

**Town of Erie  
Resolution No. 21-089**

**A Resolution of the Board of Trustees of the Town of Erie Making  
Certain Findings of Fact Regarding the Proposed Hammer  
Annexation to the Town**

**Whereas**, a petition for annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in Weld County and described in the attached **Exhibit A**, attached hereto and incorporated herein by this reference, also known as Hammer Annexation (the "Property");

**Whereas**, by resolution adopted on May 11, 2021, the Board of Trustees found the petition to be in substantial compliance with C.R.S. § 31-12-107(1); and

**Whereas**, on June 22, 2021, the Board of Trustees conducted a properly-noticed public hearing to determine if the Property is eligible for annexation to the Town.

**Now Therefore be it Resolved by the Board of Trustees of the Town of Erie, Colorado, that:**

**Section 1.** 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 Property is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future, and the Property 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; 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 Town boundary more than three miles; the Town has in place a plan for said three-mile area; and, in establishing the boundaries of the Property, the entire width of any street or alley is included within the Property.

**Section 3.** An annexation election is not required under C.R.S. § 31-12-107(2) and no additional terms or conditions are to be imposed upon the area to be annexed other than as contained in the Annexation Agreement, which has been considered and approved by separate resolution.

**Section 4.** The Property is eligible for annexation to the Town, and all requirements of law have been met, including the requirements of C.R.S. §§ 31-12-104 and 31-12-105.

**Section 5.** An ordinance annexing the Property to the Town will be considered by the Board of Trustees pursuant to C.R.S. § 31-12-111.

**Adopted this 22<sup>nd</sup> day of June, 2021.**

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Jennifer Carroll, Mayor

**Attest:**

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Heidi Leatherwood, Town Clerk

## **Exhibit A**

A portion of the West One-half (W1/2) of the Southwest One-quarter (SW1/4) of Section 3, T1N, R68W, Weld County, Colorado, being more particularly described as follows:

Commencing at the Southwest corner of said Section 3 and proceeding N44°48'29"E, 42.46 feet to the East right-of-way line of Weld County Road 7 and the Point of Beginning; Thence along said East right-of-way line, N00°08'31"W, 269.95 feet; Thence departing said East right-of-way line, N89°42'54"E, 180.02 feet; Thence N00°10'55"W, 120.10 feet; Thence S89°43'03"W, 179.94 feet to a point on said East-right-of way line; Thence along said East right-of-way line, N00°08'31"W, 1321.38 feet; Thence departing said East right-of-way line, N89°51'29"E, 797.55 feet; Thence S00°00'00"E, 329.97 feet; Thence N90°00'00"E, 451.88 feet; Thence S00°08'03"E, 1378.18 feet to a point on the North right-of-way line of Weld County Road 12; Thence along said North right-of-way line, S89°45'30"W, 1248.42 feet to the Point of Beginning.

Said parcel contains 45.10 acres (1,964,590 sq. ft.), more or less.