



**TOWN OF ERIE  
ORDINANCE NO. 10-2020**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ANNEXING TO THE TOWN A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY (SWINK ANNEXATION) AND APPROVING THE ASSOCIATED ANNEXATION AGREEMENT**

**WHEREAS**, a petition for annexation was filed with the Town requesting the annexation to the Town of certain unincorporated territory located in Weld County and more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

**WHEREAS**, by resolution adopted on December 10, 2019, the Board of Trustees found the petition to be in substantial compliance with C.R.S. § 31-12-107(1);

**WHEREAS**, on January 28, 2020, the Board of Trustees conducted a properly-noticed public hearing and adopted a resolution finding that the applicable provisions of § 30 of Article II of the Colorado Constitution and C.R.S. §§ 31-12-104 and 31-12-105 have been met and the Property is eligible for annexation to the Town; and

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

**NOW BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:**

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

**Section 2.** The Town Clerk shall file for recording three (3) certified copies of this Ordinance and three (3) copies of the Annexation Map with the Weld County Clerk and Recorder, and shall keep one (1) copy of the Annexation Map and the original of this Ordinance in the Town Clerk's office.

**Section 3.** The Town Clerk shall request that the Weld County Clerk and Recorder file one (1) certified copy of this Ordinance and one (1) copy of the Annexation Map with the Division of Local Government of the Department of Local Affairs and the same with the Colorado Department of Revenue.

**Section 4.** The Board of Trustees hereby approves the Swink Annexation and Dearmin East Agreement in the form attached hereto as Exhibit B. Provided that this Ordinance has taken effect, the Mayor is authorized to execute such Agreement on behalf of the Town.

**Section 5. Severability.** If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

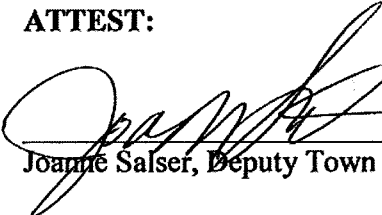
Section 6. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 7. Effective Date. This Ordinance shall become effective 30 days after publication. For the purpose of general taxation, this Ordinance shall become effective on January 1<sup>st</sup> of the next succeeding year following its passage.

**INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 28<sup>th</sup> day of January, 2020.**

  
\_\_\_\_\_  
Jennifer Carroll, Mayor

ATTEST:

  
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Joanne Salser, Deputy Town Clerk

