

**Town of Erie
Ordinance No. 13-2021**

**An Ordinance of the Board of Trustees of the Town of Erie
Annexing to the Town Certain Real Property Located in
Unincorporated Weld County (Hammer Annexation)**

Whereas, a petition for annexation was filed with the Town requesting the annexation to the Town 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);

Whereas, on June 22, 2021, the Board of Trustees conducted a properly-noticed public hearing and determined that the Property is eligible for annexation to the Town; and

Whereas, the Board of Trustees finds that it is desirable and necessary that the Property to be annexed to the Town.

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

Section 1. The Property is hereby annexed to the Town. Upon the effective date of this Ordinance, the Property shall become subject to the jurisdiction of the Town.

Section 2. The Town Clerk shall file for recording three certified copies of this Ordinance and three copies of the Annexation Map with the Weld County Clerk and Recorder, and shall keep one copy of the Annexation Map and the original of this Ordinance in the Town Clerk's office.

Section 3. The Town Clerk shall request that the Weld County Clerk and Recorder file one certified copy of this Ordinance and one copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs and the same with the Colorado Department of Revenue.

Section 4. **Severability.** If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 5. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 6. Effective Date. This Ordinance shall become effective 30 days after publication. For the purpose of general taxation, this Ordinance shall become effective on January 1st of the next succeeding year following its passage.

Introduced, Read, Passed and Ordered Published this 22nd Day of June, 2021.

Jennifer Carroll, Mayor

Attest:

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.