as to form:


Andy Ausmus, City Attorney



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