



450 S. Parish Avenue
Johnstown, CO 80534
970.587.4664
JohnstownCO.gov

TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO
Wednesday, September 04, 2024 at 7:00 PM

MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.

AGENDA

CALL TO ORDER

Pledge of Allegiance

ROLL CALL

AGENDA APPROVAL

SPECIAL PRESENTATIONS

1. Business of the Month
2. Suicide Awareness and Prevention Month Proclamation

PUBLIC COMMENT

Members of the audience are invited to speak at the Council meeting. Public Comment is reserved for citizen comments on items not contained on the Public Hearing portion of the agenda. Citizen comments are limited to five (5) minutes per speaker. When several people wish to speak on the same position on a given item, they are requested to select a spokesperson to state that position.

CONSENT AGENDA

The Consent Agenda is a group of routine matters to be acted on with a single motion and vote. Council or staff may request an item be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

3. August 19, 2024 Meeting Minutes
4. August 2024 List of Bills

TOWN MANAGER REPORT

5. Town Manager's Report

TOWN ATTORNEY REPORT

6. Town Attorney Report

PUBLIC HEARING

7. Archdiocese Annexation & Zoning
 - A. Resolution 2024-34 Findings of Fact and Conclusions for The Archdiocese Annexation No. 4 - 5

B. Ordinance 2024-255 Annexing Certain Unincorporated Lands Located in Weld County
Known as The Archdiocese Annexation No. 4 - 5

C. Ordinance 2024-256 Approval of H-A (Holding Agriculture) Zoning on the Property Known
as The Archdiocese Annexation No. 4 - 5

COUNCIL REPORTS AND COMMENTS

MAYOR'S COMMENTS

INFORMATIONAL ITEMS

- [8.](#) A revision to the ongoing discussion regarding an ordinance regarding burning items within town limits. The new version addresses the original nexus of the complaint without the need to address the individual exceptions.

EXECUTIVE SESSION

9. An Executive Session to Receive Legal Advice from the Town Attorney Pursuant to C.R.S. Section 24-6-402(4)(b) Regarding 2 Jay Avenue
10. An Executive Session to Discuss the Purchase of Real Property Pursuant to C.R.S. Section 24-6-402(4)(a) - Larimer County Open Space Sales Tax Purchase

ADJOURN

AMERICANS WITH DISABILITIES ACT NOTICE

In accordance with the Americans with Disabilities Act and other applicable laws, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at 970-587-4664 no later than 48 hours before the meeting in order to request such assistance.

De conformidad con la Ley de Discapacitados Estadounidenses y otras leyes vigentes, los individuos que necesitan adaptaciones funcionales para asistir o participar en esta reunión deberán comunicarse con la Municipalidad marcando el 970 587- 4664 a lo más tardar 48 horas antes de dicha reunión para solicitarla.



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Item #2.

PROCLAMATION

- WHEREAS,** suicide is a complex issue that can affect anyone, regardless of age, gender, race, orientation, income level, or background; and
- WHEREAS,** over 48,000 deaths annually are attributed to suicide; with suicide rates in Colorado ranking 6th nationally, and 66 lives lost to suicide in Weld County during 2023; and
- WHEREAS,** being a trusted person to turn to when someone is feeling isolated or hopeless is one of the most important things we can do to prevent suicide;
- WHEREAS,** actively challenging stigma around mental health and building skills that increase the likelihood of someone feeling safe to open up without fear of shame or judgement is the first step,
- WHEREAS,** because of the collaborative prevention and education efforts of North Range, Suicide Education and Support Services (SESS), Imagine Zero of Weld County, numerous survivors, and community partners, hope exists in **Johnstown**, and
- WHEREAS,** North Range Behavioral Health's Suicide Education and Support Services (SESS) program supports those who have lost someone to suicide and provides education to **Johnstown** residents that help build critical suicide prevention skills; and
- WHEREAS,** September is recognized as National Suicide Awareness and Prevention Month with the goal of promoting awareness surrounding suicide prevention resources and support available to us and our community; and
- WHEREAS,** we encourage all residents to learn how to talk about mental health; research suicide prevention resources available nationally and throughout Weld County; check in on the wellbeing of your family, friends, and neighbors; and share genuine appreciation for the people in your life by any gesture you deem appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO THAT:

*I, Michael P. Duncan, Mayor of the Town of Johnstown, Colorado do proclaim
September 2024 as*

Suicide Awareness and Prevention Month

By: _____
Michael P. Duncan, Mayor

The Community that Cares



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TOWN COUNCIL REGULAR MEETING

450 S. Parish, Johnstown, CO
Monday, August 19, 2024 at 7:00 PM

MINUTES

CALL TO ORDER

Mayor Duncan called the meeting to order and led the Pledge of Allegiance.

Pledge of Allegiance

ROLL CALL

Present:

Councilmember Menzies
Councilmember Molinar Jr.
Councilmember Morris
Councilmember Paranto
Mayor Pro Tem Young
Mayor Duncan

Absent:

Councilmember Berg

AGENDA APPROVAL

Councilmember Menzies moved to approve the agenda.

Councilmember Morris seconded and the motion passed.

SPECIAL PRESENTATIONS

1. Presentation of the Limited Market Assessment regarding the Downtown Masterplan Project
Sarah Crosthwaite, Economic Development Manager, presented the report.
2. Presentation: Thompson School District Potential 2024 Bond & Special Levy Overview
Mr. Gordon Jones, CFO Thompson School District presented the potential ballot request.

PUBLIC COMMENT

Justin Tuttle, General Manager of Wing Shack, spoke to the Downtown Master Plan and the benefits, including the volume of sales, to the businesses of the Master Plan.

The JDDA Board spoke to the Downtown Master Plan and read a letter into the record in support of the Downtown Master Plan Project.

Stephanie Podtburg spoke to the Downtown Master Plan and expressed support and gratitude to Council for the thoughtful and strategic approach to the future growth of the community.

Donna Derrera spoke in support of the Johnstown Downtown Master Plan and the Town Council deciding what the downtown would look like as opposed to the developers.

A comment from James Kolnik regarding weeds at Johnstown Farms Community was read into the record.

Comments regarding Xfinity from was read into the record from Julie Luekenga.

A comment from Amy Musgrave regarding the traffic and streets by the high school was read into the record.

A comment from Lesley Hollywood was read into the record regarding streets and traffic at the high school.

Chief Strossner spoke to the high school traffic issues. Council inquired on previous experience with school districts, which Chief Strossner noted conversations are needed and Council asked if statics could be made available.

Chief noted vehicular accidents near the school with four accidents due to ice, and three were minor rear end accidents.

Council asked if a Work Session with the School District could be scheduled. Mr. LeCerf noted a later agenda item would speak to this and the traffic impact study produced by the school district does not warrant a signal.

CONSENT AGENDA

Council asked for clarification on Ordinance No. 2024-257, which staff noted reads "subsequent to the next election".

Councilmember Morris moved to Approve the Consent Agenda

Councilmember Paranto seconded and the motion passed.

3. August 5, 2024 Meeting Minutes
4. Ordinance No. 2024-257 Amending Section 2-24 and Section 1-83 of the Johnstown Municipal Code Concerning Compensation for the Mayor and Council Members and Members of the Planning and Zoning Commission on Second Reading
5. Resolution No. 2024-37: A Resolution of the Town of Johnstown, Colorado, Supporting the Application for an Energy/Mineral Impact Assistance Fund Grant from the State of Colorado Department of Local Affairs
6. Intergovernmental Agreement Between Town of Johnstown and Weld County Reorganized School District RE-5J Concerning Cost Sharing for Pioneer Ridge Elementary School Playground Equipment
7. July 2024 Financial Statements and Q2 Sales Tax Summaries

TOWN MANAGER REPORT

Matt LeCerf, Town Manager, noted that the HOA noted in Public Comment has been contacted and directed to take corrective action.

The proposed burn ordinance was noted included in the information items, with a noted exemption of agricultural burning.

Council asked for clarification on section C, item 3 - Mr. LeCerf noted the ditch would be included in the agricultural burning, but staff would review the ordinance for wording for ditch maintenance.

The burning of flags was asked for clarification, and Chief noted that a burn permit from the County would be an included exemption.

TOWN ATTORNEY REPORT

There was no Town Attorney report.

NEW BUSINESS

8. Award of the Letford and Centennial Park Master Plan Project to Wenk Associates, Inc.

Mr. LeCerf presented the proposed award of a contract, reviewing the process and location. Town staff reviewed the proposals and the four finalists were interviewed, with the proposed contract amount of \$172,500 to Wenk Associates being noted. The estimated project completion date is in January of 2025, with planned public outreach included.

Council referenced the student interest in this areas and if that data was available. Mr. LeCerf noted the that the interest was in a pool and the question is whether the pool would be included in this area, or a separate area. Council noted that there is a desire to not lose the pool and bring the item back to the public during an election year for a possible tax question.

A conceptional idea of what the plan would look like was asked about, which Mr. LeCerf noted Wenk Associates did provide a presentation on what this could look like if money was no object, and the community outreach included in their proposal was a benefit to their bid.

Councilmember Paranto move to approve the Letford & Centennial Master Park Plan Agreement to Wenk Associates, Inc as presented and authorize the Town Manager to sign the contract.

Mayor Pro Tem Young seconded and the motion passed.

9. Contract Award for Design Services for a Roundabout at the Intersection of Roosevelt Pkwy & Colorado Boulevard

Mr. LeCerf presented the contract referencing a previous meeting with Council and this design contract being the result. Several entities would contribute to the project, including the Town, The Granary and RE-5J. The timeline would be going out to bid at the end of March, with the end of May seeing construction and a complete shut down of the intersection.

Council asked for information on length of time of the project if only one lane of traffic was closed. Johnny Olson, from Alfred Benesch & Company, noted that if roads are closed down projects can be completed in 60 days. Excessive amounts of time would be added if one lane needs to remain open. Costs would vary depending on the bids if time is added.

Council asked if there would be an impact to BBQ Day and the fireworks. Mr. LeCerf noted the fireworks would be impacted, and the school district may be willing to host this show at the to-be middle school. There would still be access to the high school at the north drive.

Mr. LeCerf noted the construction was being shifted so the one resident would maintain access.

Council asked if any short term cost effective measures could be noted, which Mr. Olson noted flaggers, or temporary signals however that would be costly and not timely. A three way stop sign is also an option, as well as an automatically controlled signal are an option.

A change of traffic pattern was questioned, which Alfred Benesch noting one-way traffic patterns are still moving at the same time, with any left turn traffic being the main backup.

Council requested the three way stop signs be looked into, and the time frame.

Councilmember Morris move to approve a contract with Alfred Benesch & Company, as presented, in the amount of \$434,551.69, with a total appropriated budget of \$450,000 as detailed in the TAC, and authorize the Town Manager to sign the contract.

Councilmember Paranto seconded and the motion passed.

10. Intergovernmental Agreement Regarding Use of Special Improvement Districts between the Town of Johnstown, Colorado and the Ridge at Johnstown Metropolitan District Nos. 1-8

Avi Rocklin, Town Attorney, introduced Carolyn Steffl, Special Counsel who noted the Service Plan and requirements to return to Council for an IGA. Ms. Steffl noted this IGA would authorize the creation and the board of the special districts, to impose fees and to issues special assessment revenue bonds. The bonds do have to be repaid prior to any Certificate of Occupancy is issued. Ms. Steffl noted the Town would not be liable for any debt, and the metropolitan districts would be held responsible.

Council asked for clarification on cost for a homeowner with this assessment on the home. Ms. Steffl noted this would still be a metro district, but the assessment has to be repaid prior to a C.O. being issued, and the lien would be released per parcel before the homeowner purchases the property. The builder would be responsible for the debt.

Council inquired how common this will become, which Ms. Steffl noted it is expected to become more common.

Robert Rogers, general counsel to the meto districts, noted the purpose of this financing is to serve as bridge financing for the project. The difference is the metro district gets the lien, and the lien has to be paid off prior to any sale. It was noted creative opportunities to save on interest costs are being looked at.

Council asked who holds the risk for the debt. The financial advisor for metro district noted the developer bares the risk of repaying the debt. Impact of the cost of the homes was a concern, which the advisor did elaborate would not effect the price.

Council expressed concern about costs being passed along to the homeowner at some point.

Councilmember Morris moved to approve the Intergovernmental Agreement Regarding Use of Special Improvement Districts between the Town of Johnstown, Colorado and the Ridge at Johnstown Metropolitan District Nos. 1-8.

Councilmember Paranto seconded and the motion passed.

11. Granary Fee Assessment

Mr. LeCerf noted the consideration of the fee for The Granary Metro Nos 1-9, with the planning to include a community pool would be added value. It was expressed the fee is expected to decrease as the number of home sales increases.

Council inquired about the inequity if the later home sales are paying less than the first home sales. The applicant noted it can be viewed as the homeowners are paying for the time they are using the facilities. The financial projections included in the packet were discussed, with the property goal being left better than they found it.

Clarification on the annual price was asked on, the applicant noted the board of directors has approved a resolution up to \$750, subject to the conditions of the service plan of approval of Town Council.

The number of homes in the subdivision was asked on and noted those home owners have been notified. It was noted this number has been published for several months, and is comparable to other districts in Johnstown.

Patrick McMeekin, President of Hartford Homes, noted the pool is on schedule and they are confident the pool would be completed by the end of 2025. It was also noted that there is an opt in for non-residents to join the pool for a fee.

Councilmember Morris move to approve the Recurring Fees Request for Operation Services – Granary Metropolitan Districts Nos. 1-9 at a rate of \$750.00 annually per residential unit.

Councilmember Molinar seconded and the motion passed.

PUBLIC HEARING

12. Public Hearing - The Granary Filing No. 3 - Subdivision Case No. SUB23-0013

A. Resolution No. 2024-30: Approving the Final Subdivision Plat and Development Plan for The Granary Filing No. 3

B. Water and Sewer Service Agreement with Hartford Investments, LLC

C. Subdivision Development and Improvement Agreement with Hartford Investments, LLC

Mayor Duncan opened the public hearing.

Jeremy Gleim, Planning Director, presented the Filing No. 3 for the Granary. The preliminary plat and location of the property was reviewed, noting Filing No. 3 is approximately 185 acres, with the vast majority of this filing will be for future development. It was noted with this filing Roosevelt Parkway would be extended.

Council asked if this project would impact the paving of WCR 46, which Mr. Gleim noted not with this filing, but it would be the developers responsibility at the fourth submitted filing.

The applicant presented and reviewed the location to called out the existing barn and Hillsborough Ditch. Enhanced amenities were reviewed, including the old barn to be used as a signage and branding for the site. The central park amenities were reviewed, including a pool and trail system.

Council expressed appreciation of the silo look.

Mayor Duncan opened public comment for those in favor of or opposed to this item.

Jim Hatfield spoke to the item and asked for clarification for where the high pressure gas line is on the property.

Mayor Duncan closed public comment.

A representative for the applicant noted the Thornton and gas line follows the railroad and follows south of Filing 2 and into Filing 2.

Mayor Duncan closed the public hearing

Councilmember Morris moved to approve Resolution 2024-30, approving The Granary Filing No. 3.

Councilmember Molinar seconded and the motion passed.

Mayor Pro Tem Young moved to approve the Water And Sewer Service Agreement for The Granary Filing No. 3

Councilmember Morris seconded and the motion passed.

Councilmember Molinar moved to approve the Subdivision Development and Improvement Agreement for The Granary Filing No. 3.

Councilmember Paranto seconded and the motion passed.

COUNCIL REPORTS AND COMMENTS

Councilmember Molinar noted Roosevelt Parkway and CR 13 and spoke to a need for police presence. Council agreed on the need for Police presence.

Mayor Pro Tem Young noted Councilmember Molinar's family loss, with Councilmember Molinar Senior serving on the Council and the legacy left.

Councilmember Menzies noted the Behavioral Health Committee meeting at the County and funding being sought after.

MAYOR'S COMMENTS

Mayor Duncan expressed condolences to Councilmember Molinar's family.

Appreciation for recent police response was expressed, along with thoughts to the family's loss.

INFORMATIONAL ITEMS

13. Informational Items

Informational items were included in the packet.

EXECUTIVE SESSION

14. An Executive Session to Discuss Matters Subject to Negotiations and to Instruct Negotiators Pursuant to C.R.S. Section 24-6-402(4)(e) Regarding Project Net, an Economic Development Project.

Mayor Pro Tem Young moved to recess into Executive Session to Discuss Matters Subject to Negotiations and to Instruct Negotiators Pursuant to C.R.S. Section 24-6-402(4)(e) Regarding Project Net, an Economic Development Project and an executive session to discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a) - Sandra Drive

Councilmember Menzies seconded and the motion passed. Council recessed into executive session.

15. An executive session to discuss the purchase of real property pursuant to C.R.S. Section 24-6-402(4)(a) - Sandra Drive.

Council reconvened from Executive Session at 10:23, Mayor Duncan noted no decisions were made.

NEW BUSINESS FROM EXECUTIVE SESSION

16. Resolution No. 2024-38 – Purchase and Sale Agreement for 1108 Sandra Drive

Mr. LeCerf noted a series of resolutions for purchase and sale agreements, referencing rain and flooding events in spring 2023 where property owners on Sandra Drive were affected with excessive damage. The Town began to exploring options to improve the storm drainage issue. From the initial options identified, the most cost effective at the time was to convey the stormwater under the Hillsborough Ditch at a cost of \$5.5 million, noting this was only an interim solution. This interim solution also included the need for additional improvements to include installation of a 54" stormwater pipeline. Based on engineer estimates this would be an additional cost of \$3 - \$5 million, making the total cost of \$8.5 - \$10 million (best case scenario). With the cost of projects to divert stormwater from this area, staff explored options and recommends as a solution to mitigate flooding issues in the future, to acquire property with several property owners. This is the best and most cost-effective solution.

The Town will purchase the listed address and enter into a temporary lease agreement with the current owners and a release to be signed by the Seller.

Councilmember Menzies moved to Approve Resolution No. 2024-38 - Purchase and Sale Agreement for 1108 Sandra Drive for \$950,000 along with a temporary lease agreement

Councilmember Morris seconded and the motion passed.

17. Resolution No. 2024-39 – Purchase and Sale Agreement for 1110 Sandra Drive

Mr. LeCerf noted the \$840,000 purchase would include a post-closing occupancy agreement for the owners to occupy the house for 60 days and releases to be signed by both parties.

Mayor Pro Tem Young moved to Approve Resolution No. 2024-39 - Purchase and Sale Agreement for 1110 Sandra Drive for \$840,000 with a 60-day post-closing occupancy agreement

Councilmember Morris seconded and the motion passed.

18. Resolution No. 2024-40 – Purchase and Sale Agreement for 1112 Sandra Drive

Mr. LeCerf noted the purchase price of \$809,000 along with a 60-day post-closing occupancy agreement and releases to be signed by both parties.

Councilmember Menzies moved to Approve Resolution No. 2024-40 - Purchase and Sale Agreement for 1112 Sandra Drive for \$809,00 with a 60-day post-closing occupancy agreement

Mayor Pro Tem Young seconded and the motion passed.

19. Resolution No. 2024-41 – Purchase and Sale Agreement for 1114 Sandra Drive

Mr. LeCerf noted the purchase price of \$725,000 including a 60-day post-closing occupancy agreement and a release to be signed by the Seller.

Councilmember Molinar moved to Approve Resolution No. 2024-41 - Purchase and Sale Agreement for 1114 Sandra Drive in the amount of \$725,000 with a 60-day post-closing occupancy agreement

Mayor Pro Tem seconded, and the motion passed.

ADJOURN

Mayor Duncan adjourned the August 19, 2024 meeting at 10:34 pm.

Michael P. Duncan, Mayor

Hannah Hill, Town Clerk

Town of Johnstown
List of Bills - July 13, 2024 - August 16, 2024

<u>Vendor</u>	<u>Description</u>	<u>Dept</u>	<u>Amount</u>
4990 Ronald Reagan LLC	Police substation lease	PD	1,519.75
A Concrete Inc	Concrete replacement	PW	3,875.00
Ace Hardware	Supplies	PW	1,922.61
Adamson Police Products	Uniforms	PD	1,448.95
All Copy Products, Inc	Copier supplies	PD	176.55
AM Construction Supply Inc	Equipment maintenance	PW	399.99
American Water Works Association	Dues	PW	2,339.00
Aqua Engineering	Central expansion project	PW	83,846.23
Arapahoe Rental	Equipment rental/fuels	PW	445.11
Arrowhead Scientific Inc.	Lab equipment	PD	86.67
Axon Enterprises, Inc.	Taser contract	PD	17,993.60
Banner North Colorado Med Ctr	Medical services	PD	700.00
Batteries Plus	Supplies	PW	465.75
Bell Gould Linder & Scott, P.C.	Legal services	ADM	702.25
Benesch	Thompson Parkway roundabout	PW	2,642.50
BHA Design Incorporated	Downtown alley project	PW	7,407.50
Bludot Technologies Inc.	CRM	ADM	195.00
BlueWater Engineering Ltd	Water treatment plant expansion	PW	31,698.09
Bobcat of the Rockies	Equipment maintenance	PW	38.99
Browns Hill Engineering & Controls	Equipment maintenance	PW	13,475.40
Buc-ee's	Reimbursement of sales tax	ADM	408,664.29
Burns & McDonnell Engineering Co Inc.	Water treatment plant expansion	PW	92,399.36
Canyon Systems, Inc.	Supplies	PW	39.00
Card Services	Training/travel/supplies June and July	ALL	40,612.24
CDLE-Finance Office- Boiler Inspection	Boiler inspection	PW	120.00
Central Weld County Water District	Interconnect	PW	5,637.36
Century Communities Inc	Water/sewer tap refund	ADM	16,429.00
CenturyLink	Phone/internet	PW	1,367.13
Cintas	Supplies	PW	533.48
Cirsa	Insurance	ADM	743.98
City of Loveland	Facility rental	PD	1,200.00
Civil Resources	Raw water line project	PW	46,498.50
CMC Tire	Supplies	PW	1,402.00
Colorado Analytical Labs	Lab testing	PW	2,196.00
Colorado Greenbelt Management	Landscaping services	PW	1,545.00
Community Center Refund	Community Center refunds	ADM	1,690.00
Connell Resources, Inc.	Chemicals	PW	491.15
Consolidated Home Supply Ditch	Water legal	PW	562.81
Core & Main	Valves/water meters	PW	30,530.27
Costar Realty	Software	ADM	430.00
Coulson Excavating Co Inc	Patching supplies	PW	1,777.30
Cummins Sales and Service	Equipment maintenance	PW	450.75
D2C Architects	PD/development services design	PD	23,028.06
DataShield Corporation	Shred services	ADM	50.00
David J Thrower	Municipal Court Judge	ADM	437.50
DBC Irrigation Supply	Irrigation supplies	PW	1,653.61
Decked LLC	Vehicle upfit	PW	3,379.98
Denali Water Solutions LLC	Sludge removal	PW	2,338.21

<u>Vendor</u>	<u>Description</u>	<u>Dept</u>	<u>Amount</u>
DES Pipeline Maintenance, LLC	Equipment maintenance	PW	3,037.50
Desotec	Chemicals	PW	262,061.13
Dietze and Davis P.C.	Billback - Legal services	ADM	2,079.00
Ditesco LLC	Little Thompson bridge project	PW	460.00
DK Solutions LLC	Equipment maintenance	PW	181.00
eAnalytics Laboratory	Lab testing	PW	280.00
Employee Reimbursement	Training/travel/supplies	ADM	1,550.79
Employers Council	Dues	ADM	7,900.00
Entenmann-Rovin Co.	Supplies	PD	591.25
Ergomed	Employment screening	ADM	210.00
Falcon Environmental Corp.	Pump	PW	5,250.00
Far Better Farming LLC	Property damage	ADM	13,000.00
Felsburg Holt & Ullevig Inc	Billback - Engineering services	ADM	7,097.50
First National Bank	Custodial fees	ADM	773.48
First National Bank of Omaha	Safety deposit box	ADM	125.00
First Responder Trauma Counselors	Peer support	PD	2,340.00
Flowpoint Environmental Systems Inc.	Bulk water salesman	PW	9,513.89
Front Range Compliance Services LLC	DOT compliance consulting	ADM	300.00
Front Range Raynor	Equipment maintenance	PW	362.00
Frontier Fertilizer & Chemical	Chemicals	PW	453.49
Frontier Self Storage	Storage	PW	280.00
Glass Doctor of Greeley	Equipment maintenance	PW	770.00
Glenn A. Jones Library	Monthly support	ADM	202,662.06
Grainger, Inc.	Supplies	PW	611.39
Ground Engineering Consultants, Inc.	Central WWTP materials testing	PW	7,440.50
Hach Company	Chemicals	PW	4,735.64
Harrington Industrial Plastics	Supplies	PW	84.50
Hays Market Inc	Supplies	PW	119.10
Helton & Williamsen, P.C.	Billback- Water legal	ADM	15,795.60
Herc Rentals	Asphalt roller	PW	25,200.00
High Country Low Voltage LLC	Chambers broadcast upgrade	ADM	55,808.53
Hill & Robbins, PC	Billback - Legal services	ADM	931.00
Hill & Robbins, PC	Water legal	ADM	985.50
Hydrant Meter Deposit Refund	Hydrant meter deposit refunds	ADM	8,500.00
IMEG Corp	Billback - Engineering services	ADM	9,680.00
IMEG Corp	Engineering services	PW	33,407.50
Insight North America LLC	Investment services	ADM	2,425.40
Intellichoice, Inc	Eforce software	ADM	5,285.00
J&D Creations	Uniforms	ALL	2,634.90
J&S Contractors Supply Co.	Safety supplies	PW	8,572.38
Jenny Miller	Translation services	ADM	188.86
John Cutler & Associates	2023 Audit	ADM	2,500.00
John Deere Financial	Supplies	PW	370.99
Johnstown Breeze	Publications	PW	1,260.72
J-U-B Engineers, Inc.	Billback - Engineering services	ADM	167.50
J-U-B Engineers, Inc.	Water treatment plant/SH60 waterline	PW	64,389.47
Kelly Supply Co	Supplies	PW	28.55
Kenyon P. Jordan, Ph.D.	Prehire evaluation	PD	300.00
Kerr-McGee Oil & Gas Onshore LP	Interest	ADM	141.41
Kinsco, LLC	Uniforms	PD	1,822.96

<u>Vendor</u>	<u>Description</u>	<u>Dept</u>	<u>Amount</u>
L4 Construction	Little Thompson Bridge project	PW	46,089.91
Land Title Guarantee Company	Title services	ADM	500.00
Language Line Services Inc.	Translation services	PD/ADM	142.78
Larimer CO Economic & Workforce Dev	2024 Workforce symposium	ADM	1,000.00
Larimer County Sales Tax Administrator	Use Tax - Reimbursement June/July	ADM	160,572.63
Law Office of Avi Rocklin LLC	Billback - Legal services	ADM	5,163.50
Law Office of Avi Rocklin LLC	Legal services	ADM	10,779.50
Law Office of P. Andrew Jones	Legal services	PW	786.60
Lexipol, LLC	Policy update	PD	4,057.48
Life Stories Child & Family Advocacy	Quarterly fees	PD	188.00
Lindgren Landscape	Infrastructure maintenance	PW	6,790.70
Little Thompson Water District	Innerconnect	PW	14,906.99
Loveland Barricade LLC	Safety supplies	PW	1,074.00
Loveland Ford-Lincoln	Vehicle repair	PW/PD	655.10
Lowe's	Supplies	PW	3,194.29
Mac Equipment, Inc	Supplies	PW	375.24
Matrix Design Group, Inc.	Maestes Street/Storm Water Master Plan	PW	77,057.22
McGeady Becher P.C.	Billback - Legal	ADM	239.88
Medicine for Business and Industry	Lab testing	ADM	270.18
Mile High Elevator LLC	Building maintenance	PW	226.80
Milliken Johnstown Electric	Building maintenance	PW	836.75
Moltz Construction Inc.	Central WWTP project	PW	2,270,592.96
MWH Constructors	Water treatment plant expansion	PW	544,087.10
Nalco Company LLC	Chemicals	PW	6,934.83
Napa Auto Parts, Inc	Vehicle supplies	PW/PD	3,306.21
NOCO Humane	Contract billing	PD	2,990.00
Northern Safety Co Inc	Supplies	PW	81.85
Northern Water	Water assessment	PW	461.25
Office Depot Business Credit	Supplies	PW	64.37
Ohlson Lavoie Corporation	Pool feasibility study	ADM	1,390.01
Original Equipment Auto Glass	Equipment maintenance	PW	833.83
OSI Batteries	Meters	PW	598.58
Otak	Little Thompson Bridge project	PW	2,826.00
Parkland USA Corp	Fuel	PW	13,869.97
Paul's Plumbing & Heating	Jetting services	PW	7,750.00
Pioneer Press of Greeley Inc	Supplies	ADM	50.00
Pitney Bowes Bank Inc Purchase Power	Postage	ADM	83.72
Poudre Valley REA	Utilities	PW	23,229.61
Premier Environmental LLC	Abatement	PW	200.00
Productive Electric	Supplies	ADM	450.00
PVS DX, INC	Chemicals - water/wastewater	PW	38,136.26
Quality of Life & Safety Designs LLC	Fire system monitoring	PW	25.00
Recreational Electrical	Vehicle upfit	PD	1,500.00
Red Wing Business Advantage Acct	Uniforms	PW	455.68
Redi Services, LLC	Portolet	PW	2,950.00
Rise Broadband	Internet	PW	105.67
RoadSafe Traffic Systems	Safety supplies	PW	1,854.50
Rocky Mountain Section AWWA	Training	PW	650.00
Rocky Mountain Water Environment Assoc.	Dues	PW	40.00
S&P Global Ratings	Bond issuance	ADM	41,250.00

<u>Vendor</u>	<u>Description</u>	<u>Dept</u>	<u>Amount</u>
Sanderson Stewart	Colorado Blvd & SH60	PW	16,139.70
Santiagos Restaurant	MPO meeting	ADM	1,925.00
Sendas Communications LLC	Translation services	ADM	154.30
Shred Monster	Shred services	ADM	1,100.00
Tait & Associates, Inc.	Charlotte Street project	PW	185.00
TDS	Phone/internet	ALL	2,560.19
Terminix	Building maintenance	PW	131.00
The Home Depot/GECF	Supplies	PW	974.58
The Tree Guys LLC	Tree removal	PW	5,000.00
Thomas A. Ramunda Jr., LLC.	Municipal Court Judge	ADM	375.00
Thompson Crossing Metro District No 2	Reimbursement of sales tax	ADM	2,215.95
Tier One Networking, LLC	Computers	ADM	11,459.00
TimberLAN	IT services	ADM	1,400.00
Tool Real Estate Appraisals	Appraisal services	ADM	2,200.00
TopShelf Printers	Uniforms	PD	389.00
Traffic Safety Store	Safety supplies	PW	3,520.10
Transcend Landscaping LLC	Landscaping services	PW	5,979.50
Treatment Technology Holding	Chemicals - water	PW	23,720.40
Tri-Tech Forensics, Inc.	Lab testing	PD	132.50
United Power, Inc	Utilities	PW	1,069.27
USA Bluebook	Supplies	PW	3,202.25
Utility Notification Center of Colorado	Locates	PW	1,411.26
Utility Refund	Utility refunds	ADM	1,874.93
Verizon Connect	Phone/internet	PW	239.25
Verizon Wireless	Phone/internet	ALL	5,515.34
Wagner Equipment Co.	Supplies	PW	1,397.48
Waste Connections of Colorado Inc.	Trash services	PW	1,973.88
Water Environment Federation	Dues	PW	535.00
Water Pumps Direct	Equipment	PW	14,307.02
Water Technology Group	Diagnostic study	PW	2,975.00
Weld County Dept of Public	Lab services	PW	884.50
Weld County Information Technology	Supplies	PD	135.62
Western Plains Construction	Pavement maintenance	PW	380,008.55
Western States Land Services LLC	Raw water line project	PW	1,175.89
Xcel Energy	Utilities	ALL	47,589.40
YMCA of Northern Colorado	Monthly support	ADM	41,666.67
Yost Cleaning	Monthly cleaning service June/July	PW	6,725.32
Zak George Landscaping	Landscaping services	PW	8,840.00
			<u>5,535,014.21</u>

TOWN MANAGER'S REPORT



September 2024

johnstownco.gov



Administration, Finance, Planning, and Human Resources

Upcoming Council Meetings & Work Sessions

If there are topics that the Council would like Staff to schedule for discussion, please let me know.

The following topics are recommended for Council discussion (all meetings will be held in the Town Council Chambers unless otherwise indicated):

- 09/04/2024 - Regular Council Meeting
- 09/16/2024 - Regular Council Meeting
- 09/23/2024 - Work Session - Letford & Centennial Park Master Site Plan
- 09/30/2024 - Work Session FY 2025 Budget

Hiring

We recently welcomed a new Engineer II, Water and Sewer System Operator, Administrative Assistant II, and a Mechanic I to our team. The Town is currently searching for a Finance Director, Town Clerk Intern, Community Service Officer, Senior Project Manager, Civil Water/Sewer Engineer, and Police Officers. We are looking forward to welcoming several candidates currently in process including a Municipal Court Clerk, and Police Officers. Sgt. Perry was recently promoted to Detective Sergeant and the department is working on an internal search for another Sergeant promotion.

Bond Issuance

The Town's Water Revenue Bonds priced on August 20, 2024, and close on August 29, 2024. The bond issuance will be for approximately \$66.5 million for a term of 25 years.

Planning & Zoning Commission

The Planning and Zoning Commission held a regular meeting on August 14, 2024 to consider two projects. The first was an Annexation request for property east of County Road 17 (Parish Avenue) and south of Highway 60, adjacent to the Hillsborough Reservoir. The second project was the Bella Vista golf course. Both projects received favorable recommendations from the Commission. The regular meeting of August 28, 2024 will be cancelled, as there will be no business ready for the Commission's review at that time.

Senior Center

September will be full of fun fall activities! August participation are as below, outside of the staples of exercise classes, yoga, and the Tai Chi Chih class:

- Colorado Rockies - 12 participants
- Monthly Blackhawk Trip - 13 participants
- Creative Crafts - 8 participants
- Diamond Dot Weekly - 32 participants
- Friendly Fork Weekly Meals - 190 participants (4 times a month)
- Walking Club - 10 participants
- Various Breakfast and Lunch Trips - 13 participants
- Ukulele Lessons with Linda (3 times) - 12 participants
- Weekly Cards - 49 participants
- Hill-n-Park Senior Center Tour and Cards - 9 participants
- Odell Brewing & OBC Wine Project - 17 participants
- Celestial Seasonings Tour - 10 participants

Special Event Permit

Staff have received an application for the Roosevelt High School's Homecoming Parade on September 23.

Municipal Court

Staff looks forward to introducing our new Court Clerk who will begin on September 9, 2024. August 2024 Court data is broken down for Council's review below, with a total of 146 cases being processed:

- Code Violations: 21 (increase related to citations issued for illegal fireworks)
- Traffic Violations: 90
- Theft: 19
- Other Criminal Cases: 4
- Parking: 31

Cemetery

Staff has begun the handoff of our new Cemetery Software and looks forward to rolling out a public facing portal and mapping system before the end of the year.

Safety

CIRSA completed our annual paperwork audit and awarded the Town a score of 99/100.

Social Media Data



Community Calendar Photo Contest

The contest closes on September 30. We have created an opt-out option for residents who wish to opt-out of receiving a 2025 Community Calendar.

JohnstownCO.gov

We have had over 10,000 visitors to the website through the month of August. Pages of interest are News Flash, Utility Billing, Human Resources, and Building Permits.

Safe Routes to School (SRTS)

The Town is currently in the process of completing a grant application for a Safe Routes to School Grant issued by the Colorado Department of Transportation (CDOT). The deadline for the grant is December 1. The focus of the grant will be the new High School and Elementary School off Colorado Blvd. Infrastructure grants are now eligible for up to \$750,000 as part of the program and do require a match component. If awarded, we should be notified in March 2025.

Police Department

Stats

Statistical data was gathered during the period of July 20 – August 20.

- Officers responded to 1393 calls for service, a 20.7% increase over last month.
- Top incident types:
 - Suspicious Activity (93)
 - Code Violations (107)
 - Check Wellbeing (66)
 - Traffic Accidents (74)
 - Thefts (42)
 - Check Wellbeing (66)
 - Meets (135)
- 214 Citations
- 122 Arrests (Includes Cited/Summoned/ Referred arrest types)
- Top arrest types – Theft and Controlled Substance

JT Ballers

The Johnstown Police Department partnered with Scheels for the JT Ballers program. Scheels donated an assortment of footballs, soccer balls, volleyballs, and kickballs, that can be used by the officers to make positive impacts on a child, tween, or teen.



Case of Interest

Officers were advised of a string of vehicle trespasses and a vehicle theft in the 3000 blk of Holden Lane. Using OnStar technology, officers located the stolen vehicle in the City of Lakewood. Officer contacted the Colorado Metropolitan Auto Theft Task Force (CMATT), who were able to locate the vehicle. CMATT recovered four stolen vehicles and took four people into custody. Our officers went to Lakewood to recover the stolen vehicle from Johnstown and took one person into custody for crimes that occurred in our jurisdiction.

FBI LEEDA Training

Detective Cygan, Officer Kelley, Officer Olds attended the first section of FBI LEEDA called the Supervisor Leadership Institute. This is the first of a three-part series of leadership training taught by the FBI.

Driving Training

All employees attended driving training taught in house by Detective Cygan and Officer Soricelli.

Level II Accident Reconstruction Training

The Police Department welcomed Chief Strossner to the Department. Chief Strossner is coming to us from the Colorado Springs Police Department.

Traffic Safety Summit

Officer Wild attended the traffic safety summit in Colorado Springs.

National Night Out

On August 6, the PD and Town hosted a successful National Night Out at two locations. Thank you to our regional agency partners and the Town's Communications Department for helping make these events a success. Also, thanks to the Mayor and Councilmember Berg for coming out and participating with us; your support does not go unnoticed by the officers.

Battle of the Badges

The annual Battle of the Badges softball game between the Police Department and Front Range Fire took place. Unfortunately, the Police Department lost its title and had to relinquish the trophy to the Fire Department.

Shred Event

We were able to assist the community by shredding their confidential files with our drive-through shred event. Special thanks to Councilmember Damien Berg for assisting us in the hot sun with this project.

Mission Statement

JPD has formalized a new Mission, Vision, Values, and Guiding Principles statement. The new one has been posted on the department's website.

External PD Website

The JPD, with significant help from Meghan Martinez, is redeveloping their website. New content is being added almost weekly.



Shield 616

Officer Mee, Officer Perlas, and Officer Brady received rifle rated body armor through the Shield 616 program at the Shaw Classic in Loveland. Not only did they receive strong body armor, but they got to meet some of the strongest men in the world at the Shaw Classic strongman competition.

SharePoint

Commander Oglesby is establishing a JPD internal web page using Sharepoint. The goal is to improve communications and cut down on administrative emails. Sharepoint is permission based so specific pages can be developed for just your teams, shared with all department or town employees, or shared with specific work groups like the town executive staff or council.

Recruiting

Chief has established a recruiting committee to recommend content for the JPD recruiting webpage and develop a recruiting video.

Police Department

Expansion/Construction Project

The foundation beams for the addition were poured.

Public Works Department

Work Orders

Crews completed 143 work orders this review period consisting of asphalt patching, street sweeping, gravel road grading, road sign repair, funerals, park mowing, irrigation repairs, weed mitigation, storm sewer inspections, ditch cleaning, and a variety of other streets/storm/parks/facilities/fleet-related work.

Ronald Reagan Blvd. and Larimer Parkway

The 2" of asphalt mill and overlay paving is complete. This work was completed at night to minimize impacts to traffic during the day.



2024 Asphalt Patching Program

Our asphalt contractor has completed work in the following subdivisions: Rolling Hills, Ronald Reagan Blvd., and Larimer Pkwy. These areas were completed at night to minimize disruption to the heavy volume of traffic in that area throughout the day. The Asphalt Patching Program will effectively be complete by the end of August.

Rolling Hills – The 2" of asphalt mill and overlay paving has been completed on Trail Crest Ct. South of Goldenvue Dr. and Suntide Dr. West of Windgate Ct.



Trail Crest Ct.

In-House Patching Program

PW has performed another series of asphalt patching and is estimated to place over 85 tons of asphalt for the month of August. PW Staff will continue asphalt patching on a full-time basis for the remainder of the season until weather conditions are no longer favorable for placement of hot mix asphalt.



Carlson Blvd and Colorado Blvd

2024 Concrete Repair Program

The contractor has started with Phase 2 scope of work and should be complete with the program by early September.

Storm Sewer Ditch Cleanout

PW Staff has been removing sediment and debris from a regional storm sewer ditch located between the railroad track and the Paradise Village community. PW Staff has also cleaned out all area drains in this community to ensure proper drainage during storm events. These efforts should reduce the likelihood of localized flooding in this area.



Kuner Street Storm Sewer Improvements

Installation of a curb and gutter, along with a 2ft x 4ft nyloplast curb inlet structure that drains into an existing storm sewer manhole is underway and should be complete by the beginning of September. With the installation of this storm sewer facility at Kuner & 2nd Street, it should intercept the majority of stormwater that comes from SH 60 and prevent it from entering the Paradise Village community, reducing some of the localized flooding.

Cemetery Irrigation Repairs

Gerrard Excavation has mobilized to the Cemetery and is replacing the irrigation main from the Water Treatment Plant to the west side of cemetery. As you may recall, the line broke earlier this year and has a temporary patch that has limited the flow to the cemetery. This repair will be a permanent fix and will last for years to come.

Utilities Department

Water Treatment Plant

Average Daily Flows: 5.069 MGD

- The TDS fiber service is active and bugs are being worked on for connectivity.
- Airline modification were made to the Dissolved Air Flotation (DAF) system to improve air flow to the saturators and system performance is getting more dialed in.
- The South Elevated Tank was brought online and we are working on adding SCADA controls and making screen improvements.

Central Wastewater Treatment Plant

Average Daily Flows: 0.823 MGD

- The new Central IPS passed reliability testing, and operations handed it over to wastewater operators.
- The inflation issues caused by flood irrigation fun off were located and resolved.
- The new plant headworks is showing visible progress, which is very exciting.

Inspections

- 2,793' water main
- 3,650' sewer main
- 112 water/sewer inspections
- 743' storm water
- 1,830' curb and gutter
- 1,840' of sidewalks
- 241 tons of asphalt

Low Point Wastewater Treatment Plant

Average Daily Flows: 0.416 MGD

- The overhead door for the solids handling building was repaired.
- A new chemical feed pump was installed to better accommodate difficult chemicals to convey into RAS channel.
- The annual fire panel certification and CIRSA compliance requests have been completed.

Sewer Collection & Water Distribution

- The old Corbett Glen/Carlson Farms lift station has been decommissioned and replaced with the new North Central lift station.
- The annual Lead & Copper testing was completed earlier this month.
- Locates: 1,029
- Meters: 63 new installs, 38 replacements



GIS

We are holding off on hiring a replacement until the Utilities Department Director returns from leave.

Capital Projects - Water Treatment Plant Expansion

The Design Engineer is progressing to issue final construction plans as the contractor continues to work on early construction packages including yard piping, foundation excavation, and starting on the below grade structures. In August the contractor installed two pressure zone vaults and started installing pouring concrete for the membrane feed wet well. The contractor also finished installing the watermain in the cemetery road and completed the paving restoration.



SH60 Waterline Replacement and Extension

Town Staff is working on advertising the SH60 Waterline Replacement and Extension project. This is a two-phase project that will consist of replacing aging water main east of Parish Avenue to Sticker Stadium within the Highway 60 right of way. The second phase of the project extends the water main from Sticker Stadium to the new Central Wastewater Treatment Plant. Town Staff is coordinating with several property owners to acquire easements to help reduce impacts to Highway 60.

Capital Projects - Central Wastewater Treatment Plant

Construction of the MBR building, the secondary process basins, and the headworks are progressing well. Concrete for the secondary process basins has been completed (photo below) and the concrete for the headworks building is nearing completion. In September and October, the metal building and masonry sub-contractors will start mobilizing to the site to begin vertical construction.



Capital Projects - Lone Tree Raw Water Transmission

Town Staff and the project team are continuing to coordinate with the various stakeholders including the Home Supply Reservoir and Ditch Company and Larimer County to ensure that all permits and agreements are in place prior to advertising the project for construction. The landman is also beginning conversations with several property owners to start the easement acquisition process. In addition, the design engineer continues to progress the design plans for both the pump station and the pipeline.

Law Office of Avi S. Rocklin, LLC
 ATTORNEY AT LAW
 1437 N. DENVER AVENUE, #330
 LOVELAND, CO 80538
 PHONE: (970) 419-8226 EMAIL: AVI@ROCKLINLAW.COM

MEMORANDUM

TO: Honorable Mayor and Council Members

FROM: Law Office of Avi S. Rocklin, LLC ^{AS}

DATE: August 27, 2024

RE: Laws Enacted During 2024 Legislative Session

Below is a brief synopsis of laws enacted during the 2024 legislative session. For a more detailed description of each law and for a full review of all the laws, please see [cml_lawsenacted_2024.pdf](#).

LAND USE RELATED

HB24-1007: Prohibit Residential Occupancy Limits

Except for demonstrated health and safety standards (e.g., international building code standards) or affordable housing program guidelines, the act prohibits municipalities from limiting the number of people who may live together in a single dwelling based on familial relationship.

The act conflicts with Section 17-4-3(H) of the Town of Johnstown Land Use and Development Code. Town staff is monitoring the application of the state standard and may, at a subsequent date, recommend that the Town Council consider amending Section 17-4-3(H).

HB24-1175: Local Governments Rights to Property for Affordable Housing

The act grants local governments a “right of first refusal” and a “right of first offer” with respect to certain types of multifamily rental properties based on certain conditions and the requirement that properties acquired maintain certain levels of affordability and rent stability for at least 40 years.

HB24-1152: Accessory Dwelling Units

Beginning June 30, 2025, the act requires a municipality with a population of 1,000 or more that is within a metropolitan planning organization to allow, by an administrative approval process, one accessory dwelling unit (ADU) between 500 and 750 square feet as an accessory use to a single-unit detached dwelling anywhere the jurisdiction allows single-unit detached dwellings. The act discusses and limits parking requirements, owner-occupancy limitations, and restrictive design or dimension standards.

SB24-048: Substance Use Disorders Recovery

The act declares that the use of recovery residences, or sober living homes, by persons in recovery from substance use disorders is a residential use of property for zoning purposes and subject to regulations of like dwellings in the same zone.

HB24-1161: Motor Vehicle Access Individuals with Disabilities (EV Charging Stations)

The act requires that, for EV charging stations constructed or replaced after 2025, no fewer than 5% or 1 vehicle charging space incorporate U.S. Access Board standards until federal standards are created.

SB24-185: Protections Mineral Interest Owners Forced Pooling

The act prohibits the Energy and Carbon Management Commission from entering a pooling order that pools the mineral interests of a local government that has rejected an offer to lease the minerals.

HB24-1107: Judicial Review of Local Land Use Decision

The act provides that a court shall award reasonable attorney fees to a prevailing local government in an action for judicial review of certain land use decisions. The land use decision must involve a residential use with density of five dwelling units per acre or more.

HB24-1172: County Revitalization Authorities

Similar to urban renewal authorities for municipalities, the act allows counties to create county revitalization authorities (CRA) to promote economic revitalization, growth and improve economic and social conditions in unincorporated areas and use tax increment financing and private financing to conduct revitalization projects according to approved plans.

PROPERTY TAXSB24-002: Local Government Property Tax Credits Rebates

The act, with certain limitations, authorizes municipalities to offer property tax credits or rebates as part of an incentive program to encourage improvements in areas of specific local concern related to the use of real property.

SB24-233: Property Tax

With certain delineated exceptions, starting with the 2025 property tax year (PTY), the act creates a local government qualified property tax revenue growth limit of 5.5% annually. Home rule jurisdictions are not subject to this limit. The act reduces assessment rates for nonresidential property as follows: 27.9% for the 2024 PTY including a \$30,000 value reduction, and then drops to 25% by the 2026 PTY. The act reduces the residential assessment rate to 6.7% for the 2024 PTY and includes a \$55,000 value reduction. For the 2026 PTY and beyond, the residential assessment rate for schools will be 7.15% and for all other local governments will be 6.95% plus actual values are subject to a homestead exemption of 10% of the actual value up to a reduction of \$70,000.

The act will not go into effect if an initiative passes in November 2024, that (1) reduces valuation for assessment, or (2) requires voter approval for retaining property tax revenue that exceeds a limit. The Colorado legislature is also in a special session concerning property taxes.

CRIMINAL

HB1241: Alignment of Petty Property Crime Threshold

The act provides that a municipal court may not impose a monetary condition of release for petty offense property crimes (current value is \$300).

SB24-035: Strengthening Enforcement of Human Trafficking

The act strengthens enforcement provisions for human trafficking and extends the statute of limitations. (Not applicable to municipal court.)

FIREARMS

HB24-1348 Secure Firearm Storage in a Vehicle

The act prohibits knowingly leaving a handgun in an unattended vehicle unless the handgun is stored in a locked hard-sided container that is placed out of plain view and the container is in a locked vehicle, the locked trunk of the locked vehicle or a locked recreational vehicle. The act prohibits knowingly leaving a firearm that is not a handgun in an unattended vehicle unless the firearm is stored in a locked hard-sided or soft-sided container (with locking device installed on the firearm) that is placed out of plain view and the container is in a locked vehicle, the locked trunk of the locked vehicle or a locked recreational vehicle.

SB24-131: Prohibiting Carrying Firearms in Sensitive Spaces

Unless permitted by a local government, the act prohibits a person from knowingly carrying a firearm on property, including an adjacent parking lot, or in a building in which the chambers of the local government's governing body is located or where the office of the chief executive of the local government is located. The act further prohibits a person from knowingly carrying a firearm in a building or portion of a building used for court proceedings. There is no opt-out for that portion of the prohibition. The act exempts peace officers carrying firearms pursuant to their authority.

Is the Town Council interested in opting out of the permitted portion of this provision for persons with concealed carry permits?

MISCELLANEOUS

HB24-1030: Railroad Safety Requirements

The act imposes safety requirements on railroads, including requiring trains to operate in such a manner as to minimize obstruction of emergency vehicles at highway rail crossings and, when necessary to allow an emergency vehicle to pass, separate a train. The act also requires railroads to coordinate with the Department of Public Safety on emergency response and spill response capacity and planning.

SB24-020: Alcohol Beverage Delivery and Takeout

The act indefinitely extends the alcoholic beverage takeout and delivery permit, which is set to expire July 1, 2025.

SB24-216: Standards for Decisions Regarding Library Resources

The act requires that public libraries establish written policies for the acquisition, retention, display, and use of library resources and facilities in compliance with new statutory standards. Public libraries must make any publicly available facilities open on an equitable basis, regardless of users' beliefs or affiliations. Public libraries must prohibit discrimination based on certain categories in the selection, retention, display, use, or consideration of resources and public meeting spaces.



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Item #7.

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: September 4, 2024

SUBJECT: Annexation and Zoning Request – Archdiocese Annexation No. 4-5

ACTION PROPOSED: Public Hearing to Consider the Following:

- A. Resolution 2024-34; Findings of Fact and Conclusions for The Archdiocese Annexation No. 4-5,
- B. Ordinance 2024-255; Annexing Certain Unincorporated Lands Located in Weld County Known as The Archdiocese Annexation No. 4-5; and,
- C. Ordinance 2024-256; Approval of H-A (Holding Agriculture) Zoning on the Property Known as The Archdiocese Annexation No. 4-5

ATTACHMENTS:

- 1. Resolution 2024-032; Initiating Annexation Proceedings
- 2. Resolution 2024-034; Accepting Findings Of Fact
- 3. Ordinance 2024-255; Annexation Of Land
- 4. Ordinance 2024-256; Establish H-A Zoning
- 5. Annexation Petition
- 6. Proposed Annexation Plat
- 7. Impact Report
- 8. Affidavit of Publication
- 9. Staff Presentation

PRESENTED BY: James Shrout, Planner I

BACKGROUND & SUMMARY

The applicant, The Archdiocese of Denver, requests annexation and H-A (Holding Agriculture) zoning for approximately 22.21 acres of land in Weld County. The property is located on the west side of Weld County Road 19 (WCR 19), just south of WCR 46 1/2. The property is bisected by the Hillsborough Reservoir, and does not include the reservoir.

The subject property is presently zoned 'A' (Agricultural) in unincorporated Weld County. The property is currently vacant without improvements. The project is partially bordered by

The Community that Cares

incorporated areas of Johnstown to the east, west and south. The land to the north is in unincorporated Weld County.

SURROUNDING ZONING & LAND USE

North: A (Agricultural) – Weld County – Commercial Uses
 South: PUD-MU – Johnstown – Dove Solar, USR (Resolution 2023-17)
 East: PUD-MU – Johnstown – Dove Solar, USR (Resolution 2023-17)
 West: PUD-R (Residential) – Johnstown – Red Mountain 3-4 (Ordinance 2000-643)

PUBLIC NOTICE & AGENCY REFERRALS

Notice for the Town Council hearing was published in the local newspaper of widest circulation, the Johnstown Breeze, on Thursday, August 1, August 8, August 15 and August 22, 2024, as required by C.R.S. § 31-12-108(2). This notice provided the date, time, and location of the Town Council public hearing, as well as a description of the project. A notice for the Planning and Zoning Commission public hearing was published in the newspaper of record on August 1, 2024. Notices were mailed to all property owners within 800 feet of the property subject to this public hearing and was delivered to the Town of Milliken and the Hillsborough Ditch Company. Mailed notices included information for the Planning and Zoning Commission public hearing, as well as the Town Council public hearing.

PROJECT DESCRIPTION & ANALYSIS

Annexation: This annexation is being considered by the Town for the following reasons:

1. At least 1/6 of the area to be annexed for each individual annexation is contiguous to the Town of Johnstown boundary.
2. The property is located within the Town of Johnstown Growth Management Area.
3. The Town can provide water, sewer, and police services to the property.
4. The Town is authorized to annex the area without an election under Section 30(b) of Article II of the Colorado Constitution.

A resolution finding substantial conformance with the Colorado Revised Statutes (C.R.S.) requirements was passed by Town Council on July 15, 2024, and set a public hearing for the annexation to be heard before Town Council on September 4, 2024.

ZONING & DEVELOPMENT STANDARDS

The current zoning for the property is ‘A’ (Agricultural) in Unincorporated Weld County. There are no known conditional uses or uses by special review for the property.

The applicant requests H-A (Holding Agriculture) zoning upon annexation, as the subject property is not concurrently seeking land use approval, nor is development pending per the completion of the annexation. As described in the Town’s adopted Land Use & Development Code (LUDC), the H-A district is intended for agriculture and associated uses and may include rural residential living with detached houses on acreages or very large “pre-development” lots. Due to the development patterns and inefficiency of providing municipal services, this area receives only limited infrastructure investment. It is used as a “pre-development” district to preserve open and

rural lands, or to hold areas until more coordinated, compact, and efficient growth and development can occur.

The Future Land Use Map in the 2021 Johnstown Area Comprehensive Plan (Comp Plan) identifies the subject property as being within the Very Low Density/Intensity land use area. As described in the Comp Plan, Very Low Density/Intensity areas (VLDI) will typically develop adjacent to more natural corridors of floodplains, rivers, reservoirs, prime agriculture conservation, bluffs or highly sloped area, and other natural features to better accommodate and allow the unique features to be integrated into the design of the development.

COMPREHENSIVE PLAN ALIGNMENT

The Johnstown Comp Plan creates a long-term vision for the development of the town. The Comp Plan identifies the Town's Growth Management Area (GMA), which includes incorporated lands within the current town limits, as well as certain unincorporated lands within Larimer and Weld counties. The GMA can be likened to a growth boundary, which represents the logical expansion of the town over time. The property which is the subject of this annexation is contiguous to lands within the corporate boundary of Johnstown and exists within the GMA. The Future Land Use Map identifies this area as a VLDI area, which is consistent with the proposed H-A (Holding Agriculture) zoning. Staff finds that the proposed annexation represents a logical expansion of Johnstown's corporate boundary, in alignment with the goals and strategies of the Johnstown Comp Plan.

STRATEGIC PLAN ALIGNMENT

- Natural & Built Environment
 - *Guide growth in the community through appropriate annexation, zoning, planning, and land use development.*

Staff finds that the proposed annexation and zoning is consistent with the goal and strategy referenced above, pursuant to the adopted Johnstown Strategic Plan.

PLANNING AND ZONING COMMISSION

On August 14, 2024, the Town of Johnstown Planning and Zoning Commission (PZC) held a public hearing on the proposed Archdiocese Annexation No. 4-5. The PZC heard testimony from staff regarding the legality of the proposed annexation and how this meets the requirements of state law, as well as how the proposed annexation meets the goals of the Town of Johnstown Comp Plan and Strategic Plan. There were no public comments made during the public hearing. The PZC voted 6-0 in the affirmative to provide a positive recommendation to Town Council on case number ANX24-0001; known as The Archdiocese Annexation No. 4-5.

LEGAL ADVICE:

The Town Attorney received this request and prepared the resolutions and ordinances attached to this staff report.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: There are three actions associated with this project and each one must be voted on separately. The resolution establishes the findings of fact and conclusions for the proposed annexation; therefore, it should be voted upon prior to a vote on the ordinances to recommend approval of the annexation and zoning. If the resolution fails, the findings to support the ordinances would dissolve, and the ordinances would automatically fail.

1. Resolution 2024-34 – Staff recommends that Town Council approve Resolution 2024-34, accepting the Findings of Fact and Conclusions for The Archdiocese Annexation No. 4-5.

2. Ordinance 2024-255 – Staff recommends that Town Council approve Ordinance 2024-255 annexing approximately 22.21 acres, known as The Archdiocese Annexation No. 4-5.

3. Ordinance 2024-256 – Staff recommends that Town Council approve Ordinance 2024-256 approving H-A zoning for the property known as The Archdiocese Annexation No. 4-5.

SUGGESTED MOTIONS:

RESOLUTION 2024-34

For Approval: I Move to Approve Resolution No. 2024-34, Accepting the Findings of Fact and Conclusions for The Archdiocese Annexation No. 4-5.

For Denial: I Move to Deny Resolution No. 2024-34.

ORDINANCE 2024-255

For Approval: I Move to Approve Ordinance No. 2024-255, Approving the Annexation of Approximately 22.21 Acres, Known as The Archdiocese Annexation No. 4-5.

For Denial: I Move to Deny Ordinance No. 2024-255.

ORDINANCE 2024-256

For Approval: I Move to Approve Ordinance No. 2024-256, Approving H-A Zoning for the Property Known as The Archdiocese Annexation No. 4-5.

For Denial: I Move to Deny Ordinance No. 2024-256.

Reviewed and Approved for Presentation,



Town Manager

The Community that Cares

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2024-32**

**A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR INITIATING
ANNEXATION PROCEEDINGS AND SETTING A PUBLIC HEARING DATE
FOR THE ARCHDIOCESE ANNEXATION NO. 4 - 5**

WHEREAS, the Town of Johnstown ("Town") is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town's Home Rule Charter; and

WHEREAS, the Town Council is vested with the authority to administer the affairs of the Town; and

WHEREAS, the Archdiocese of Denver, a Colorado corporation sole (the "Archdiocese"), submitted a Petition for Annexation of real property; and

WHEREAS, the Town Council has reviewed the Petition for Annexation, and, finding substantial compliance as set forth below, desires to initiate annexation proceedings in accordance with the law and set a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council finds that a Petition for Annexation of certain property situated in a Part of the North Half of the Northeast Quarter Section 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 22.21 acres, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, filed with the Town Clerk on or about June 21, 2024, to be known as the "Archdiocese Annexation No. 4 - 5," is in substantial compliance with §31-12-107(1), and that a public hearing should be held to determine if the proposed annexation complies with §§31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility pursuant to §31-12-101, *et seq.*

Section 2. The Town Council hereby sets a public hearing for such purposes on September 4, 2024, at 7:00 p.m., at 450 South Parish Avenue, Johnstown, Colorado.

Section 3. The Town Clerk shall publish notice of the hearing once per week for four (4) consecutive weeks in the *Johnstown Breeze*, with the first publication at least thirty (30) days prior to the date of the hearing. The Town Clerk shall also send a copy of the published notice, together with a copy of this Resolution and the Petition for Annexation, by registered mail to the Weld County Board of County Commissioners and to the Weld County Attorney and to any special district or school district having territory within the area to be annexed at least twenty-five (25) days prior to the date fixed for such hearing.

Section 4. This Resolution shall be effective on the date hereof.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS 15 day of July, 2024.

ATTEST:

By: 
Hannah Hill, Town Clerk



TOWN OF JOHNSTOWN, COLORADO

By: 
Michael P. Duncan, Mayor

EXHIBIT A**PROPERTY DESCRIPTION – ARCHDIOCESE ANNEXATION NO. 4**

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

BEGINNING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 581.90 feet to the West line of the Reservoir Property per USR No. 1142, recorded December 9, 1997 at Reception No. 2583509;

THENCE South 66°13'28" West a distance of 106.64 feet;

THENCE South 35°24'15" West a distance of 150.14 feet;

THENCE South 40°31'29" West a distance of 55.52 feet;

THENCE South 56°34'09" West a distance of 110.97 feet;

THENCE South 55°44'09" West a distance of 115.44 feet;

THENCE South 46°39'31" West a distance of 110.28 feet;

THENCE South 43°59'36" West a distance of 116.62 feet;

THENCE South 33°40'28" West a distance of 3.96 feet to the West line of the N1/2NE1/4 of said Section 16;

THENCE North 01°04'34" West along said West line a distance of 512.45 feet to the North Quarter corner of said Section 16 and to the **POINT OF BEGINNING**.

Said area of land contains 3.28 Acres (+/-143,040 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

EXHIBIT A**PROPERTY DESCRIPTION – ARCHDIOCESE ANNEXATION No. 5**

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) 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 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 1164.44 feet to the **POINT OF BEGINNING**.

THENCE continuing South 88°26'46" East along said North line a distance of 577.97 feet to the East line of said Tract 1;

THENCE along the Easterly and Southerly lines of said Tract 1 by the following four (4) courses and distances:

THENCE South 00°00'16" West a distance of 274.14 feet;

THENCE North 90°00'00" West a distance of 376.23 feet;

THENCE South 00°54'49" East a distance of 756.16 feet;

THENCE North 89°01'10" West a distance of 1357.98 feet to the West line of the N1/2NE1/4 of said Section 16;

THENCE North 01°04'34" West along said West line a distance of 112.02 feet;

THENCE North 50°47'21" East a distance of 33.79 feet;

THENCE North 56°10'46" East a distance of 104.91 feet;

THENCE North 71°05'50" East a distance of 129.18 feet;

THENCE North 59°05'00" East a distance of 89.02 feet;

THENCE North 49°18'57" East a distance of 76.11 feet;

THENCE North 57°10'54" East a distance of 19.16 feet;

THENCE North 69°01'09" East a distance of 27.94 feet;

THENCE North 82°26'55" East a distance of 104.96 feet;

THENCE North 78°36'39" East a distance of 45.47 feet;

THENCE North 69°16'17" East a distance of 127.36 feet;

THENCE North 72°45'00" East a distance of 31.37 feet;

THENCE North 80°12'24" East a distance of 67.50 feet;

THENCE North 71°29'15" East a distance of 47.72 feet;

THENCE North 55°27'04" East a distance of 34.11 feet;

THENCE North 32°30'51" East a distance of 71.59 feet;

THENCE North 03°07'10" East a distance of 118.79 feet;

THENCE North 32°07'01" East a distance of 34.33 feet;

THENCE North 48°33'16" East a distance of 105.63 feet;

THENCE North 43°31'19" East a distance of 34.46 feet;

THENCE North 35°53'58" East a distance of 164.07 feet;

THENCE North 26°06'30" East a distance of 36.24 feet;

THENCE North 12°51'40" East a distance of 83.86 feet to the North line of the NE1/4 of said Section 16 and to the **POINT OF BEGINNING**.

Said area of land contains 18.93 Acres (+/-824,570 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

Submittal #1_Archdiocese Annexation Nos. 4 & 5_06-24-24

**TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2024-34**

**FINDINGS OF FACT AND CONCLUSIONS BASED THEREON
WITH RESPECT TO THE ARCHDIOCESE ANNEXATION NO. 4-5**

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, the Archdiocese of Denver, a Colorado corporation sole, submitted a Petition for Annexation for an annexation of real property situated in a Part of the North Half of the Northeast Quarter Section 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 22.21 acres, being more particularly described on Exhibit A, and known as the “Archdiocese Annexation No. 4-5;” and

WHEREAS, on July 15, 2024, by Resolution No. 2024-32, the Town Council found the Petition for Annexation to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, on September 4, 2024, after due notice, the Town Council conducted a public hearing and, based on the evidence contained in the official file, the official records of the Town and the evidence produced at the hearing, desires to enter the following findings of fact and conclusions with the respect to the Archdiocese Annexation No. 4-5.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF JOHNSTOWN, COLORADO, THAT:**

The Town Council hereby sets forth its findings of fact and conclusions with respect to the Archdiocese Annexation No. 4-5.

FINDINGS OF FACT

1. The requirements of the applicable parts of C.R.S. § 31-12-104 and C.R.S. § 31-12-105 have been met including the following:
 - A. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town as shown on the annexation map.
 - B. A community of interest exists between the area proposed to be annexed and the Town due to the proximity of the area to the Town, the desires of the owner to annex and the fact that it is within the planning area contemplated in the Johnstown Area Comprehensive Plan.
 - C. The area will be urbanized in the near future and the area is capable of being fully integrated with the Town.
 - D. Although less than fifty (50%) percent of the adult residents of the area proposed to be

annexed make use of Town facilities, the landowners of the area proposed for annexation plan to develop the land in less than five (5) years, and urban services, which are currently being provided to other citizens of the Town, may be provided to citizens of the proposed annexed area on the same terms and conditions as the services are made available to other citizens. The Town is able to provide water service and the Town's sewer system can be extended to the property annexed with the same standards as the current sewer system serving other citizens. Police and other municipal services can be provided as well.

E. No land held in identical ownership has been divided into separate parts. No land with a valuation of over \$200,000 has been included without written consent. No annexation proceedings concerning this area have been commenced by any other municipality.

F. This annexation will not result in any detachment of area from any school district.

G. No part of the area to be annexed extends any more than three (3) miles from the existing Town boundaries. The Town has in place a plan for that area as required by C.R.S. § 31-1-105.

H. The entire widths of any streets to be annexed are included within the annexation.

2. No petition for annexation election has been submitted and an election is not required pursuant to C.R.S. § 31-12-107(2). An annexation agreement has been submitted.
3. The Town Council has determined that additional terms and conditions will not be imposed.
4. The Petition was signed by the owners of 100% of the property to be annexed exclusive of streets and alleys.
5. Notice of this hearing has been given as required by C.R.S. § 31-12-108.
6. An Annexation Impact Report was submitted to the Weld County Board of County Commissioners and County Attorney pursuant to C.R.S. § 31-12-108.5.

CONCLUSIONS

1. The area proposed for annexation is eligible for annexation pursuant to applicable parts of C.R.S. § 31-12-104.
2. None of the limitations of C.R.S. § 31-12-105 apply to restrict annexation.
3. Said Archdiocese Annexation No. 4-5 may be annexed by Ordinance pursuant to C.R.S. § 31-12-111, without an election under C.R.S. § 31-12-107(2).

PASSED, SIGNED, APPROVED, AND ADOPTED THIS ____ day of _____,
2024.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor

EXHIBIT A**PROPERTY DESCRIPTION – ARCHDIOCESE ANNEXATION NO. 4**

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

BEGINNING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 581.90 feet to the West line of the Reservoir Property per USR No. 1142, recorded December 9, 1997 at Reception No. 2583509;

THENCE South 66°13'28" West a distance of 106.64 feet;

THENCE South 35°24'15" West a distance of 150.14 feet;

THENCE South 40°31'29" West a distance of 55.52 feet;

THENCE South 56°34'09" West a distance of 110.97 feet;

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THENCE South 46°39'31" West a distance of 110.28 feet;

THENCE South 43°59'36" West a distance of 116.62 feet;

THENCE South 33°40'28" West a distance of 3.96 feet to the West line of the N1/2NE1/4 of said Section 16;

THENCE North 01°04'34" West along said West line a distance of 512.45 feet to the North Quarter corner of said Section 16 and to the **POINT OF BEGINNING**.

Said area of land contains 3.28 Acres (+/-143,040 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

EXHIBIT A**PROPERTY DESCRIPTION – ARCHDIOCESE ANNEXATION No. 5**

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) 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 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 1164.44 feet to the **POINT OF BEGINNING**.

THENCE continuing South 88°26'46" East along said North line a distance of 577.97 feet to the East line of said Tract 1;

THENCE along the Easterly and Southerly lines of said Tract 1 by the following four (4) courses and distances:

THENCE South 00°00'16" West a distance of 274.14 feet;

THENCE North 90°00'00" West a distance of 376.23 feet;

THENCE South 00°54'49" East a distance of 756.16 feet;

THENCE North 89°01'10" West a distance of 1357.98 feet to the West line of the N1/2NE1/4 of said Section 16;

THENCE North 01°04'34" West along said West line a distance of 112.02 feet;

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THENCE North 56°10'46" East a distance of 104.91 feet;

THENCE North 71°05'50" East a distance of 129.18 feet;

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THENCE North 55°27'04" East a distance of 34.11 feet;

THENCE North 32°30'51" East a distance of 71.59 feet;

THENCE North 03°07'10" East a distance of 118.79 feet;

THENCE North 32°07'01" East a distance of 34.33 feet;

THENCE North 48°33'16" East a distance of 105.63 feet;

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THENCE North 35°53'58" East a distance of 164.07 feet;

THENCE North 26°06'30" East a distance of 36.24 feet;

THENCE North 12°51'40" East a distance of 83.86 feet to the North line of the NE1/4 of said Section 16 and to the **POINT OF BEGINNING**.

Said area of land contains 18.93 Acres (+/-824,570 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

Submittal #1_Archdiocese Annexation Nos. 4 & 5_06-24-24

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2024-255

ANNEXING CERTAIN UNINCORPORATED LANDS SITUATED IN A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER SECTION 16, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 22.21 ACRES, AND KNOWN AS THE ARCHDIOCESE ANNEXATION NO. 4-5

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, by Resolution No. 2024-32, the Town Council found a petition for annexation of certain property situated in a Part of the North Half of the Northeast Quarter Section 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 22.21 acres, being more particularly described on Exhibit A, attached hereto and incorporated herein by this reference, known as the “Archdiocese Annexation No. 4-5,” to be in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, after notice pursuant to C.R.S. § 31-12-108, on September 4, 2024, the Town Council held a public hearing on the proposed annexation to determine if the annexation complies with C.R.S. §§ 31-12-104 and 105; and

WHEREAS, the Town Council has determined that the requirements of C.R.S. §§ 31-12-104 and 105 have been met, that an election is not required and that no additional terms or conditions are to be imposed on the annexed area.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The annexation of certain unincorporated property situated in a Part of the North Half of the Northeast Quarter Section 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 22.21 acres, being more particularly described on Exhibit A, be and the same is hereby approved and said unincorporated area is hereby incorporated and made a part of the Town of Johnstown, Colorado.

Section 2. The annexation of such unincorporated area to the Town of Johnstown, Colorado shall be complete and effective on the effective date of this Ordinance, except for the purpose of general property taxes, and shall be effective as to general property taxes on and after the first day of January, 2025.

Section 3. Within thirty (30) days of the effective date of this Ordinance, the Town Clerk be and is hereby authorized and directed to:

- A. File one copy of the annexation map with the original of the annexation ordinance in the office of the Town Clerk; and
- B. File three certified copies of the annexation ordinance and map of the area annexed containing a legal description of such area with the Weld County Clerk and Recorder.

Section 4. This Ordinance shall take effect as provided by State law.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this ___ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor

EXHIBIT A**PROPERTY DESCRIPTION – ARCHDIOCESE ANNEXATION NO. 4**

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

BEGINNING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 581.90 feet to the West line of the Reservoir Property per USR No. 1142, recorded December 9, 1997 at Reception No. 2583509;

THENCE South 66°13'28" West a distance of 106.64 feet;

THENCE South 35°24'15" West a distance of 150.14 feet;

THENCE South 40°31'29" West a distance of 55.52 feet;

THENCE South 56°34'09" West a distance of 110.97 feet;

THENCE South 55°44'09" West a distance of 115.44 feet;

THENCE South 46°39'31" West a distance of 110.28 feet;

THENCE South 43°59'36" West a distance of 116.62 feet;

THENCE South 33°40'28" West a distance of 3.96 feet to the West line of the N1/2NE1/4 of said Section 16;

THENCE North 01°04'34" West along said West line a distance of 512.45 feet to the North Quarter corner of said Section 16 and to the **POINT OF BEGINNING**.

Said area of land contains 3.28 Acres (+/-143,040 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

EXHIBIT A**PROPERTY DESCRIPTION – ARCHDIOCESE ANNEXATION No. 5**

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) 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 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 1164.44 feet to the **POINT OF BEGINNING**.

THENCE continuing South 88°26'46" East along said North line a distance of 577.97 feet to the East line of said Tract 1;

THENCE along the Easterly and Southerly lines of said Tract 1 by the following four (4) courses and distances:

THENCE South 00°00'16" West a distance of 274.14 feet;

THENCE North 90°00'00" West a distance of 376.23 feet;

THENCE South 00°54'49" East a distance of 756.16 feet;

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THENCE North 50°47'21" East a distance of 33.79 feet;

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Submittal #1_Archdiocese Annexation Nos. 4 & 5_06-24-24

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2024-256

**APPROVAL OF H-A ZONING OF THE PROPERTY KNOWN AS THE
 ARCHDIOCESE ANNEXATION NO. 4-5, SITUATED IN A PART OF
 THE NORTH HALF OF THE NORTHEAST QUARTER SECTION 16,
 TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY
 OF WELD, STATE OF COLORADO, CONSISTING OF
 APPROXIMATELY 22.21 ACRES**

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, the Town Council approved the annexation of certain property situated in a Part of the North Half of the Northeast Quarter Section 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 22.21 acres, known as the Archdiocese Annexation No. 4-5, being more particularly described on Exhibit A; and

WHEREAS, in conjunction with annexation, the Archdiocese of Denver, a Colorado corporation sole, the property owner, applied for Holding Agricultural (“H-A”) zoning of the property; and

WHEREAS, pursuant to state law, upon annexation, the Town Council must zone the property within ninety (90) days; and

WHEREAS, on August 14, 2024, the Town’s Planning and Zoning Commission held a hearing and recommended approval of H-A zoning for the property known as the Archdiocese Annexation No. 4-5; and

WHEREAS, on September 4, 2024, the Town Council held a public hearing to determine appropriate zoning for the property and, based upon the recommendation of the Planning and Zoning Commission and the evidence received at the hearing, finds that the requested zoning of the of the property known as the Archdiocese Annexation No. 4-5 to H-A is proper and conforms with the Town’s Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

1. Zoning. Zoning of the property known as the Archdiocese Annexation No. 4-5, more particularly described on the attached Exhibit A, shall hereby be designated as Holding-Agricultural.

2. Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon the later of the following: (i) final passage as provided by the Charter or (ii) the effective date of the annexation of the property known as the Archdiocese Annexation No. 4-5. At such time, the Town Clerk is directed to file this Ordinance with the real estate records of the Weld County Clerk and Recorder. Copies of the entire Ordinance are available at the office of the Town Clerk.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this ___ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor

EXHIBIT A**PROPERTY DESCRIPTION – ARCHDIOCESE ANNEXATION NO. 4**

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

BEGINNING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 581.90 feet to the West line of the Reservoir Property per USR No. 1142, recorded December 9, 1997 at Reception No. 2583509;

THENCE South 66°13'28" West a distance of 106.64 feet;

THENCE South 35°24'15" West a distance of 150.14 feet;

THENCE South 40°31'29" West a distance of 55.52 feet;

THENCE South 56°34'09" West a distance of 110.97 feet;

THENCE South 55°44'09" West a distance of 115.44 feet;

THENCE South 46°39'31" West a distance of 110.28 feet;

THENCE South 43°59'36" West a distance of 116.62 feet;

THENCE South 33°40'28" West a distance of 3.96 feet to the West line of the N1/2NE1/4 of said Section 16;

THENCE North 01°04'34" West along said West line a distance of 512.45 feet to the North Quarter corner of said Section 16 and to the **POINT OF BEGINNING**.

Said area of land contains 3.28 Acres (+/-143,040 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

EXHIBIT A**PROPERTY DESCRIPTION – ARCHDIOCESE ANNEXATION No. 5**

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) 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 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 1164.44 feet to the **POINT OF BEGINNING**.

THENCE continuing South 88°26'46" East along said North line a distance of 577.97 feet to the East line of said Tract 1;

THENCE along the Easterly and Southerly lines of said Tract 1 by the following four (4) courses and distances:

THENCE South 00°00'16" West a distance of 274.14 feet;

THENCE North 90°00'00" West a distance of 376.23 feet;

THENCE South 00°54'49" East a distance of 756.16 feet;

THENCE North 89°01'10" West a distance of 1357.98 feet to the West line of the N1/2NE1/4 of said Section 16;

THENCE North 01°04'34" West along said West line a distance of 112.02 feet;

THENCE North 50°47'21" East a distance of 33.79 feet;

THENCE North 56°10'46" East a distance of 104.91 feet;

THENCE North 71°05'50" East a distance of 129.18 feet;

THENCE North 59°05'00" East a distance of 89.02 feet;

THENCE North 49°18'57" East a distance of 76.11 feet;

THENCE North 57°10'54" East a distance of 19.16 feet;

THENCE North 69°01'09" East a distance of 27.94 feet;

THENCE North 82°26'55" East a distance of 104.96 feet;

THENCE North 78°36'39" East a distance of 45.47 feet;

THENCE North 69°16'17" East a distance of 127.36 feet;

THENCE North 72°45'00" East a distance of 31.37 feet;

THENCE North 80°12'24" East a distance of 67.50 feet;

THENCE North 71°29'15" East a distance of 47.72 feet;

THENCE North 55°27'04" East a distance of 34.11 feet;

THENCE North 32°30'51" East a distance of 71.59 feet;

THENCE North 03°07'10" East a distance of 118.79 feet;

THENCE North 32°07'01" East a distance of 34.33 feet;

THENCE North 48°33'16" East a distance of 105.63 feet;

THENCE North 43°31'19" East a distance of 34.46 feet;

THENCE North 35°53'58" East a distance of 164.07 feet;

THENCE North 26°06'30" East a distance of 36.24 feet;

THENCE North 12°51'40" East a distance of 83.86 feet to the North line of the NE1/4 of said Section 16 and to the **POINT OF BEGINNING**.

Said area of land contains 18.93 Acres (+/-824,570 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

Submittal #1_Archdiocese Annexation Nos. 4 & 5_06-24-24

PETITION FOR ANNEXATION

To the Town of Johnstown

(Weld County)

The undersigned, in accordance with Article 12, Chapter 31, C.R.S., as amended, hereby petition the Town Council of the Town of Johnstown, Colorado, for annexation to the Town of Johnstown the unincorporated territory more particularly described below, currently known as WELD COUNTY PARCEL NO. 10591600001, and in support of said Petition, your petitioners allege that:

1. It is desirable and necessary that the following described territory be annexed to the Town of Johnstown, Colorado:

See **Exhibit A** attached hereto and made a part hereof.

2. Not less than one-sixth (1/6) of the perimeter of that area proposed to be annexed is contiguous with the Town of Johnstown, Colorado.
3. A community of interest exists between the territory proposed to be annexed and the Town of Johnstown, Colorado.
4. The territory proposed to be annexed is urban or will be urbanized in the near future.
5. The territory proposed to be annexed is integrated or is capable of being integrated with the Town of Johnstown, Colorado.
6. The signatures of the Petition comprise one hundred percent (100%) of the landowners of the territory to be included in the area proposed to be annexed and said landowners attesting to the facts and agreeing to the conditions herein contained will negate the necessity of any annexation election.
7. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - a. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way.
 - b. Comprising twenty (20) acres or more which, together with the building and improvements situated thereon has an assessed value in excess of Two Hundred Thousand Dollars (\$200,000.00) for ad valorem tax purposes to be annexed, without the written consent of the landowner or landowners.

8. No part of the area proposed to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will take place.
9. The area proposed to be annexed comprises more than ten acres and an impact report as provided in C.R.S. §31-12-108.5, as amended, is required.
10. The area proposed to be annexed is located within Weld County, School District RE 5-J, Northern Colorado Water Conservancy District, Little Thompson Water District, Front Range Fire Rescue Fire Protection District, Aims Junior College District, and Weld County Library District, and no others.
11. The mailing address of each signer, the legal description of the land owned by each signer, and the date of signing of each signature are all shown on this Petition.
12. Accompanying this Petition are four (4) copies of an annexation map containing the following information:
 - a. A written legal description of the boundaries of the area proposed to be annexed.
 - b. A map showing the boundary of the area proposed to be annexed, such map prepared and containing the seal of a registered engineer or land surveyor.
 - c. Within the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area is to be platted at the time of the effectiveness of the annexation (as opposed to after such effectiveness), then the boundaries and the plat number of plots or of lots and blocks are shown.
 - d. Next to the boundary of the area proposed to be annexed is drawn the contiguous boundary of the Town of Johnstown, and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
 - e. The dimensions of the contiguous boundaries are shown on the map.
13. The Town of Johnstown will not have an immediate need to extend any municipal services at the time of annexation, as the territory to be annexed will remain zoned agricultural (H-A). Additionally, because the zoning of the subject property will remain agricultural, and there are no current plans to change such use of the subject property, the historical drainage on the property will remain the same, with the Hillsborough Reservoir generally located to the east of the territory making up Annexation No. 4 and to west of the territory making up Annexation No. 5. *See*, Annexation Map provided with this Petition.
14. The territory to be annexed is not presently a part of any incorporated city, city and county, or town.
15. The undersigned agree to the following conditions, which shall be covenants running with the land, and which shall, at the option of the Town, appear on the annexation map:

- a. Water rights shall be provided as mutually agreed to by the Town and the undersigned; The undersigned specifically agree that they have not sold or transferred any water rights appurtenant to their property within the past year nor will they do so during the pendency of this annexation petition and once annexed to the Town of Johnstown, they will not sell or transfer any water rights appurtenant to the subject property without the prior written approval of the Johnstown Town Council.
- b. The owners shall participate in providing a drainage plan and improvements and payment of a unit drainage fee as may be required by the Town for the area.
- c. The undersigned hereby waive any and all "vested rights" previously created pursuant to Section 24-68-103, C.R.S., as amended.
- d. The undersigned and the Town may enter into an Annexation Agreement prior to the effective date of this annexation, which agreement shall be additional conditions as effectively as if set forth in this Petition.

16. Petitioner represents that: (Check one)

 X No part of the property to be annexed is included within any site-specific development plan approved by Weld County, Colorado.

 A site-specific development plan has been approved by Weld County, Colorado, which has created a vested right.

17. Submitted with this Petition is the required \$.00 for publication costs.

(Signature to follow on next page)

EXECUTED this 21st day of June 2024.

By: 

Name: Keith A. Parsons

Title: COO, as atty-in-fact for Archbishop Aquila

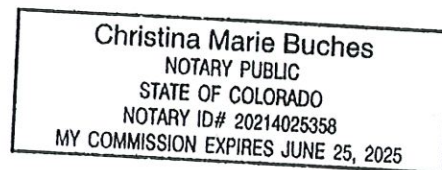
Name of Annexation: Archdiocese Annexation Nos. 4-5

STATE OF COLORADO)
)ss
COUNTY OF Denver)

Subscribed and sworn to before me this 21st day of June 2024, by Keith Parsons as COO, Attorney-in-Fact for Archbishop Samuel J. Aquila, Archbishop of Denver.

WITNESS my hand and official seal.

My commission expires: June 25, 2025




Notary Public

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Johnstown, Colorado, consisting of 5 pages, including this page and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.



Circulator

C.O.O., as Attorney-in-Fact for
Archbishop Samuel J. Aquila,
Archbishop of Denver.

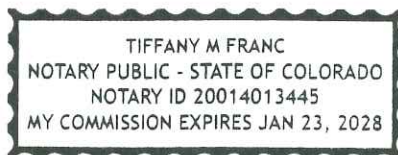
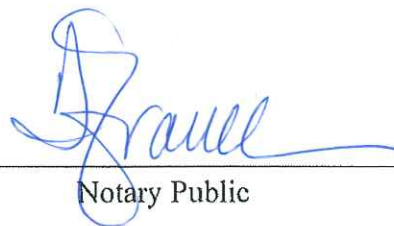
STATE OF COLORADO)
)ss
COUNTY OF DENVER)

The foregoing Affidavit of Circulator was subscribed and sworn to before me this
22ND day of JULY, A.D., 2024, by Keith A. Parsons.

C.O.O., as Attorney-in-Fact for Archbishop
Samuel J. Aquila, Archbishop of
Denver.

Witness my hand and official seal,

My commission expires: 1/23/2028

Notary Public

ARCHDIOCESE ANNEXATION NO. 4 - 5

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 67 WEST
OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO

PROPERTY DESCRIPTION — ARCHDIOCESE ANNEXATION NO. 4

AN AREA OF LAND BEING A PORTION OF TRACT 1 AS DESCRIBED IN LAND SURVEY PLAT RECORDED MAY 1, 2023 AT RECEPTION NUMBER 4895353 IN THE RECORDS OF WELD COUNTY, BEING SITUATE IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) OF SECTION SIXTEEN (16), TOWNSHIP FOUR NORTH (T.4N.), RANGE SIXTY-SEVEN WEST (R.67W.) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 16 AND ASSUMING THE NORTH LINE OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 16 AS MONUMENTED BY A #6 REBAR WITH A 3.25" ALUMINUM CAP STAMPED LS 7242 AT THE WEST END AND A 2.5" ALUMINUM PIPE WITH A 3.25" ALUMINUM CAP STAMPED LS 13155 AT THE EAST END, AS BEARING SOUTH 88°26'46" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983, A DISTANCE OF 2722.98 FEET, WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.

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

THENCE SOUTH 88°26'46" EAST ALONG SAID NORTH LINE OF THE NE1/4 A DISTANCE OF 581.90 FEET TO THE WEST LINE OF THE RESERVOIR PROPERTY PER USR NO. 1142, RECORDED DECEMBER 9, 1997 AT RECEPTION NO. 2583509;
THENCE SOUTH 66°13'28" WEST A DISTANCE OF 106.84 FEET;
THENCE SOUTH 35°24'15" WEST A DISTANCE OF 150.14 FEET;
THENCE SOUTH 40°31'29" WEST A DISTANCE OF 55.52 FEET;
THENCE SOUTH 56°34'09" WEST A DISTANCE OF 110.97 FEET;
THENCE SOUTH 55°44'09" WEST A DISTANCE OF 115.44 FEET;
THENCE SOUTH 46°39'31" WEST A DISTANCE OF 110.28 FEET;
THENCE SOUTH 43°59'36" WEST A DISTANCE OF 116.62 FEET;
THENCE SOUTH 33°40'28" WEST A DISTANCE OF 3.96 FEET TO THE WEST LINE OF THE N1/2NE1/4 OF SAID SECTION 16;
THENCE NORTH 01°04'34" WEST ALONG SAID WEST LINE A DISTANCE OF 512.45 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 16 AND TO THE **POINT OF BEGINNING**.

SAID AREA OF LAND CONTAINS 3.28 ACRES (+/-143,040 SQ.FT.) AND IS SUBJECT TO ANY RIGHTS-OF-WAY OR OTHER EASEMENTS OF RECORD AS NOW EXISTING ON SAID DESCRIBED PARCEL OF LAND.

PROPERTY DESCRIPTION — ARCHDIOCESE ANNEXATION NO. 5

AN AREA OF LAND BEING A PORTION OF TRACT 1 AS DESCRIBED IN LAND SURVEY PLAT RECORDED MAY 1, 2023 AT RECEPTION NUMBER 4895353 IN THE RECORDS OF WELD COUNTY, BEING SITUATE IN THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) OF SECTION SIXTEEN (16), TOWNSHIP FOUR NORTH (T.4N.), RANGE SIXTY-SEVEN WEST (R.67W.) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

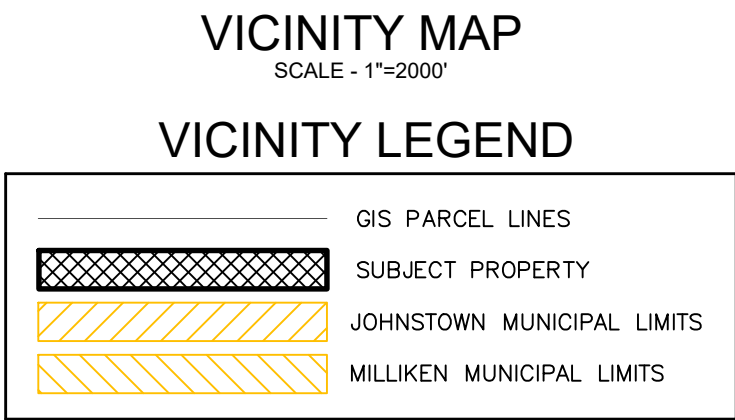
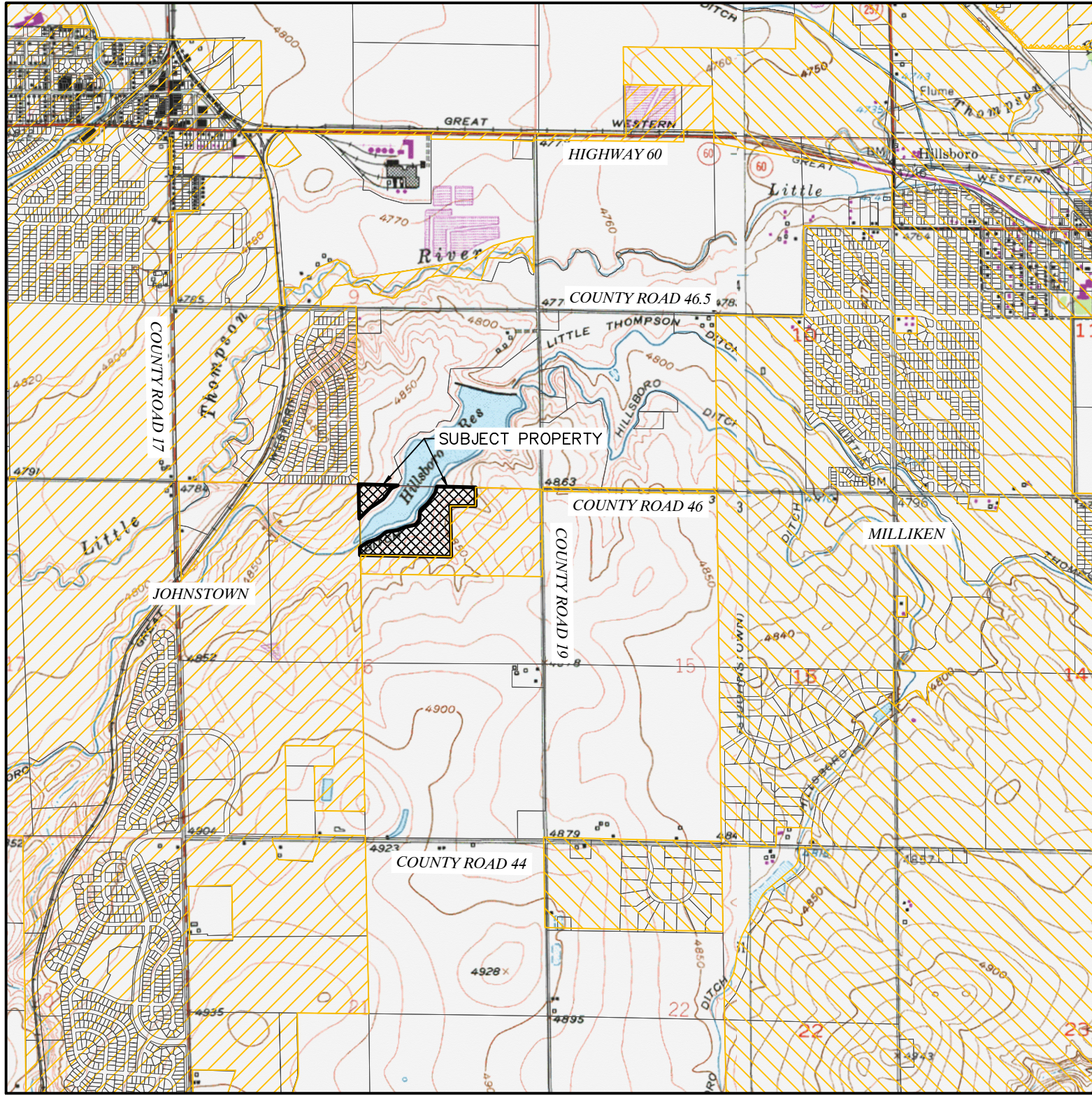
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 16 AND ASSUMING THE NORTH LINE OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 16 AS MONUMENTED BY A #6 REBAR WITH A 3.25" ALUMINUM CAP STAMPED LS 7242 AT THE WEST END AND A 2.5" ALUMINUM PIPE WITH A 3.25" ALUMINUM CAP STAMPED LS 13155 AT THE EAST END, AS BEARING SOUTH 88°26'46" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983, A DISTANCE OF 2722.98 FEET, WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.

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

THENCE SOUTH 88°26'46" EAST ALONG SAID NORTH LINE OF THE NE1/4 A DISTANCE OF 1164.44 FEET TO THE **POINT OF BEGINNING**.

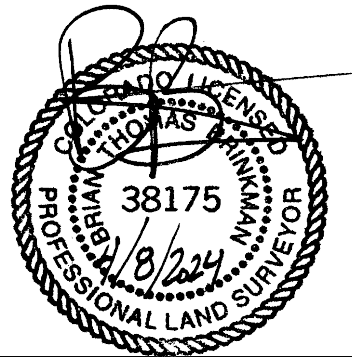
THENCE CONTINUING SOUTH 88°26'46" EAST ALONG SAID NORTH LINE A DISTANCE OF 577.97 FEET TO THE EAST LINE OF SAID TRACT 1;
THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID TRACT 1 BY THE FOLLOWING FOUR (4) COURSES AND DISTANCES:
THENCE SOUTH 00°00'16" WEST A DISTANCE OF 274.14 FEET;
THENCE NORTH 90°00'00" WEST A DISTANCE OF 376.23 FEET;
THENCE SOUTH 00°54'49" EAST A DISTANCE OF 756.16 FEET;
THENCE NORTH 89°01'10" WEST A DISTANCE OF 1357.98 FEET TO THE WEST LINE OF THE N1/2NE1/4 OF SAID SECTION 16;
THENCE NORTH 01°04'34" WEST ALONG SAID WEST LINE A DISTANCE OF 112.02 FEET;
THENCE NORTH 50°47'21" EAST A DISTANCE OF 33.79 FEET;
THENCE NORTH 56°10'46" EAST A DISTANCE OF 104.91 FEET;
THENCE NORTH 71°05'50" EAST A DISTANCE OF 129.18 FEET;
THENCE NORTH 59°05'00" EAST A DISTANCE OF 89.02 FEET;
THENCE NORTH 49°18'51" EAST A DISTANCE OF 76.11 FEET;
THENCE NORTH 57°10'54" EAST A DISTANCE OF 19.16 FEET;
THENCE NORTH 69°01'09" EAST A DISTANCE OF 27.94 FEET;
THENCE NORTH 82°26'55" EAST A DISTANCE OF 104.96 FEET;
THENCE NORTH 78°36'39" EAST A DISTANCE OF 45.47 FEET;
THENCE NORTH 69°16'17" EAST A DISTANCE OF 127.36 FEET;
THENCE NORTH 72°45'00" EAST A DISTANCE OF 31.37 FEET;
THENCE NORTH 80°12'24" EAST A DISTANCE OF 67.50 FEET;
THENCE NORTH 71°29'15" EAST A DISTANCE OF 47.72 FEET;
THENCE NORTH 55°27'04" EAST A DISTANCE OF 34.11 FEET;
THENCE NORTH 32°30'51" EAST A DISTANCE OF 71.59 FEET;
THENCE NORTH 03°07'10" EAST A DISTANCE OF 118.79 FEET;
THENCE NORTH 32°07'01" EAST A DISTANCE OF 34.33 FEET;
THENCE NORTH 48°33'16" EAST A DISTANCE OF 105.63 FEET;
THENCE NORTH 43°31'19" EAST A DISTANCE OF 34.46 FEET;
THENCE NORTH 35°53'58" EAST A DISTANCE OF 164.07 FEET;
THENCE NORTH 26°06'30" EAST A DISTANCE OF 36.24 FEET;
THENCE NORTH 12°51'40" EAST A DISTANCE OF 83.86 FEET TO THE NORTH LINE OF THE NE1/4 OF SAID SECTION 16 AND TO THE **POINT OF BEGINNING**.

SAID AREA OF LAND CONTAINS 18.93 ACRES (+/-824,570 SQ.FT.) AND IS SUBJECT TO ANY RIGHTS-OF-WAY OR OTHER EASEMENTS OF RECORD AS NOW EXISTING ON SAID DESCRIBED PARCEL OF LAND.



SURVEYOR'S STATEMENT

I, BRIAN T. BRINKMAN, A COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS ANNEXATION MAP WAS PREPARED FROM AN ACTUAL SURVEY UNDER MY PERSONAL SUPERVISION, THAT THE MONUMENTATION AS INDICATED HEREON WAS FOUND OR SET AS SHOWN, AND THAT THE FOREGOING PLAT IS AN ACCURATE REPRESENTATION THEREOF, ALL THIS TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.



BRIAN T. BRINKMAN--ON BEHALF OF LAT40°, INC.
COLORADO LICENSED PROFESSIONAL
LAND SURVEYOR NO. 38175

OWNER'S APPROVAL

KNOW ALL MEN BY THESE PRESENTS, THAT I/WE, ARCHDIOCESE OF DENVER, BEING THE SOLE OWNER(S) OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF **ARCHDIOCESE ANNEXATION NO. 4-5**.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____.

ARCHDIOCESE OF DENVER BY KEITH PARSONS COO,
ATTORNEY IN FACT FOR MOST REVEREND SAMUEL J. AQUILLA, S.T.L., ARCHBISHOP OF DENVER

NOTARIAL CERTIFICATE

STATE OF _____ }
COUNTY OF _____ } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY KEITH PARSONS COO, ATTORNEY IN FACT FOR MOST REVEREND SAMUEL J. AQUILLA, S.T.L., ARCHBISHOP OF DENVER

THIS _____ DAY OF _____, 20____. WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

TOWN COUNCIL APPROVAL

THIS MAP TO BE KNOWN AS **ARCHDIOCESE ANNEXATION NO. 4-5** IS APPROVED AND ACCEPTED TO THE TOWN OF JOHNSTOWN, COLORADO BY ORDINANCE NUMBER _____, PASSED AND ADOPTED ON FINAL READING AT THE REGULAR MEETING OF THE TOWN COUNCIL

OF THE TOWN OF JOHNSTOWN, COLORADO, HELD ON THE _____ DAY OF _____, 20____.

BY: _____ MAYOR SEAL ATTEST: _____ TOWN CLERK

SURVEYOR'S NOTES

1. BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

ASSUMING THE NORTH LINE OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 16, T.4., R.67W., AS MONUMENTED BY A #6 REBAR WITH A 3.25" ALUMINUM CAP STAMPED LS 7242 AT THE WEST END AND A 2.5" ALUMINUM PIPE WITH A 3.25" ALUMINUM CAP STAMPED LS 13155 AT THE EAST END, AS BEARING SOUTH 88°26'46" EAST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983 (2011), A DISTANCE OF 2722.98 FEET WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

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

2. THIS ANNEXATION MAP DOES NOT REPRESENT A MONUMENTED LAND SURVEY BY LAT40°, INC. IT IS INTENDED TO DEPICT THE DESCRIBED PARCELS AND THEIR RELATIONSHIP WITH THE EXISTING TOWN OF JOHNSTOWN TOWN LIMITS

3. THE AREA OF ANNEXATION IS WITHIN THE FOLLOWING SPECIAL DISTRICTS:
THOMPSON RIVER PARK AND RECREATION DISTRICT
WEST GREELEY CONSERVATION DISTRICT

TITLE COMMITMENT NOTE

This survey was prepared without the benefit of a title commitment. At the request of our client, recorded rights-of-way and easements were not researched and only those easements that were discovered during research to determine the property boundary are shown hereon. (38-51-106 (1)(b)(II) C.R.S.)

NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATE SHOWN HEREON. (13-80-105 C.R.S.)

ARCHDIOCESE ANNEXATION NO. 4	
CONTIGUOUS BOUNDARY (L.F.)	512.45
TOTAL BOUNDARY PERIMETER (L.F.)	1863.92
1/6 OF PERIMETER (L.F.)	310.65
ANNEXATION RATIO (1 to X)	3.64
TOTAL LAND AREA (Acres)	3.28

ARCHDIOCESE ANNEXATION NO. 5	
CONTIGUOUS BOUNDARY (L.F.)	2876.53
TOTAL BOUNDARY PERIMETER (L.F.)	5042.08
1/6 OF PERIMETER (L.F.)	840.35
ANNEXATION RATIO (1 to X)	1.75
TOTAL LAND AREA (Acres)	18.93



LAT40°, Inc.
Professional Land Surveyors
6250 W. 10th Street, Unit 2
Greeley, CO 80634
O: 970-515-5294

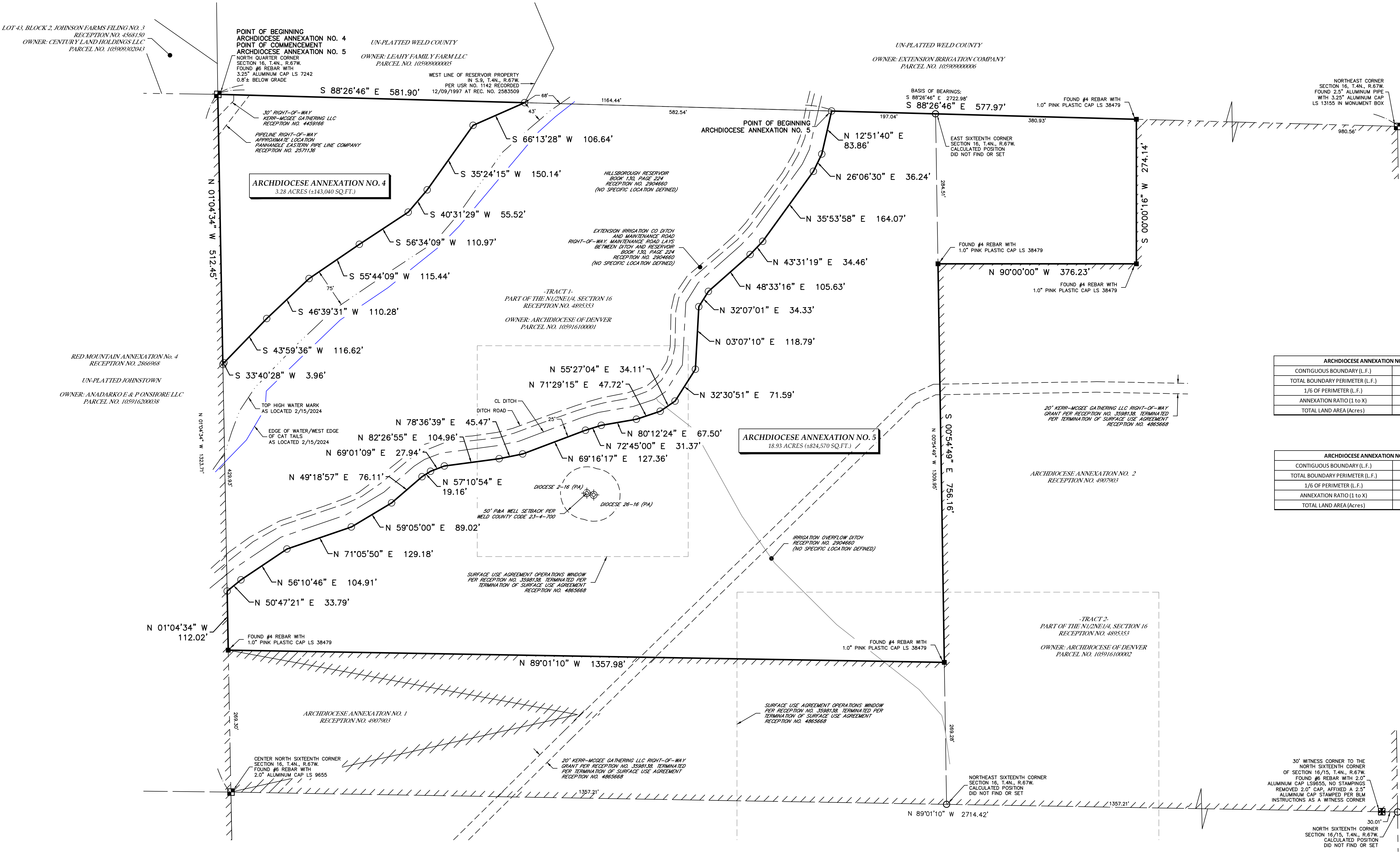
REVISIONS	
DESCRIPTION:	DATE:

ARCHDIOCESE ANNEXATION NO. 4 - 5
PART OF THE N1/2NE1/4
SECTION 16, T4N, R67W, WELD COUNTY, CO
HILLSBOROUGH RESERVOIR
EXTENSION IRRIGATION COMPANY

DRAWN BY: SR	SCALE: AS NOTED	DATE: 4/8/2024
CHECKED BY: BTB	PROJECT #: 2024034	SHEET: 1 OF 2

ARCHDIOCESE ANNEXATION NO. 4 - 5

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 67 WEST
OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO

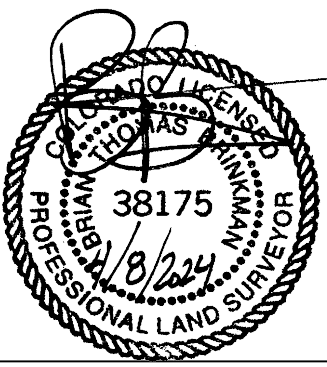


ARCHDIOCESE ANNEXATION NO. 4	
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ANNEXATION RATIO (1 to X)	1.75
TOTAL LAND AREA (Acres)	18.93

LEGEND

	SUBJECT PROPERTY		ALIQUOT MONUMENT AS DESCRIBED
	PARCEL LINE		ALIQUOT MONUMENT WITNESS CORNER AS DESCRIBED
	SECTION LINE		FOUND MONUMENT AS DESCRIBED
	QUARTER SECTION LINE		CALCULATED POSITION
	RIGHT-OF-WAY LINE		PLUGGED & ABANDONED WELL
	EASEMENT LINE		
	EXISTING TOWN LIMITS		



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BRIAN T. BRINKMAN—ON BEHALF OF LAT40°, INC.
COLORADO LICENSED PROFESSIONAL
LAND SURVEYOR NO. 38175

REVISIONS	
DESCRIPTION:	DATE:

DRAWN BY: SR	SCALE: AS NOTED	DATE: 4/8/2024
CHECKED BY: BTB	PROJECT #: 2024034	SHEET: 2 OF 2

ARCHDIOCESE ANNEXATION NO. 4 - 5
PART OF THE N1/2NE1/4
SECTION 16, T4N, R67W, WELD COUNTY, CO
HILLSBOROUGH RESERVOIR
EXTENSION IRRIGATION COMPANY

ANNEXATION IMPACT REPORT

PID 10591600001 Annexation

1. *A statement setting forth the plans of the municipality for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or on behalf of the municipality at the time of annexation.*

The Town of Johnstown will not have any immediate need to extend any municipal services at the time of annexation. The parcel in question is currently zoned agricultural (H-A) and will continue to be zoned agricultural (H-A).

2. *A statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed.*

Johnstown plans to finance extension of the above-mentioned municipal services to the area proposed for annexation through a variety of means, including subdivision improvement requirements, impact fees capital improvement programs, and arrangements with special districts.

3. *A statement identifying existing tax districts within the area to be annexed.*

The current existing tax districts of the parcel are as follows:

Tax Area	District ID	District Name	Current Mill Levy
0533	0700	Aims Junior College	6.336
0533	0510	Front Range Fire Rescue Fire Protection District	11.663
0533	1050	High Plains Library	3.196
0533	0306	Little Thompson Water (LTW)	0.000
0533	0301	Northern Colorado Water (NCW)	1.000
0533	0205	School Dist. RE5J - Johnstown	33.988
0533	0100	Weld County	12.024
0533	1200	West Greeley Conservation	0.414

4. *A statement on the effect of annexation upon local public school district systems, including the estimated number of students generated and the capital construction required to educate such students.*

No dwellings are planned and there will be no impact upon the RE-5(J) school district.

5. *A map (or maps) of the municipality and adjacent territory to show the following information:*

See attached exhibits.



450 S. Parish Avenue
Johnstown, CO 80534
970.587.4664
JohnstownCO.gov

**AFFIDAVIT OF PUBLICATION
OF RESOLUTION No. 2024-32**

I, Hannah Hill, being duly sworn, hereby state as follows:

1. I am the Town Clerk of the Town of Johnstown, Colorado, a home-rule municipality located at 450 S. Parish, Johnstown, Colorado, 80534.
2. I am over the age of eighteen and competent to make these averments.
3. On July 16, 2024, I forwarded Resolution No. 2024-32 ("Resolution") to The Johnstown Breeze for publication.
4. On July 25, 2024, August 1, 2024, August 8, 2024 and August 15, 2024, upon best information and belief, The Johnstown Breeze published the Resolution, as evidenced by Exhibit A attached hereto and incorporated herein by reference.
5. Further affiant say naught.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief and was executed this 22nd day of August 2024 in the Town of Johnstown, Colorado.



Hannah Hill

Hannah Hill, Town Clerk

STATE OF COLORADO

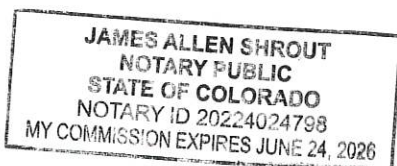
)
) ss.
)

COUNTY OF WELD

Subscribed and sworn to before me this 24 day of August, 2024 by Hannah Hill,
Town Clerk of the Town of Johnstown.

Witness my hand and seal.

My commission expires: 10/24/2026



James A. Shrout
Notary Public



Item #7.

450 S. Parish Avenue
Johnstown, CO 80534
970.587.4664
JohnstownCO.gov

EXHIBIT A
Copy of Published Resolution

**TOWN OF JOHNSTOWN
PUBLIC HEARING NOTICE**

NOTICE IS HEREBY GIVEN that a petition for Annexation territories herein-after described as the Archdiocese Annexation No. 4-5 has been presented to the Town Council of Johnstown, Colorado, and found to be in apparent compliance with the applicable provisions of law and the Town Council has adopted a Resolution to set a public hearing to be held at 7:00 P.M. on Wednesday, September 4, 2024, in the Council Chambers, Town Hall, 450 South Parish, Johnstown, Colorado, to determine if the proposed annexation complies with the applicable requirements of law.

The resolution adopted by the Town Council for such purposes is in words, letter and figures, as follows:

TOWN OF JOHNSTOWN, COLORADO RESOLUTION NO. 2024-32

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR INITIATING ANNEXATION PROCEEDINGS AND SETTING A PUBLIC HEARING DATE FOR THE ARCHDIOCESE ANNEXATION NO. 4 - 5

WHEREAS, the Town of Johnstown ("Town") is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town's Home Rule Charter; and

WHEREAS, the Town Council is vested with the authority to administer the affairs of the Town; and

WHEREAS, the Archdiocese of Denver, a Colorado corporation sole (the "Archdiocese"), submitted a Petition for Annexation of real property; and

WHEREAS, the Town Council has reviewed the Petition for Annexation,

and, finding substantial compliance as set forth below, desires to initiate annexation proceedings in accordance with the law and set a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council finds that a Petition for Annexation of certain property situated in a Part of the North Half of the Northeast Quarter Section 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 22.21 acres, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, filed with the Town Clerk on or about June 21, 2024, to be known as the "Archdiocese Annexation No. 4 - 5," is in substantial compliance with §31-12-107(1), and that a public hearing should be held to determine if the proposed annexation complies with

§§31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility pursuant to §31-12-101, et seq.

Section 2. The Town Council hereby sets a public hearing for such purposes on September 4, 2024, at 7:00 p.m., at 450 South Parish Avenue, Johnstown, Colorado.

Section 3. The Town Clerk shall publish notice of the hearing once per week for four (4) consecutive weeks in the Johnstown Breeze, with the first publication at least thirty (30) days prior to the date of the hearing. The Town Clerk shall also send a copy of the published notice, together with a copy of this Resolution and the Petition for Annexation, by registered mail to the Weld County Board of County Commissioners and to the Weld County Attorney and to any special district or school district having territory within the area to be annexed at least twenty-five (25) days prior to the date fixed for such hearing.

Section 4. This Resolution shall be effective on the date hereof.

Weld, State of Colorado, being more particularly described as follows;

COMMENCING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 1164.44 feet to the POINT OF BEGINNING.

THENCE continuing South 88°26'46" East along said North line a distance of 577.97 feet to the East line of said Tract 1;

THENCE along the Easterly and Southerly lines of said Tract 1 by the following four (4) courses and distances: THENCE South 00°00'16" West a distance of 274.14 feet;

THENCE North 90°00'00" West a distance of 376.23 feet; THENCE South 00°54'49" East a distance of 756.16 feet;

THENCE North 89°01'10" West a distance of 1357.98 feet to the West line of the N1/2NE1/4 of said Section 16; THENCE North 01°04'34" West along said West line a distance of 112.02 feet;

THENCE North 50°47'21" East a distance of 33.79 feet; THENCE North 56°10'46" East a distance of 104.91 feet; THENCE North 71°05'50" East a distance of 129.18 feet; THENCE North 59°05'00" East a distance of 89.02 feet; THENCE North 49°18'57" East a distance of 76.11 feet; THENCE North 57°10'54" East a distance of 19.16 feet; THENCE North 69°01'09" East a distance of 27.94 feet; THENCE North 82°26'55" East a distance of 104.96 feet; THENCE North 78°36'39" East a distance of 45.47 feet; THENCE North 69°16'17" East a distance of 127.36 feet; THENCE North 72°45'00" East a distance of 31.37 feet; THENCE North 80°12'24" East a distance of 67.50 feet; THENCE North 71°29'15" East a distance of 47.72 feet; THENCE North 55°27'04" East a distance of 34.11 feet; THENCE North 32°30'51" East a distance of 71.59 feet; THENCE North 03°07'10" East a distance of 118.79 feet; THENCE North 32°07'01" East a distance of 34.33 feet; THENCE North 48°33'16" East a distance of 105.63 feet; THENCE North 43°31'19" East a distance of 34.46 feet; THENCE North 35°53'58" East a distance of 164.07 feet; THENCE North 26°06'30" East a distance of 36.24 feet;

THENCE North 12°51'40" East a distance of 83.86 feet to the North line of the NE1/4 of said Section 16 and to the

POINT OF BEGINNING.

Said area of land contains 18.93 Acres (+/-824,570 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

Exhibit A can be found in the Office of the Town Clerk

Hannah Hill, Town Clerk
Town of Johnstown

Published in *The Johnstown Breeze*
July 25 & August 1, 8 & 15, 2024

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

BEGINNING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 581.90 feet to the West line of the Reservoir Property per USR No. 1142, recorded December 9, 1997 at Reception No. 2583509;

THENCE South 66°13'28" West a distance of 106.64 feet; THENCE South 35°24'15" West a distance of 150.14 feet; THENCE South 40°31'29" West a distance of 55.52 feet; THENCE South 56°34'09" West a distance of 110.97 feet; THENCE South 55°44'09" West a distance of 115.44 feet; THENCE South 46°39'31" West a distance of 110.28 feet; THENCE South 43°59'36" West a distance of 116.62 feet;

THENCE South 33°40'28" West a distance of 3.96 feet to the West line of the N1/2NE1/4 of said Section 16; THENCE North 01°04'34" West along said West line a distance of 512.45 feet to the North Quarter corner of said Section 16 and to the POINT OF BEGINNING.

Said area of land contains 3.28 Acres (+/-143,040 sq.ft.) 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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NOTICE OF UNREGISTERED CLAIM

By: Vera-Ann Robinson Gonzalez, a private living Woman, by the grace of God beneficiary in the original jurisdiction now coming as Sovereign sole heir, Grantor/Settler, Executrix with notice of unregistered claim and priority all equitable rights, titles and interest in the VERA ANN ROBINSON name and Estate, as (New York) State file number 156-70-412372 including all assets, attributes, derivatives and transmutations thereof. To respond to this notice, send self-addressed stamped envelope to: c/o 912 N 4th St Johnstown Colorado [80534]

Published in *The Johnstown Breeze*
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DON'T BE A VICTIM

MAKE WELD COUNTY A HARD TARGET

Home Burglary

Every citizen wants to feel that their valuables are safe. It is a fact that many times we give criminals the ability to commit a crime; many times we do not even know that we are doing it. Here are some tips to help you avoid being a victim of burglary. These tips can help you, your family, and your belongings stay safe.

Weld County Sheriff's Office



Public Education Initiative



- Lock your doors, windows and gates when you leave
- Don't leave your garage open
- Make sure that entrances and exits have good locks (deadbolts) and sturdy (solid core) doors
- Don't leave valuables unattended outside your home
- If possible, have an audible security alarm and display a sign for your security system on your residence
- Encourage your neighbors to call 911 if they see something suspicious
- Have good lighting outside your residence, especially on access points – good visibility mitigates burglary/trespass
- Good visibility helps protection – allow natural surveillance of your property – maximize visibility
- Trim bushes to allow visibility and prevent hiding spots, especially next to windows and doors
- Fences should allow people to see in
- Use locking gates between front and back yards
- Front and back doors should be clearly visible and well lit; motion lights are a great way to light your residence while conserving energy

TOWN OF JOHNSTOWN
PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that a petition for Annexation territories herein-after described as the Archdiocese Annexation No. 4-5 has been presented to the Town Council of Johnstown, Colorado, and found to be in apparent compliance with the applicable provisions of law and the Town Council has adopted a Resolution to set a public hearing to be held at 7:00 P.M. on Wednesday, September 4, 2024, in the Council Chambers, Town Hall, 450 South Parish, Johnstown, Colorado, to determine if the proposed annexation complies with the applicable requirements of law.

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WHEREAS, the Town of Johnstown ("Town") is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town's Home Rule Charter; and

WHEREAS, the Town Council is vested with the authority to administer the affairs of the Town; and

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submitted a Petition for Annexation of real property; and

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NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

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NOTICE OF UNREGISTERED
CLAIM

By: Vera-Ann Robinson Gonzalez, a private living Woman, by the grace of God beneficiary in the original jurisdiction now coming as Sovereign sole heir, Grantor/Settler, Executrix with notice of unregistered claim and priority all equitable rights, titles and interest in the VERA ANN ROBINSON name and Estate, as (New York) State file number 156-70-412372 including all assets, attributes, derivatives and transmutations thereof. To respond to this notice, send self-addressed stamped envelope to; c/o 912 N 4th St Johnstown Colorado [80534]

Published in *The Johnstown Breeze*
July 25 & August 1, 8 & 15, 2024

TOWN OF MILLIKEN
JULY 2024 LIST OF BILLS

VENDOR NAME	AMOUNT	DEPT*
4 Rivers Equipment	312.30	PW
A1 Organics, Inc.	3,180.80	WW
Ablao Law LLC	3,087.50	CT
Ace Hardware	433.13	ALL
Adamson Police Products	1,338.15	PD
Agfinity Inc	7,219.40	ALL
All Copy Products	421.94	PD
All Copy Products Inc.	181.08	PD
All Water Supply LLC	1,394.02	W
Alpine Controls & Engineering, LLC	5,918.00	W
Amazon Capital Services	1,758.58	ALL
Amich & Jenks, Inc.	300.00	PD
Anything Under Colorado Specialties Corp	2,557.00	W
Arapahoe Rental	192.05	PK
Arnulfo Quiroz	1,760.00	PD
Ascent Broadband, LLC	55.00	W/WW
Award Alliance LLC	47.50	CD
Axon Enterprise Inc	12,522.81	PD
Badger Meter Inc	1,210.43	W
Banner Occupational Health Clinic	463.00	AD
Bell Gould Linder & Scott PC	22,491.15	ALL
Bobcat of the Rockies	2,124.92	PW
Buckeye Welding Supply Co Inc	15.30	PW
Caree Rinebarger	97.14	CD
Central Weld County Water District	172,766.25	W
CenturyLink	326.63	AD/PD
Cintas	770.02	ALL
Cintas Corporation #0737	197.20	FM
CIRSA	7,408.00	AD
City Of Greeley	98,183.03	W
City of Greeley - Finance Dept	1,000.00	PD
Colorado Analytical Lab	277.20	W/WW
Colorado Rangers Law Enforcement	6,000.00	PD
Consolidated Hillsborough Ditch Co	78.54	W
Control Solutions	1,305.00	FM
Core & Main	396.72	W
Coren Printing	5,248.70	PD/W
CPS Distributors Inc	3,624.03	PK
DBC Irrigation Supply	1,467.69	PK
Deere Credit	6,982.95	PW
Deep Rock Water	75.44	WW
Dept of Public Health & Environment	1,200.00	W/WW
DES Pipeline Maintenance LLC	3,150.00	PW
Don Chapman	1,400.00	W
Enterprise Fleet Management	7,773.11	ALL
EnviroTech Services, Inc.	15,538.73	ST
EverBank, N.A.	275.00	CD
Forrest Leaf PE	4,805.00	W/WW
Frontier Fertilizer & Chemical	388.89	PK
Ground Engineering Consultants, Inc.	5,452.50	ST
Harrington Industrial Plastic	1,482.31	WW
Hi-Line Inc	156.00	PW
Home Depot Credit Services	722.27	ALL
Jack's Tire & Oil	278.28	PW
James Rehn	300.00	AD
Johnstown Breeze	516.36	AD
JS MD Sigma PLLC	1,740.00	PD

Kelly Supply Company	68.19	W
Kyle Beyerlein	268.37	W/WW
L & M Enterprises	6,906.00	PK/AD
L. G. Everist Inc	45,806.47	ST
Little Thompson Water District	179.05	W
Lyons Gaddis Attorneys & Counselors	4,104.25	W
M & T Investments Wyoming Inc.	13,562.50	ST
Mac Equipment Inc	2,141.56	PK
Mares Auto Inc	248.00	ALL
MBI-Medicine for Business and Industry	65.27	W
Mick Peters	253.51	PD
Mill Haus Coffee	409.50	ALL
MMI Water Engineers LLC	6,357.14	W/WW
Mountain Alarm Fire	420.00	ALL
NAPA	1,901.51	ALL
Natasha Psenicka	69.68	CT
Orkin	1,200.89	ALL
Pioneer	845.83	PK
Polydyne, Inc.	4,509.00	WW
Poudre Valley REA	481.02	ALL
PVS DX, INC	1,007.51	W
Ram Waste Systems, Inc	8,375.00	TR
Safebuilt, LLC	17,721.44	CD
Southern Source Industries Inc	5,020.22	PK
Staples	1,025.46	ALL
Sumner Automotive Repair	415.73	PW
Sunbelt Rentals	2,775.23	PW
Superior Diesel Services	2,830.33	PW
Tait & Associates Inc	67,487.67	ALL
TDS	760.00	ALL
The Cracked Egg	220.83	TB
Thompson Rivers Park & Recreation	200,000.00	GF
Top Notch Plumbing LLC	824.63	PK
TruGreen Processing Center	3,576.15	PK
UNCC	517.29	W/WW
United Site Services, Inc.	155.00	PK
United States Postal Service	1,786.64	ALL
USA Blue Book	846.23	WW
Verizon Connect Fleet USA LLC	340.90	PK
Verizon Wireless	3,234.59	ALL
Visa	9,952.17	ALL
Wagner Rents	5,816.97	W
Waste Connections of Colorado, Inc.	37,890.00	TR
Weld County Information Technology	64.12	PD
Whiteside's Boots	399.97	PW
Xcel Energy	31,445.72	ALL
Xerox Corporation	936.88	AD/PW
SUB-TOTAL	915,591.47	
Net Payrolls (Checks & Direct Deposits)	145,246.37	PAYROLL
Net Payrolls (Checks & Direct Deposits)	144,561.69	PAYROLL
SUB-TOTAL	289,808.06	
GRAND TOTAL	1,205,399.53	

* AD - Administration; PW - Public Works; PK - Parks; CT - Courts; PD - Police; W - Water; WW - Sewer; FM - Facility Maint.; TB - Town Board; TR - Trash; GR - Grants; CIP - Capital Improvements; IF - Impact Fees; FL - Flood Exp.; EVT - Events; ST - Streets; CD - Community Development; GF - General Fund; SR - Seniors; SW - Stormwater

Published in *The Johnstown Breeze* August 1, 2024

TOWN OF JOHNSTOWN,
COLORADO
ORDINANCE NO. 2024-257

AN ORDINANCE AMENDING
SECTION 2-24 AND SECTION 2-183
OF THE JOHNSTOWN MUNICIPAL
CODE CONCERNING COMPENSA-
TION FOR THE MAYOR AND COUN-
CILMEMBERS AND MEMBERS OF
THE PLANNING ZONING COMMIS-
SION

WHEREAS, the Town of Johnstown, Colorado ("Town") is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town's Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, Article I of Chapter 2 of the Johnstown Municipal Code ("Code") regulates the Town Council and Section 2-24 contained therein addresses the compensation of the Mayor and Councilmembers; and

WHEREAS, Article IX of Chapter 2 of the Code regulates the Planning and Zoning Commission and Section 2-183 contained therein provides that members of the Planning and Zoning Commission shall serve without compensation; and

WHEREAS, after conferral and due consideration, including consideration of the compensation paid in other municipalities, the Town Council desires, commencing on and after the next election for each position, to compensate the Mayor in the amount of five hundred dollars (\$500.00) and each Councilmember in the amount of three hundred dollars (\$300.00) for each regular meeting of the Town Council that he or she attends; and

WHEREAS, the Town Council further desires to compensate members of the Planning and Zoning Commission in the amount of One Hundred Twenty-Five Dollars (\$125.00) for each meeting of the Planning and Zoning Commission that a member attends; and

WHEREAS, the Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of the public health, welfare, peace, safety and property and that this Ordinance is in the best interests of the citizens of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. Section 2-24. Subsection 2-24(1) of the Johnstown Municipal Code is hereby repealed and re-

adopted to read as follows:

Sec. 2-24. Compensation.
(1) Except as provided below, the Mayor shall receive the sum of two hundred dollars (\$200.00) and each Councilmember shall receive the sum of one hundred twenty-five dollars (\$125.00) for each regular meeting of the Town Council that he or she attends. Commencing subsequent to the next election for each position on and after April 7, 2026, the Mayor shall receive the sum of five hundred dollars (\$500.00) and each Councilmember shall receive the sum of three hundred dollars (\$300.00) for each regular meeting of the Town Council that he or she attends. No compensation shall be provided for attendance at special meetings or work sessions.

Section 2. Section 2-183. Subsection 2-183 of the Johnstown Municipal Code is hereby repealed and readopted to read as follows:

Sec. 2-183. Qualifications of members; compensation.
All members of the Planning and Zoning Commission shall be residents of the Town. If any member ceases to reside in the Town, his or her membership shall immediately terminate. All members of the Planning and Zoning Commission shall serve with compensation for each meeting of the Planning and Zoning Commission that a member attends in the amount of one hundred twenty-five dollars (\$125.00) per meeting.

Section 3. Severability. If any part of provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of the Ordinance are declared to be severable.

Section 4. Publication; Effective Date. This Ordinance, after its final passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado ("Charter") and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

INTRODUCED, AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this 5th day of August 2024.

TOWN OF JOHNSTOWN, COLORA-

DO
ATTEST:
By: s/s Hannah Hill, Town Clerk By:
s/s Michael P. Duncan, Mayor

Published in *The Johnstown Breeze*
August 8, 2024

NOTICE OF HEARING
BY PUBLICATION
C.R.S. 34-32.5-115(2):

The Mined Land Reclamation Board (MLRB) will consider a 112 Construction Materials Reclamation Permit Application for the Bernhardt Sand and Gravel Pit, File No. M-2023-025, filed by W.W. Clyde & Company. Consideration of the application has been scheduled for a hearing before the MLRB at the August 21-22, 2024, MLRB Meeting, which will be held virtually via Zoom meeting, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. All legal parties have been supplied a ZOOM link. Other interested parties may view the hearing via the MLRB YouTube Channel at: <https://www.youtube.com/channel/UC-DrrAO8blPFIOwce-yH1fWVA>.

Published in *The Johnstown Breeze*
August 8 & 15, 2024

TOWN OF JOHNSTOWN
PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that a petition for Annexation territories herein-after described as the Archdiocese Annexation No. 4-5 has been presented to the Town Council of Johnstown, Colorado, and found to be in apparent compliance with the applicable provisions of law and the Town Council has adopted a Resolution to set a public hearing to be held at 7:00 P.M. on Wednesday, September 4, 2024, in the Council Chambers, Town Hall, 450 South Parish, Johnstown, Colorado, to determine if the proposed annexation complies with the applicable requirements of law.

The resolution adopted by the Town Council for such purposes is in words, letter and figures, as follows:

TOWN OF JOHNSTOWN, COL-
ORADO RESOLUTION NO. 2024-32

A RESOLUTION FINDING SUB-
STANTIAL COMPLIANCE FOR INI-
TIATING ANNEXATION PROCEED-
INGS AND SETTING A PUBLIC
HEARING DATE FOR THE ARCHDIO-
CESE ANNEXATION NO. 4 - 5

WHEREAS, the Town of Johnstown ("Town") is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town's Home Rule Charter; and

WHEREAS, the Town Council is vested with the authority to administer the affairs of the Town; and

WHEREAS, the Archdiocese of Denver, a Colorado corporation sole (the "Archdiocese"), submitted a Petition for Annexation of real property; and

WHEREAS, the Town Council has reviewed the Petition for Annexation, and, finding substantial compliance as set forth below, desires to initiate annexation proceedings in accordance with the law and set a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council finds that a Petition for Annexation of certain property situated in a Part of the North Half of the Northeast Quarter Section 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 22.21 acres, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, filed with the Town Clerk on or about June 21, 2024, to be known as the "Archdiocese Annexation No. 4 - 5," is in substantial compliance with §31-12-107(1), and that a public hearing should be held to determine if

the proposed annexation complies with §§31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility pursuant to §31-12-101, et seq.

Section 2. The Town Council hereby sets a public hearing for such purposes on September 4, 2024, at 7:00 p.m., at 450 South Parish Avenue, Johnstown, Colorado.

Section 3. The Town Clerk shall publish notice of the hearing once per week for four (4) consecutive weeks in the Johnstown Breeze, with the first publication at least thirty (30) days prior to the date of the hearing. The Town Clerk shall also send a copy of the published notice, together with a copy of this Resolution and the Petition for Annexation, by registered mail to the Weld County Board of County Commissioners and to the Weld County Attorney and to any special district or school district having territory within the area to be annexed at least twenty-five (25) days prior to the date fixed for such hearing.

Section 4. This Resolution shall be effective on the date hereof.

Exhibit A can be found in the Office of the Town Clerk

Hannah Hill, Town Clerk
Town of Johnstown

Published in *The Johnstown Breeze*
July 25 & August 1, 8 & 15, 2024

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

BEGINNING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 581.90 feet to the West line of the Reservoir Property per USR No. 1142, recorded December 9, 1997 at Reception No. 2583509;

THENCE South 66°13'28" West a distance of 106.64 feet; THENCE South 35°24'15" West a distance of 150.14 feet; THENCE South 40°31'29" West a distance of 55.52 feet; THENCE South 56°34'09" West a distance of 110.97 feet; THENCE South 55°44'09" West a distance of 115.44 feet; THENCE South 46°39'31" West a distance of 110.28 feet; THENCE South 43°59'36" West a distance of 116.62 feet;

THENCE South 33°40'28" West a distance of 3.96 feet to the West line of the N1/2NE1/4 of said Section 16; THENCE North 01°04'34" West along said West line a distance of 512.45 feet to the North Quarter corner of said Section 16 and to the POINT OF BEGINNING.

Said area of land contains 3.28 Acres (+/-143,040 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) 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 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 1164.44 feet to the POINT OF BEGINNING.

THENCE continuing South 88°26'46" East along said North line a distance of 577.97 feet to the East line of said Tract 1;

THENCE along the Easterly and Southerly lines of said Tract 1 by the following four (4) courses and distances: THENCE South 00°00'16" West a distance of 274.14 feet;

THENCE North 90°00'00" West a distance of 376.23 feet; THENCE South 00°54'49" East a distance of 756.16 feet;

THENCE North 89°01'10" West a distance of 1357.98 feet to the West line of the N1/2NE1/4 of said Section 16; THENCE North 01°04'34" West along said West line a distance of 112.02 feet;

THENCE North 50°47'21" East a distance of 33.79 feet; THENCE North 56°10'46" East a distance of 104.91 feet; THENCE North 71°05'50" East a distance of 129.18 feet; THENCE North 59°05'00" East a distance of 89.02 feet; THENCE North 49°18'57" East a distance of 76.11 feet; THENCE North 57°10'54" East a distance of 19.16 feet; THENCE North 69°01'09" East a distance of 27.94 feet; THENCE North 82°26'55" East a distance of 104.96 feet; THENCE North 78°36'39" East a distance of 45.47 feet; THENCE North 69°16'17" East a distance of 127.36 feet; THENCE North 72°45'00" East a distance of 31.37 feet; THENCE North 80°12'24" East a distance of 67.50 feet; THENCE North 71°29'15" East a distance of 47.72 feet; THENCE North 55°27'04" East a distance of 34.11 feet; THENCE North 32°30'51" East a distance of 71.59 feet; THENCE North 03°07'10" East a distance of 118.79 feet; THENCE North 32°07'01" East a distance of 34.33 feet; THENCE North 48°33'16" East a distance of 105.63 feet; THENCE North 43°31'19" East a distance of 34.46 feet; THENCE North 35°53'58" East a distance of 164.07 feet; THENCE North 26°06'30" East a distance of 36.24 feet;

THENCE North 12°51'40" East a distance of 83.86 feet to the North line of the NE1/4 of said Section 16 and to the

POINT OF BEGINNING.

Said area of land contains 18.93 Acres (+/-824,570 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

NOTICE OF UNREGISTERED CLAIM

By: Vera-Ann Robinson Gonzalez, a private living Woman, by the grace of God beneficiary in the original jurisdiction now coming as Sovereign sole heir, Grantor/Settler, Executrix with notice of unregistered claim and priority all equitable rights, titles and interest in the VERA ANN ROBINSON name and Estate, as (New York) State file number 156-70-412372 including all assets, attributes, derivatives and transmutations thereof. To respond to this notice, send self-addressed stamped envelope to; c/o 912 N 4th St Johnstown Colorado [80534]

Published in *The Johnstown Breeze*
July 25 & August 1, 8 & 15, 2024

“Trust Us!”

Without public notices, the government wouldn’t have to say anything else.

Public notices are a community’s window into the government. From zoning regulations to local budgets, governments have used local newspapers to inform citizens of its actions as an essential part of your right to know. You know where to look, when to look and what to look for to be involved as a citizen. Local newspapers provide you with the information you need to get involved.

Notices are meant to be noticed.
Read your public notices and get involved!

Public Notice
Resource Center

60

TOWN OF JOHNSTOWN
NOTICE OF CONTRACTOR'S
SETTLEMENT

This is to notify all persons interested that the Town of Johnstown, Colorado will make final payment to L4 Construction LLC. for work completed on Little Thompson River Trail Project (Project # TAP M690-001 (21992)). Said final payment will be made on August 29, 2024.

Anyone having claims in conjunction with this project may file same with the undersigned no later than August 27, 2024.

TOWN OF JOHNSTOWN, CO
By Hannah Hill, Town Clerk

Published in *The Johnstown Breeze* August 15, 2024

NOTICE OF VACANCY
ON THE BOARDS OF DIRECTORS
OF REVERE AT JOHNSTOWN
METROPOLITAN DISTRICT NOS. 1-9

TO WHOM IT MAY CONCERN, and particularly to the electors of the Revere at Johnstown Metropolitan District Nos. 1-9 (each a "District"), Town of Johnstown, Weld County, Colorado.

NOTICE IS HEREBY GIVEN, pursuant to Section 32-1-808, C.R.S., that one or more vacancies currently exist on the Boards of Directors of the Districts. Any qualified, eligible elector of the Districts interested in serving on the Boards of Directors for the Districts should file a Letter of Interest with the Boards by 5:00 p.m., on August 26, 2024.

Letters of Interest should be sent to Revere at Johnstown Metropolitan District Nos. 1-9, c/o WHITE BEAR ANKELE TANAKA & WALDRON, 2154 E. Commons Ave., Suite 2000, Centennial, CO 80122.

REVERE AT JOHNSTOWN METROPOLITAN DISTRICT NOS. 1-9
By: /s/ WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

Published in *The Johnstown Breeze* August 15, 2024

MALLARD RIDGE METROPOLITAN
DISTRICT NOS. 1-4
CALL FOR NOMINATIONS
§§ 1-13.5-501; 1-13.5-303, C.R.S.

TO WHOM IT MAY CONCERN, and, particularly, to the eligible electors of the Mallard Ridge Metropolitan District Nos. 1-4, Town of Johnstown, Weld County, Colorado (each a "District" and collectively, the "Districts").

NOTICE IS HEREBY GIVEN that an election will be held on November 5, 2024, between the hours of 7:00 a.m. and 7:00 p.m. At that time, and for each District, two (2) directors will be elected to serve until May 2025, and three (3) directors will be elected to serve until May 2027. Eligible electors of the Districts interested in serving on the boards of directors may obtain a Self-Nomination and Acceptance Form from the Designated Election Official ("DEO") at 2154 E. Commons Ave., Suite 2000, Centennial, CO 80122 or via telephone at 303-858-1800, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

The deadline to submit a Self-Nomination and Acceptance Form is the close of business (5:00 p.m.) on Friday, August 30, 2024. If the DEO deter-

mines a Self-Nomination and Acceptance Form is not sufficient, the form may be amended prior to 5:00 p.m. on August 30, 2024. Earlier submittal is encouraged as the deadline will not permit curing of an insufficient form after this date and time. An Affidavit of Intent to be a Write-In Candidate must be submitted to the office of the DEO by the close of business (5:00 p.m.) on Tuesday, September 3, 2024.

NOTICE IS FURTHER GIVEN that information on obtaining an absentee ballot may be obtained from the DEO, and applications for an absentee ballot must be filed with the DEO no later than the close of business (5:00 p.m.) on October 29, 2024.

MALLARD RIDGE METROPOLITAN
DISTRICT NOS. 1-4
By: Designated Election Official

Published in *The Johnstown Breeze* August 15, 2024

NOTICE TO CREDITORS

Estate of Billie Rae Schoonover,
Deceased
Case Number: 2024PR196

All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Weld County, Colorado, on or before December 15, 2024, or the claims may be forever barred.

Ardis L. Tomlinson
113 Hays Avenue
Johnstown CO 80534

Published in *The Johnstown Breeze* August 15, 22 & 29, 2024

NOTICE TO CREDITORS

Estate of Mark Luft, Deceased
Case Number: 2024PR221

All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Weld County, Colorado, on or before September 13, 2024, or the claims may be forever barred.

Deena Ellin
1794 Preserve Drive
Berthoud CO 80513

Published in *The Johnstown Breeze* August 15, 22 & 29, 2024

NOTICE OF HEARING
BY PUBLICATION
C.R.S. 34-32.5-115(2):

The Mined Land Reclamation Board (MLRB) will consider a 112 Construction Materials Reclamation Permit Application for the Bernhardt Sand and Gravel Pit, File No. M-2023-025, filed by W.W. Clyde & Company. Consideration of the application has been scheduled for a hearing before the MLRB at the August 21-22, 2024, MLRB Meeting, which will be held virtually via Zoom meeting, beginning at 9:00 a.m. or as soon thereafter as the matter can be considered. All legal parties have been supplied a ZOOM link. Other interested parties may view the hearing via the MLRB YouTube Channel at: <https://www.youtube.com/channel/UC-DrAO8blPFIOWce-yH1FWA>.

Published in *The Johnstown Breeze* August 8 & 15, 2024

TOWN OF JOHNSTOWN
PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that a petition for Annexation territories herein-after described as the Archdiocese Annexation No. 4-5 has been presented to the Town Council of Johnstown, Colorado, and found to be in apparent compliance with the applicable provisions of law and the Town Council has adopted a Resolution to set a public hearing to be held at 7:00 P.M. on Wednesday, September 4, 2024, in the Council Chambers, Town Hall, 450 South Parish, Johnstown, Colorado, to determine if the proposed annexation complies with the applicable requirements of law.

The resolution adopted by the Town Council for such purposes is in words, letter and figures, as follows:

TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2024-32

A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR INITIATING ANNEXATION PROCEEDINGS AND SETTING A PUBLIC HEARING DATE FOR THE ARCHDIOCESE ANNEXATION NO. 4 - 5

WHEREAS, the Town of Johnstown ("Town") is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town's Home Rule Charter; and

WHEREAS, the Town Council is vested with the authority to administer the affairs of the Town;

and
WHEREAS, the Archdiocese of Denver, a Colorado corporation sole (the "Archdiocese"), submitted a Petition for Annexation of real property; and

WHEREAS, the Town Council has reviewed the Petition for Annexation, and, finding substantial compliance as set forth below, desires to initiate annexation proceedings in accordance with the law and set a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council finds that a Petition for Annexation of certain property situated in a Part of the North Half of the Northeast Quarter Section 16, Township 4 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado, consisting of approximately 22.21 acres, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by this reference, filed with the Town Clerk on or about June 21, 2024, to be known as the "Archdiocese Annexation No. 4 - 5," is in substantial compliance with §31-12-107(1), and that a public hearing should be held to determine if the proposed annexation complies with §31-12-104 and 31-12-105, C.R.S., or such parts thereof as may be required to establish eligibility pursuant to §31-12-101, et seq.

Section 2. The Town Council hereby sets a public hearing for such purposes on September 4, 2024, at 7:00 p.m., at 450 South Parish Avenue, Johnstown, Colorado.

Section 3. The Town Clerk shall publish notice of the hearing once per week for four (4) consecutive weeks in the Johnstown Breeze, with the first publication at least thirty (30) days pri-

or to the date of the hearing. The Town Clerk shall also send a copy of the published notice, together with a copy of this Resolution and the Petition for Annexation, by registered mail to the Weld County Board of County Commissioners and to the Weld County Attorney and to any special district or school district having territory within the area to be annexed at least twenty-five (25) days prior to the date fixed for such hearing.

Section 4. This Resolution shall be effective on the date hereof.

Exhibit A can be found in the Office of the Town Clerk

Hannah Hill, Town Clerk
Town of Johnstown

Published in *The Johnstown Breeze* July 25 & August 1, 8 & 15, 2024

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, being more particularly described as follows;

BEGINNING at the North Quarter corner of said Section 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 581.90 feet to the West line of the Reservoir Property per USR No. 1142, recorded December 9, 1997 at Reception No. 2583509;

THENCE South 66°13'28" West a distance of 106.64 feet; THENCE South 35°24'15" West a distance of 150.14 feet; THENCE South 40°31'29" West a distance of 55.52 feet; THENCE South 56°34'09" West a distance of 110.97 feet; THENCE South 55°44'09" West a distance of 115.44 feet; THENCE South 46°39'31" West a distance of 110.28 feet; THENCE South 43°59'36" West a distance of 116.62 feet;

THENCE South 33°40'28" West a distance of 3.96 feet to the West line of the N1/2NE1/4 of said Section 16; THENCE North 01°04'34" West along said West line a distance of 512.45 feet to the North Quarter corner of said Section 16 and to the POINT OF BEGINNING.

Said area of land contains 3.28 Acres (+/-143,040 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

An area of land being a portion of Tract 1 as described in Land Survey Plat recorded May 1, 2023 at Reception Number 4895353 in the records of Weld County, being situate in the North Half of the Northeast Quarter (N1/2NE1/4) of Section Sixteen (16), Township Four

North (T.4N.), Range Sixty-seven West (R.67W.) 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 16 and assuming the North line of the Northeast Quarter (NE1/4) of said Section 16 as monumented by a #6 rebar with a 3.25" aluminum cap stamped LS 7242 at the West end and a 2.5" aluminum pipe with a 3.25" aluminum cap stamped LS 13155 at the East end, as bearing South 88°26'46" East, being a grid bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983, a distance of 2722.98 feet, with all other bearings contained herein being relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

THENCE South 88°26'46" East along said North line of the NE1/4 a distance of 1164.44 feet to the POINT OF BEGINNING.

THENCE continuing South 88°26'46" East along said North line a distance of 577.97 feet to the East line of said Tract 1;

THENCE along the Easterly and Southerly lines of said Tract 1 by the following four (4) courses and distances: THENCE South 00°00'16" West a distance of 274.14 feet;

THENCE North 90°00'00" West a distance of 376.23 feet; THENCE South 00°54'49" East a distance of 756.16 feet;

THENCE North 89°01'10" West a distance of 1357.98 feet to the West line of the N1/2NE1/4 of said Section 16; THENCE North 01°04'34" West along said West line a distance of 112.02 feet;

THENCE North 50°47'21" East a distance of 33.79 feet; THENCE North 56°10'46" East a distance of 104.91 feet; THENCE North 71°05'50" East a distance of 129.18 feet; THENCE North 59°05'00" East a distance of 89.02 feet; THENCE North 49°18'57" East a distance of 76.11 feet; THENCE North 57°10'54" East a distance of 19.16 feet; THENCE North 69°01'09" East a distance of 27.94 feet; THENCE North 82°26'55" East a distance of 104.96 feet; THENCE North 78°36'39" East a distance of 45.47 feet; THENCE North 69°16'17" East a distance of 127.36 feet; THENCE North 72°45'00" East a distance of 31.37 feet; THENCE North 80°12'24" East a distance of 67.50 feet; THENCE North 71°29'15" East a distance of 47.72 feet; THENCE North 55°27'04" East a distance of 34.11 feet; THENCE North 32°30'51" East a distance of 71.59 feet; THENCE North 03°07'10" East a distance of 118.79 feet; THENCE North 32°07'01" East a distance of 34.33 feet; THENCE North 48°33'16" East a distance of 105.63 feet; THENCE North 43°31'19" East a distance of 34.46 feet; THENCE North 35°53'58" East a distance of 164.07 feet; THENCE North 26°06'30" East a distance of 36.24 feet;

THENCE North 12°51'40" East a distance of 83.86 feet to the North line of the NE1/4 of said Section 16 and to the

POINT OF BEGINNING.

Said area of land contains 18.93 Acres (+/-824,570 sq.ft.) and is subject to any rights-of-way or other easements of record as now existing on said described parcel of land.

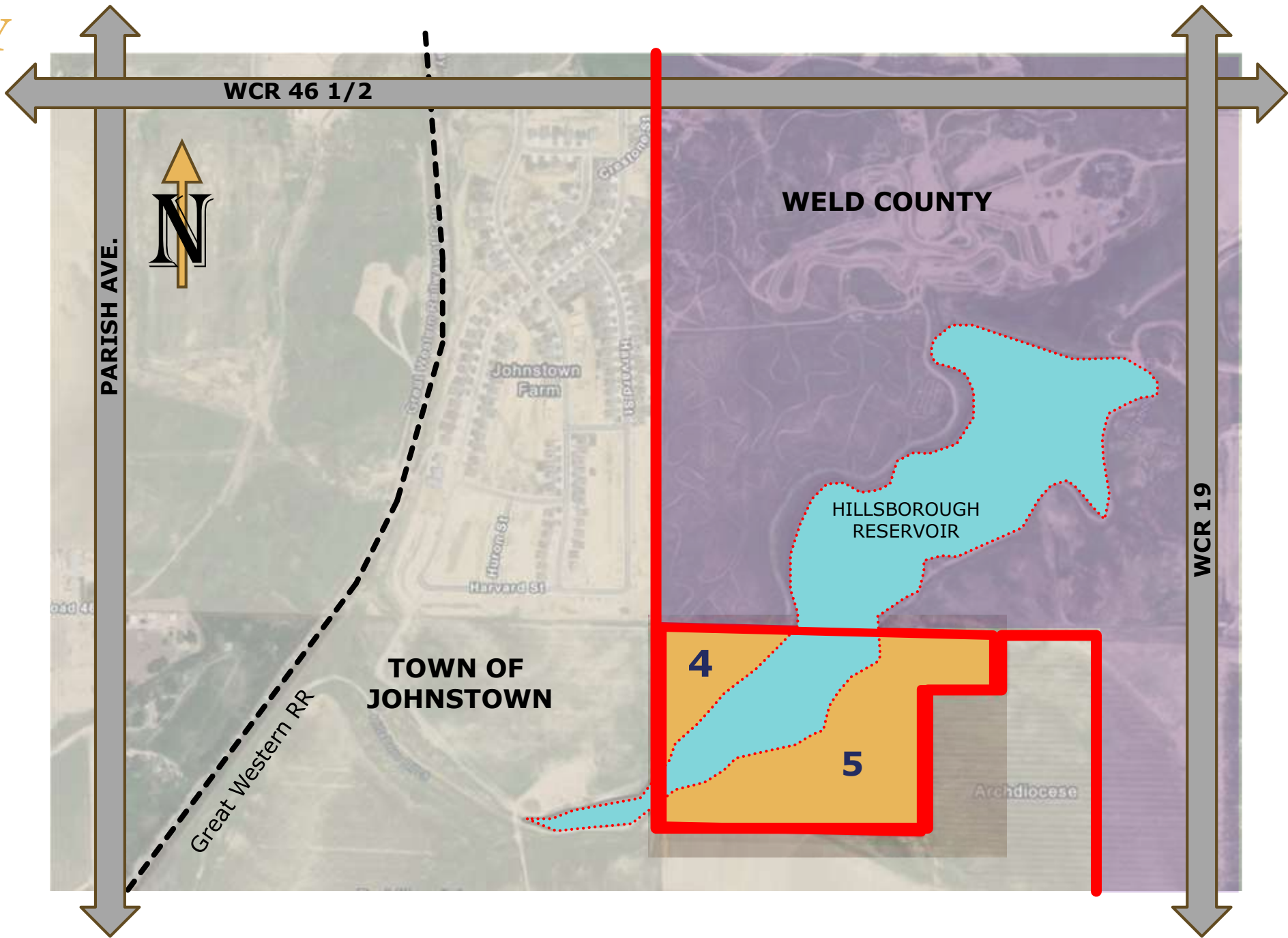
Archdiocese Annexation No. 4-5

CASE ANX24-0001

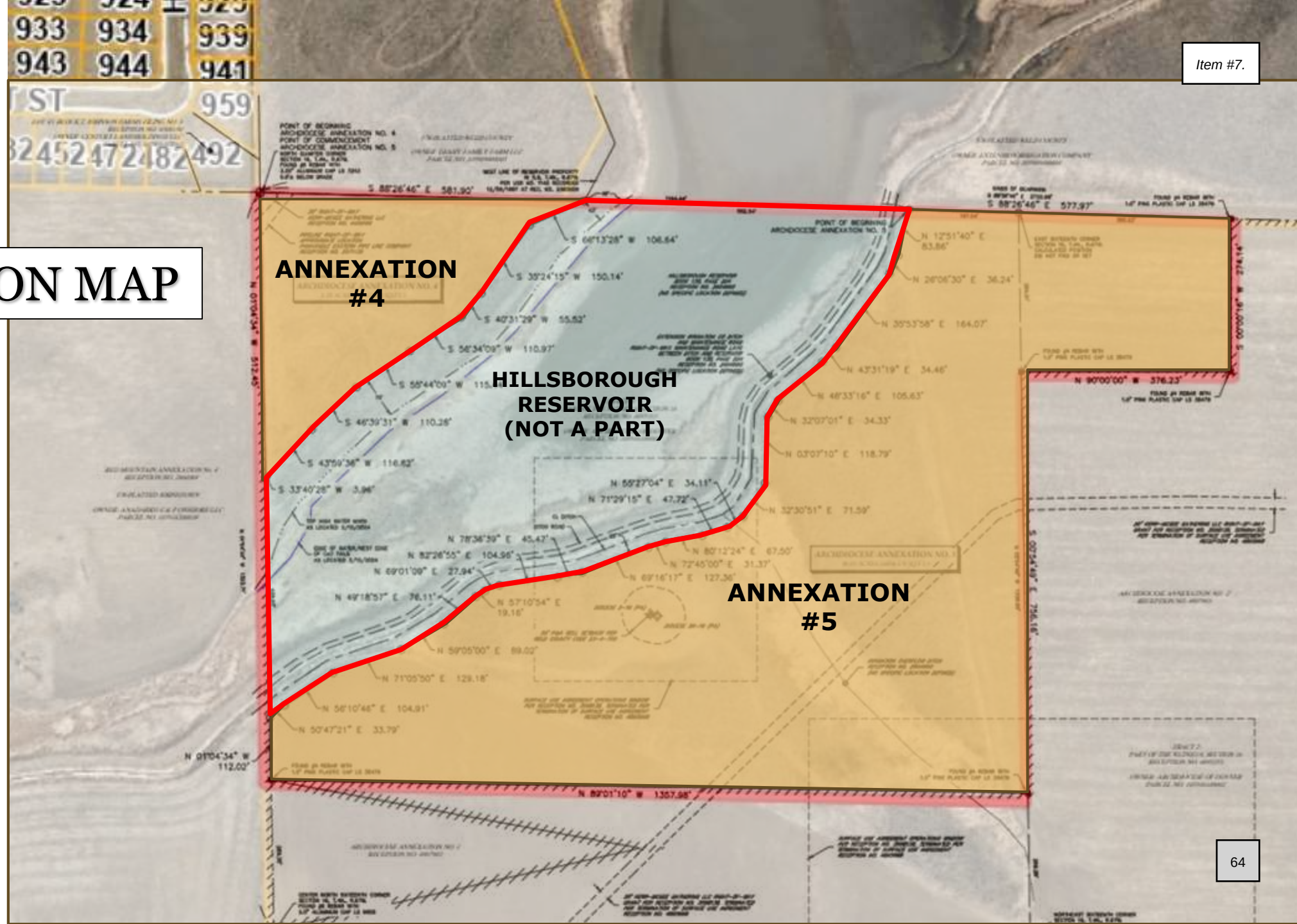
Town Council
September 4, 2024

The Community that Cares

VICINITY
MAP



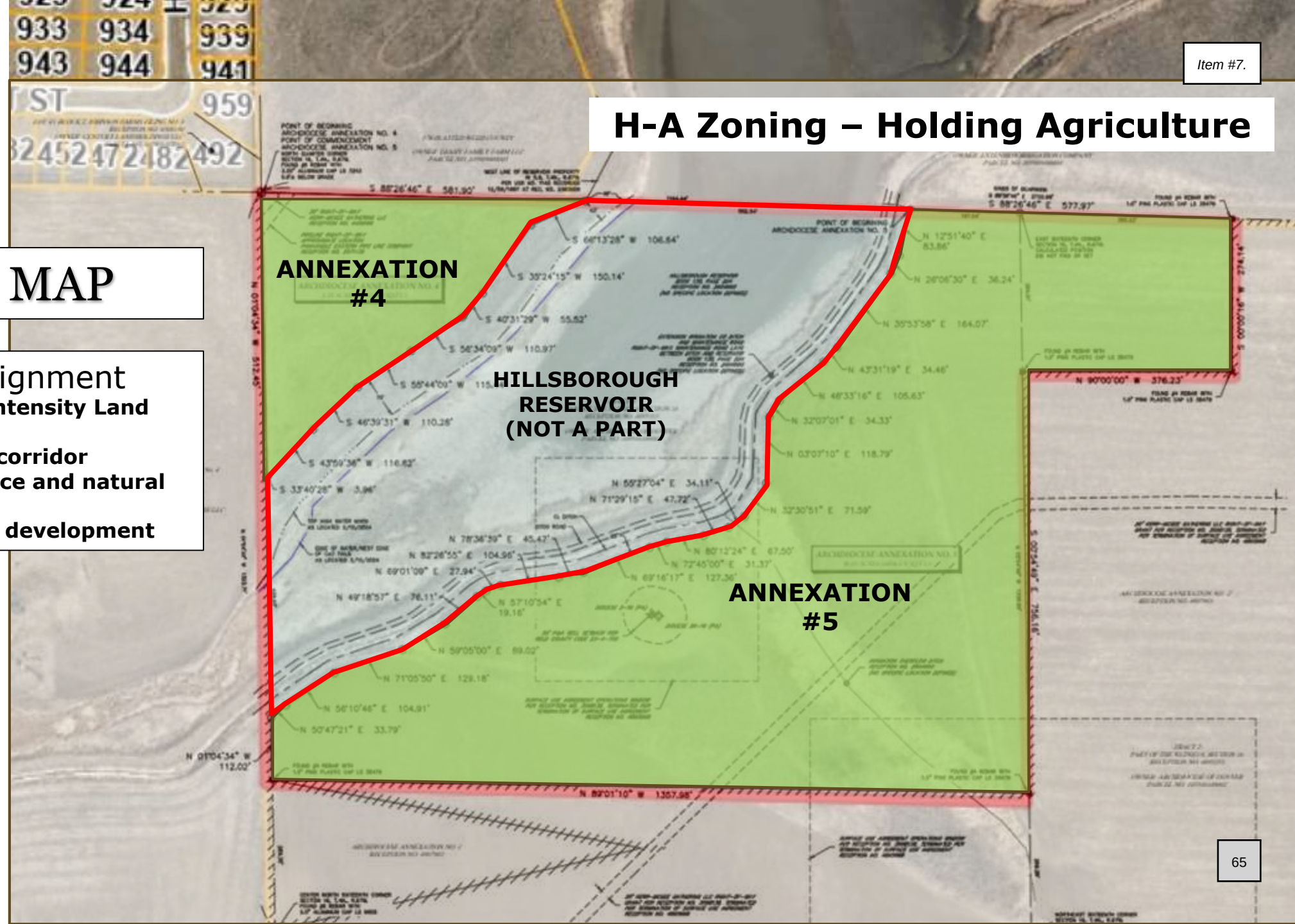
ANNEXATION MAP



H-A Zoning – Holding Agriculture

ZONING MAP

- Comp Plan Alignment
- Very Low Density/Intensity Land Use Area
 - Adjacent to natural corridor
 - Significant open space and natural area
 - No current plans for development



RECOMMENDATIONS

Item #7.

RESOLUTION 2024-34

Recommend **APPROVAL** of Resolution No. 2024-34, accepting the Findings of Fact and Conclusions for the Archdiocese Annexation No. 4-5.

ORDINANCE 2024-255

Recommend **APPROVAL** of Ordinance No. 2024-255, approving annexation of approximately 22.21 acres, known as the Archdiocese Annexation No. 4-5.

ORDINANCE 2024-256

Recommend **APPROVAL** of Ordinance No. 2024-256, approving H-A zoning for the property known as the Archdiocese Annexation No. 4-5.



The Community that Cares



TOWN OF JOHNSTOWN MEMORANDUM

TO: Town Council Communication/Information

FROM: Jeff Strossner / Chief of Police

DATE: August 28, 2024

ATTACHMENTS: Burning Refuse Prohibited

ITEM DESCRIPTION

The attached is a completely revised version of the burning ordinance that has been in discussion over several months. Most of the discussion has been regarding identifying and defining what activities should be exempted from the ordinance. The challenge in this endeavor is exacerbated by the fact our Town is in two fire jurisdictions and two counties, each with separate permitting processes, requirements, or requests.

The nexus of the initial ordinance proposal is a complaint regarding the burning of trash in a barrel within Town limits. The revised version specifically addresses the complaint and provides the police with an enforcement tool targeting the unlawful burning of refuse.

The ordinance simply reads, "It shall be unlawful for any person to burn or cause to be burned refuse in the Town."

The term refuse is already defined in existing Town code, Sec. 7-1, "*Refuse* means any grass clippings, leaves, hay, straw, manure, shavings, paper, ashes, containers, boxes, glass, cans, bottles, garbage, waste and discarded building and construction materials, and all other items of whatever kind or nature whatsoever which are commonly known as rubbish, garbage, trash or waste. For purposes of this definition, *building and construction materials* mean plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire, metal binding, sacks and all other items which are commonly known as building and construction materials."

All other questions regarding agricultural burning, flag burning, slash piles, and ditch burning are addressed in other state and county codes or regulations. Our intent is to provide an enforcement tool for the Town while developing an Open Burning information web page under the police department that will direct people to the appropriate fire departments and county offices for more information on those topics and the permitting process.

Reviewed and Approved for Presentation,

Town Manager

TOWN OF JOHNSTOWN, COLORADO

ORDINANCE NO. 2024-__

AN ORDINANCE ADDING SECTION 7-54 TO THE JOHNSTOWN MUNICIPAL CODE PROHIBITING THE BURNING OF GARBAGE AND REFUSE IN THE TOWN OF JOHNSTOWN

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, Article III of Chapter 7 of the Johnstown Municipal Code (“Code”) contains regulations concerning garbage and refuse in the Town; and

WHEREAS, based on the guidance and instruction of Town Staff, the Town Council finds that the burning of garbage and refuse presents a substantial danger and hazard to the health, safety and welfare of the community; and

WHEREAS, Town Staff recommends that the Town Council, for the health, safety and welfare of the community, adopt an amendment to Article III of Chapter 7 of the Code to prohibit the burning of garbage and refuse within Town; and

WHEREAS, based on the recommendation of Town Staff, the Town Council desires to add Section 7-54 to Article III of Chapter 7 of the Code to accomplish the foregoing; and

WHEREAS, the Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of the public health, welfare, peace, safety and property and that this Ordinance is in the best interests of the citizens of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. Section 7-54. Section 7-54 is hereby added to Article III of the Johnstown Municipal Code to provide as follows:

Sec. 7-54 – Burning of refuse prohibited.

It shall be unlawful for any person to burn or cause to be burned refuse in the Town.

Section 2. Severability. If any part of provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision,

part or application, and to this end the provisions and parts of the Ordinance are declared to be severable.

Section 3. Publication; Effective Date. This Ordinance, after its final passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

INTRODUCED AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this _____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor