

PLANNING COMMISSION

Mike Simone, Chairperson
Bushrod White, Vice-Chairperson
Carlos Barron
Lynne Derby
Kathy Kvasnicka
Thomas Meyers
Paul Weber

**Planning Commission Agenda
Regular Meeting
Fort Lupton City Hall – 130 S. McKinley Ave.*
Thursday, July 8, 2021
6:00 P.M.
(Order & Contents Subject to Change by Action of the Commission)**

** Login information on how to attend this meeting virtually (optional) is on the second page of this Agenda.*

Call to Order – Roll Call

Approval of Agenda

Consent Agenda – Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a Commission member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda.

- a. Approval of the Minutes of the June 24, 2021 Meeting

Public Comment – This portion of the Agenda is provided to allow members of the audience to present comments to the Planning Commission related to items not otherwise listed on the Agenda.

Action Items

- a. **P2021-020 Raterink Annexation and Initial Zoning**

Discussion Items

- a. Review of Meeting Discussion
- b. Development Code Update

Future Business

Adjourn

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**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
June 24, 2021**

The Planning Commission of the City of Fort Lupton met in session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the Planning Commission and virtually via GoToMeeting, on Thursday, June 24, 2021.

Chair Mike Simone called the meeting to order at 6:03 p.m. and gave the following advisement:

Tonight's meeting shall have the option of virtual appearances so as to ensure the health and safety of the general public and the City of Fort Lupton Planning Commission and staff.

The intent and purpose of the virtual appearance option is to allow the City to be innovative in providing the general public the most meaningful access possible in light of the current challenges present as a result of the Covid-19 pandemic. Therefore, members of the general public will be offered the opportunity to be electronically present for meetings at the City, subject to existing health conditions.

An electronic link has been made available for tonight's meeting on the City's website and social media platforms and as posted at City Hall, so that the general public, Planning Commission and staff may choose to participate electronically via the internet or on the phone.

ROLL CALL

Roll was taken and those present were Chair Mike Simone and Commission Members Carlos Barron, Kathy Kvasnicka and Paul Weber. Member Thomas Meyers participated via phone. Also in attendance were Planning Director Todd Hodges, City Planner II Alyssa Knutson, City Planner I Maria Lancto, and Administrative Assistant Magaly Morales-Tejada.

APPROVAL OF AGENDA

A motion to approve the agenda was moved by Carlos Barron and seconded by Kathy Kvasnicka.

CONSENT AGENDA

A motion to approve the consent agenda was moved by Paul Weber and seconded by Kathy Kvasnicka.

PUBLIC COMMENT

Chair Simone asked if there was anyone who would like to comment on an item not on the agenda tonight. Hearing none, he closed Public Comment.

ACTION ITEMS

P2021-017: Been Minor Subdivision

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Chair Simone stated that the Been Minor Subdivision and the Been Special Use Permit would be presented at the same time, but public comment would be separate.

Planner Alyssa Knutson presented this item. She stated that this property, located west and adjacent to county road 19, would be subdivided into 4 separate parcels, Lot 3 specifically is being proposed for a special use permit for an RV park for about 75-141 RV's. Lot 1 is an existing residence, lot 2 would become future residential and lot 4 is yet to be determined. This property is zoned agricultural; an RV park is not a use by right in agricultural zoning which is why the special use permit is required. Conditions of approval have been added to the resolution that address lighting and landscaping. All notification requirements have been met and the applicant would like to provide a presentation.

Chair Simone addressed the applicant's representative, Chadwin Cox, and the applicant, Sheryl Been, and asked if they understood that a Member of the Planning Commission is appearing tonight via virtual connection and will not be appearing in-person. He asked if they consented to the applicable member voting on the submittal, even though said member was not present in person and if they voluntarily signed and submitted the written waiver and consent to proceed electronically tonight.

Ms. Been and Mr. Cox stated yes to all questions.

Mr. Cox stated that this 17-acre property includes an existing residence and the subdivision proposal would divide the property into four lots, 2 residential, 1 RV lot and 1 undetermined lot. The entire property is zoned agricultural. As part of the process, they have worked with traffic engineer, sales engineers, and consultants to identify short-term and long-term traffic. 75 RVs is the threshold at which improvements to the turn lane would be required. There will be internal water within the RV, the water rights for the wells have been secured to serve 75-80 RV's; however, they are continuing conversations with Central Weld Water to secure a connection to the water system. The site drains from northeast to southeast, this drainage pattern will remain the same with a proposed storm water retention pond. This proposed RV park is the 3rd park that Western Engineering has worked on and the regulations within the park would be similar to those in the Keenesburg RV park. These regulations include no exterior storage on site, quiet hours, no ATV or motorized scooters, pets on leash, visitor registration, firearms and fireworks are strictly prohibited and campfires are only permitted in fire pits. There will be a quantity of trees along with a 6-foot screening fence along the border of the property. There will be a screened trash enclosure on site, a security building and a caretaker building with an outdoor covered area for gatherings.

Chair Simone addressed the applicant, Sheryl Been. He asked if she felt she had a full land fair opportunity to participate in tonight's public hearing

Ms. Been stated yes

Chair Simone asked if there was anything she would have liked to present that she felt she was prevented from doing.

Ms. Been stated no.

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Chair Simone opened up the public comment portion of the Hearing for the action item.

Tom Tinney, 3867 CR 19, asked when this property was annexed into Fort Lupton. He asked what the difference is between the residential parcels and the RV lot. He asked how many residences there would be. He asked what the permanence is of the RV's. He asked who is responsible for the road maintenance. He asked how about the effect on the water wells. He asked who is responsible for the enforcement of rules within the subdivision. He asked if this would be meant to house workers passing through the area. He asked if there are any city ordinances in place for RV permanence.

Mr. Cox responded to Mr. Tinney's questions. He stated that the property was annexed in 2020 - *staff correction, 2021*- this is not intended for mobile homes, the previously referenced RV Park in Keenesburg is very high-end, with no derelict vehicles in the lot, the property owner will provide the road maintenance on site. The State of Colorado Division of Water Resources has vetted the water well usage and deemed it adequate. The rules will be enforced at a zero-tolerance level and if local law enforcement is needed it will be called. The expected tenants are those working in the community that may not have the funds to purchase a permanent residence in the community.

Chair Simone closed the public comment portion of the Hearing.

Chair Simone opened up the hearing to Planning Commissioners' comments and questions.

Member Barron asked if the access to the two residential lots was through the RV lot.

Mr. Cox stated that they would.

Member Barron asked if the access was vehicle accessible.

Mr. Cox states that all of the accesses are vehicle accessible. The internal roads were designed with fire district circulation in mind.

Chair Simone called for a motion to approve P2021-0015.

It was moved by Paul Weber and seconded by Carlos Barron. Motion passed unanimously.

P2021-018 Been RV Park Special Use Permit

There was no additional presentation for this item; the presentation for P2021-017 addressed the "Been" project in its entirety.

Chair Simone opened up the public comment portion of the Hearing for this action item.

Danielle Rainey, 3863 CR 19, stated that she is strongly opposed to this special use permit being approved. She stated that she and her family moved in to the property north and adjacent to the Been property and stated that had she known this RV park was being proposed she would not have bought the property. She

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stated that this will impact the property values of her home and of others in the area and that it will affect their quality of life. She stated that she is concerned about the increase in traffic and the distance of the Fort Lupton police department and Fort Lupton Fire District, a distance that would not provide immediate response if there was an issue on the property. She also expressed concern about the impact on local schools and classroom sizes. Ms. Rainey stated that the increased traffic flow and the necessary light pollution is unfavorable to land and livestock in the area. She stated that the significant use of the water well will decrease the lifespan of the water well. She stated that she believes that the special use permit is a loophole in the agricultural zoning that will have a detrimental effect on the land. She concluded by stating that she does not believe that this use is harmonious with the current agricultural usage.

Dolf Veit, 8502 CR 10, stated that, if approved, he would like the RV park entirely fenced as his property is accessible by foot and he has had previous issues with the current pedestrian flow on his property. He stated that the community as a whole is opposed to this project and that he does not appreciate that Ms. Been, who is living out of state, is proposing such a major change to their tight knit community. Mr. Veit voiced his concern over fire pits being used by several RV's and the effect that would have to the health of the community. He stated that many of the property owners in the area invested in these properties to retire on someday and that this proposed development directly affects that opportunity. Mr. Veit asked for clarification on the use of fire pits.

Eric Gardner, 3308 CR 19, stated that he believes that the RV Park would significantly affect the property values in the area. Mr. Gardner stated that many of the wells in the area are already shallow and this increased use could cause a significant decrease in the volume. He asked who is paying for new wells if they become necessary due to direct impact of this project. Mr. Gardner referenced another RV park in Platteville - similar to this proposed park - was closed due to contamination issues. Mr. Gardner stated that traffic increase would affect the roads and increase traffic accidents. He stated that the fire pits would cause insurance prices to go up. He stated that in 2007 there was an explosion at the refinery across the street, potentially putting the RV tenants at risk.

Tom Tinney, 3867 CR 19, stated that he is strongly opposed to this use. He stated that this use would significantly alter the character of this area. He stated that the large RVs present a risk to the pedestrian traffic as well as vehicular traffic. Mr. Tinney asked if this special use satisfy the applicable provisions of the code and if it is consistent with Fort Lupton's comprehensive plan. Mr. Tinney stated that the code encourages a neighborhood meeting, which was not done by the applicant.

John Brunetti, 3869 CR 19, stated that he wished the applicant had reached out to the surrounding neighbors to discuss their concerns. He stated that a high-density development is not the intended use for agricultural properties. He stated that he has concerns with the water rights not being fully secured, sewer concerns and light pollution. Mr. Brunetti stated that he would like more time to understand how these issues are being addressed. He also stated that the property is not currently being maintained properly, with a lot of trash already in the area and imagines that an RV lot will bring more trash. He stated that he is concerned with an increase in crime, and how that will directly affect his business and the horses on his property.

Dean Felton, 3434 CR 19, read a letter on behalf of himself and his wife. The letter is attached to these minutes. He stated that they have concerns about the lack of notification from both the County and the City

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regarding this project. Mr. Felton stated that he has concerns on the well usage and how that affect the volume of the well. He stated that the community as a whole is opposed to this development.

Chair Simone closed the Public Comment portion of the Hearing.

Mr. Cox responded to the questions. He stated that they did discuss how to safely conduct a neighborhood meeting, but it was decided that due to COVID-19 they would not pursue that. He stated that they will discuss the possibility of more fencing. Mr. Cox stated that there are currently no fire pits proposed on this property. He stated that the refinery is regulated by the State. The well usage and septic design criteria has also been regulated by the State. Mr. Cox stated that well usage is only being proposed in the event that negotiations between Central Weld Water and Northern Colorado Water District take several years. He stated that the caretaker will live on site and will be responsible for daily maintenance, including cleanliness of the property.

Chair Simone addressed the applicant, Sheryl Been. He asked if she felt she had a full and fair opportunity to participate in tonight's public hearing

Ms. Been stated yes

Chair Simone asked if there was anything she would have liked to present that she felt she was prevented from doing.

Ms. Been stated no.

Chair Simone opened up the hearing to Planning Commissioners' comments and questions.

Member Weber asked for clarification on the annexation of the property.

Planner Knutson stated that the City Council approval for the annexation was on February 16, 2021.

Mr. Weber asked if there is an age limit on the RV.

Ms. Been stated that they would like them to be no older than 8 years.

Mr. Weber asked if how it is determined that the aquifer is suitable for 75+ units.

Mr. Cox stated that the required usage is projected, which is then used to apply through the water court at which point it is vetted by that court and the State Division of Water Resources. He stated that there is a series of criteria that needs to be met.

Mr. Weber asked for clarification on what they intend to use for water.

Mr. Cox stated that they intend to pursue Central Weld Water rather than well usage. However, both usages will be efficient.

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Chair Simone asked if proposed lighting is included in this proposal and if all lighting would be downcast.

Mr. Cox stated that the photometric design address no shedding of light outside of the property.

Chair Simone addressed the public; he explained that while he, and the other members of the commission, are sympathetic to the concerns expressed tonight, he would like to clarify that the Planning Commission votes using criteria of land usage and zoning.

Member Barron added that all of these comments will be given to City Council for their hearing and that the public is encouraged to attend the City Council hearing.

Chair Simone called for a motion approve P2021-0018. It was moved by Paul Weber and seconded by Carlos Barron. Motion passed with four “yes” votes and one “no” vote.

P2021-019 Fort Lupton East Change of Zone

Planner Maria Lancto presented this item. She stated that this property, located northwest of the intersection of Hwy 52 and CR 35, is owned by the City of Fort Lupton and will be annexed by ordinance. She stated that city owned property can be annexed without public hearings; however change of zone requires public hearings. She stated that this hearing is for the initial zoning to the Agricultural zone district. She stated that there is currently no proposed development, and all future land use would go through the appropriate land use process. All notification requirements have been met, and staff is available to answer any questions.

Chair Simone opened up the public comment portion of the Hearing for the action item.

Andy Ellis, 17469 CR 14, stated that he had been told that this location would be a gun range in the future. He realizes that this public hearing is only for the change of zone, but would like to voice his opposition to the gun range and ask for recommendation on how to prepare for those hearings.

Planner Knutson stated that any future development proposals at this site would come back to the planning commission and follow the public hearing forum.

Mr. Ellis asked if they would be notified of future public hearings.

Chair Simone stated that there would be public notice and posting of any hearings, such as there were for this hearing.

Chair Simone opened up the hearing to Planning Commissioners’ comments and questions. With no questions from Planning Commissioners, Chair Simone called for a motion to approve P2021-0015.

It was moved by Kathy Kvasnicka and seconded by Paul Weber. Motion passed unanimously.

DISCUSSION ITEMS

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Review of Meeting Discussion

A review of meeting discussions took place.

Development Code Update

A discussion of the Development Code Update took place.

FUTURE BUSINESS

The next meeting of the Planning Commission is scheduled for July 8, 2021 at 6:00 PM.

ADJOURNMENT

Chair Simone adjourned the meeting at 7:22 PM.

Submitted by

Magaly Morales-Tejada, Planning Assistant

Approved by Planning Commission

Mike Simone, Chair-person

Been RV Park Special Use Permit

Name	Address	Phone #	Email	Project
Danielle Rainey	3263 CR 19, Fort Worth	(720) 371-5963	ofdanizz@gmail.com	Been RV Park 631 -
DOCFVEIT	8502 CR 10 FL 10	303 659 5162	dofveit@GMAIL	Been RV Park - 635
Eric Gardner	3308 CR 19 FL 19	3-659-2227	eric@thedbscorp.com	Been RV Park 638
Tom Hawley	3867 CR 19 FL 19	303-981-8858	river-fl@hotmail.com	Been RV Park
John Brnelli	3869 CR 19 FL 19	303-475-0800	TSR Ranch @LIVE.com	Been RV Park 647
Dean Felton	3434 Weld County 19	303-588-4261	feltondean@outlook.com	Been RV Park 646
Steven Cepilus	3 Left Litter:			Been RV Park
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Been Minor Subdivision

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City of Fort Lupton Planning and Building Dept.

Proposed Petition for Annexation to the City Fort Lupton by Sheryl Been

Response by Land Owners – Dean and Dorothy Felton 3434 Weld County Road 19, Fort Lupton, CO.

We have reviewed the documentation provided on the Fort Lupton web site regarding the annexation of the (4) lots requesting permission to build a new single family residence and a RV Park. We both strongly request that the City of Fort Lupton turn down the annexation of the subject property. This area is a rural farming area and this type of development is detrimental to the property owners adjacent or near this proposed development. The proposed project benefits only one party and this is the land owner proposing the annexation and approval of this project. We have a very difficult time understanding how this project has any value to the City of Fort Lupton. The project would add additional burden on Fort Lupton fire protection district, the police enforcement and presumably other city infrastructure departments. This project would certainly have a negative impact on the property values of residential and farming properties in the area.

This project is purported to be an RV park but in reality it nothing more than an apartment project on wheels. Allowing this project has negative impacts, noise, and additional traffic on Weld County Road 19 which has dangerous intersection with State Hwy. 52 to the north of proposed site. The annexation petition states that this property is desirable and necessary which is far from reality be located 5 miles from Fort Lupton city center. The petition also states that the property is "Urban" and will be urbanized in the near future. This statement is ridiculous, how can a 16 +/- acre parcel consisting of (4) lots and an RV park be any benefit to the City of Fort Lupton or and nearby land owners? Reality is there are no services or shopping within 4 miles of the proposed site "Dacono". Dacono mayor's response hit the nail on the head regarding this project, "projects should consistently raise the standards and expectations for development that adds value to the community", and this project certainly has none of those traits for the property owners around this proposed project. He also stated that the land usage proposed encourages transient population. This is the biggest concern allowing this type of development in a rural/ residential farm community. It appears to my wife and I that this annexation is being proposed to skirt Weld County regulations including splitting an agricultural property for commercial use and building another residential property. This is totally for the property Owners benefit.

Items of concern that I see in the documentation for this property development

- I did not see the document identifying how many students could possibly be expected if this project is approved by Fort Lupton. RV parks typically are not a concern for school districts unless the intent of this project is long term RV rental sites. How much would it cost the school district to ferry students to school for long term inhabitants.
- We rarely see law enforcement on County road 19, if this project is approved is Fort Lupton Police dept. patrolling this (1) 16 +/- property and Weld county patrol the surrounding area?

- Looking over the documentation I have seen irregularities in the number of sites proposed, 160,120 and 90 on some engineering documents. We cannot believe that Fort Lupton is considering annexation of 16 +/- with RV Park 5 miles away. How is this aligning with Fort Lupton's comprehensive zoning plan? How could this possibly complement the surrounding land owner's interest which is farm and rural?
- The documentation provided for the project says that Fort Lupton is providing the infrastructure. It certainly is not cost effective if the owner/developer had to pay the city of Ft. Lupton to run a 5 mile sewer line to this proposed project. Is it Fort Lupton's intent on providing sewer lines and lift station if the project is approved by the City? How many sites would be approved without sewer to the site if approved? We believe it is the intent of the owner developer to never pay for that type of infrastructure for this project if it is approved.
- I did not see any response from CDOT regarding this project?
- I have not seen any correspondence from Weld County regarding this project?
- Why did Weld County and the City of Fort Lupton contact and the nearby land owners that were more than 500 ft. away? Property owners around this proposed property can see this further than 500 ft.; every land owner should have been contacted.
- It appears that Sheryl is living in Boca Raton Florida; if this project is approved and built she will not have to look at the results of an RV park in the middle of a rural area.

My wife and I will be contacting all county and state officials to express our displeasure with this proposed project. Perhaps Sheryl Been and the City of Fort Lupton should team up on a project in the City of Fort Lupton existing city limits, that location would certainly be more appropriate location for an long term RV rental park. The City has all the infrastructure, stores, police and fire protection, recreation center and schools to support this type of development.

Landowner 3434 Weld County Road 19

Dean and Dorothy Felton

303-588-4261

feltondean@outlook.com

feltondorothy1@outlook.com

Ladies and Gentlemen,

My work schedule was already set when the zoning notice was posted, or I would definitely be present to vehemently object to the proposed zoning change to allow an "RV park."

Let's drop the pretense. If the zoning is allowed, what is going to be installed is not going to look like a KOA or similar type of park. The city is deluding itself if it thinks people are going to come out here to vacation when we are substantial distances from the attractions bringing most people to the Denver area: Rocky Mountain National Park, the ski areas, professional sporting events, etc. A good example of what will be located there can be found on Weld County Road 18 between roads 23 and 21. I've attached pictures. It's essentially low income housing for transient workers.

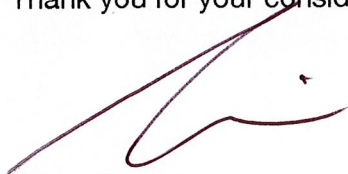
My wife and I have lived here just shy of twenty years. During that time, with the advice and a lot of help from some wonderful neighbors we've turned what was a field gone fallow with 3-foot tall koccia into a nice parcel with harvestable grass, and bounded by over three hundred trees. And, many of our neighbors have been here far longer, and worked even harder to build what they now have. Now, a property owner who lives two thousand miles away in Florida wants to install what will amount to low income housing to increase her income from what very well may have been an illegal apartment building. Many of those tenants have been interesting enough. We don't need dozens more of them.

There are many reasons people choose to move to a rural environment. Some of them think because they are outside of the city limits, there aren't any rules. Anything goes! It's the wild west out here. While it may be true there are generally fewer restrictions, the basic tenant of civilized societies still applies: respect for your neighbors and your community. Asking for a change that would negatively impact the quality of life and property values of your neighbors is close to the height of disrespect for them. Even more so when you don't live in the community. That applies as well to the city of Fort Lupton. Potentially adding to the city's coffers while subtracting from ours because you're not going to have to look at it is complete chutzpah!

The property owner may have rights. But, so do those of us who have lived and worked here for decades. As it's often said, "Your right to swing your fist ends at the tip of my nose." Should someone who doesn't even live in the community be allowed to install something that will, more than likely, substantially reduce our property values? Is this the type of "RV park" you'd want to be across the street from? If it's not, then why would you suppose it's something our community would want?

How much traffic would 161 RV spots bring to what is an already busy two-lane, county road? As it is, many people think the road is their private drag strip. It was only a week ago, I was out in the evening and saw three cars racing northbound, using both lanes as they jockeyed for position. Motorcyclists do it, too, either alone or in multiples. Tractor trailers routinely enter the east-turn by Road 8 at excess speed, coming across the centerline into oncoming traffic. Northbound, they use the slight downgrade to accelerate for the uphill grade, completely ignoring the posted 40 mph limit for the first portion. We have children, adults, pets and livestock out here. Bicyclists routinely use Road 19. I don't ride my bike out here any longer because I became tired of the tractor trailers blowing their horns at me or coming across the centerline to menace me as they felt I was slowing them down. Is Fort Lupton simply going to wash their hands of the increased traffic and potential problems as the road belongs to the county?

In closing, I request you deny the land owner's petition. It's disrespectful of the existing community, it will tax an already strained rural infrastructure; and, it will have serious negative effects on our quality of life and property values. Please don't undo the decades of hard work those of us in the community have done simply to benefit a single individual in another state. Thank you for your consideration.

A handwritten signature in dark ink, appearing to read 'Steve Ceplius', with a long, sweeping horizontal stroke extending to the left.

Steve Ceplius
3444 County Road 19
Fort Lupton, CO 80621







RESOLUTION NO. P2021-020

A RESOLUTION OF THE PLANNING COMMISSION OF FORT LUPTON RECOMMENDING TO CITY COUNCIL APPROVAL OF AN ANNEXATION KNOWN AS THE RATERINK ANNEXATION AND INITIAL ZONING TO THE ‘A’ AGRICULTURE ZONE DISTRICT FOR LAND LEGALLY DESCRIBED IN EXHIBIT A.

WHEREAS, the Planning Commission held a public hearing on July 8, 2021, for the purpose of reviewing an application submitted by Virginia J. Raterink and George V. Raterink for an annexation, known as the Raterink Annexation and Initial Zoning to the ‘A’ Agriculture Zone District; and

WHEREAS, after review of the application and supporting information, the Planning Commission finds that the annexation and initial zoning conforms to Colorado Revised Statutes and City codes and policies therein, and

WHEREAS, all legal requirements for the public hearing have been met including publication of the legal notice in the Fort Lupton Press, mailing of public hearing notices to adjacent property owners within 500 feet, and posting of the hearing on the site.

NOW THEREFORE BE IT RESOLVED, the Planning Commission has taken into consideration all referral comments and any citizen testimony in response to this application. Based upon the facts presented on this date, the Planning Commission hereby recommends approval of the annexation known as the Raterink Annexation and Initial Zoning to the ‘A’ Agriculture Zone District, conditional upon the following:

- I. Prior to recording the annexation map:
 - A. The title of the annexation and initial zoning map shall include the Project No. LUP2021-0017, and Plan Nos. ANX2021-0003 and COZ2021-0004.
 - B. Any redline comments provided by City Staff shall be made to the annexation map.
 - C. Applicant shall provide written acknowledgement of the comments from Northern Colorado Water Conservancy District.
 - D. Applicant shall provide written acknowledgement of the comments from Public Service Company of Colorado dba Xcel Energy.
 - E. Applicant shall provide written acknowledgement of the comments from United Power.

DONE THIS 8th DAY OF JULY, 2021, BY THE PLANNING COMMISSION FOR THE CITY OF FORT LUPTON, COLORADO.

Chairperson

ATTEST:

Planning Director

EXHIBIT A
PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED AT THE NORTHEAST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP1 NORTH, RANGE 66 WEST OF THE 6TH P.M. COUNTY OF WELD, STATE OF COLORADO: FURTHER DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5 TO BEAR SOUTH 89°39'45"WEST, BEING MONUMENTED ON THE EAST END BY A $\frac{3}{4}$ " REBAR WITH 3 $\frac{1}{4}$ " ALUMINUM CAP, PLS 13155 N MONUMENT BOX, AND ON THE WEST END BY A $\frac{3}{4}$ " REBAR WITH 3 $\frac{1}{4}$ " ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST $\frac{1}{4}$ CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. RECX20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, RECX20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5; HENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS



Raterink ANNEXATION AND INITIAL ZONING STAFF REPORT
PROJECT NO. LUP2021-0017 / PLAN NOS. ANX2021-0003 & COZ2021-0004

PROJECT DESCRIPTION

Project No.: LUP2021-0017/ Plan Nos. ANX2021-0003 & COZ2021-0004

Project name: Raterink Annexation & Initial Zoning

Owner's Name: Virginia J. Raterink and George V. Raterink ("Applicants")

Location of Request:

The site consists of two parcels of land located north and adjacent to Highway 52 and approximately 0.07 miles west of Coyote Creek Drive (Parcel Nos. 147105100002 and 147105100001) (the "Property"). The annexation will also include a portion of Clubhouse Drive. The site is located in the Northeast Quarter of Section 5, Township 1 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado. It is directly adjacent to the City Limits on all sides.



Nature of Request:

The Applicants have submitted a request for annexation of two parcels of land with an initial zoning designation to the 'A' Agricultural Zone District. The western parcel currently contains a residence and several accessory structures. The eastern parcel is currently vacant. The potential for development of the eastern parcel is one reason the applicants would like to annex. An additional reason is for both parcels to become eligible for municipal services.

Any future development on either lot would be brought to the City for review.

Site Size: 8.68 acres, more or less.

Proposed Zone District: 'A' Agricultural

Concept Land Use Plan: The annexation will not entail new or additional residential, commercial, or industrial development. The project shall consist of an annexation into the city limits of Fort Lupton for purposes of working with the City on any future development and to become eligible for municipal services.

Existing Use: Rural residential uses on the western parcel and vacant land on the eastern parcel.

Hearing Dates: Planning Commission – July 8, 2021 at 6:00 PM; and
City Council – July 20, 2021 at 7:00 PM.

Hearing Location: Fort Lupton City Hall – Council Chambers, 130 S. McKinley Ave., Fort Lupton, Colorado.

Staff Recommendation: Approval with conditions as listed in the proposed resolution.

SUMMARY OF PREVIOUS APPLICATIONS

To staff's knowledge, there are no prior applications for these properties through the City of Fort Lupton.

APPLICATION PROCESS

The Applicant is requesting approval of an annexation and initial zoning to the 'A' Agricultural Zone District.

An annexation is processed under [Chapter 15: Annexation](#) of the Fort Lupton Municipal Code ("Code").

After required public notice of annexation and initial zoning, the Planning Commission shall review the annexation map, the concept land use plan and the zoning request at a public hearing, and shall submit a written recommendation to City Council.

The City Council shall then conduct a public hearing and consider the approval of an ordinance annexing the property to the City without election if it finds that the annexation is in compliance with the requirements of the Colorado Municipal Annexation Act of 1965, as amended, and the Fort Lupton Municipal Code. The City Council shall then either:

1. Approve, or approve with conditions, the ordinances for annexation and initial zoning. Approval may be contingent upon specific changes to the zoning or to the annexation agreement provided to the City Council prior to the public hearing.
2. Disapprove the ordinances to annex and initially zone the Property. If the City Council disapproves annexation, no similar request may be heard for a period of one year from the date of denial.

NOTIFICATION REQUIREMENTS

All notification requirements were met, including posting notice of the hearings on the property at least 15 days prior to this public hearing, mailing notice to property owners within 500 feet of the site, and the publishing notice of the hearing in the Fort Lupton Press for four consecutive weeks, with the first publication being at least 30 days prior to the City Council public hearing.

In addition, notice of the public hearings, as well as the resolution and petition, was sent to the Weld County Commissioners and Weld County Attorney, the school district and all special districts on June 23, 2021 by certified mail, return-receipt requested.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

This annexation meets the requirements set forth by the Municipal Annexation Act of 1965, as amended and by [Chapter 15 of the Municipal Code](#) relating to Annexation. The Planning Department staff has determined that the applicant has submitted all required documents pursuant to the Code.

Section 15-3 of the Municipal Code outlines the Annexation Policy, which is:

- a) The City Council shall have the sole discretion in the annexation of territory proposed for annexation to the City, and the City is under no obligation to approve any annexation petition.

Staff Comment: On June 15, 2021, the City Council accepted the annexation petition and set the public hearing date for this matter on July 20, 2021.

- b) Land to be annexed shall conform to the goals, policies and strategies of the City.

Staff Comment: The Planning Department finds that the annexation meets the goals, policies and strategies of the City.

- c) The petitioner for annexation of land to the City shall be responsible for paying all required fees and for all related costs and overhead incurred by the City in reviewing and processing the annexation petition.

Staff Comment: The Applicant has paid all required land use fees, and has a fee deposit established to cover any costs related to the project.

- d) Annexation shall not divide tracts of land in such a way as to prevent annexation of adjoining land.

Staff Comment: The proposed will not prevent future annexation of land.

- e) All annexations shall be accompanied by an [annexation] agreement between the petitioner and the City, stating conditions related to municipal services or other terms of annexation that are not specifically provided for in the Code.

Staff Comment: The Applicant has signed an Annexation Agreement, which is included in your packets. The Mayor's signature will be added at the City Council meeting for this annexation.

- f) Unless specifically deferred by the City Council, zoning of the property shall occur concurrently with the annexation. Proposed zoning shall conform to a concept land use plan submitted with the annexation petition. In the event that sufficient planning has not been done to define zoning boundaries at the time of annexation, the City may zone the property "A," Agricultural, as an interim zoning classification.

Staff Comment: The Applicant is requesting zoning to the 'A' Agricultural Zone District. This zoning is consistent with the existing land uses which are expected to remain at this time.

- g) Required contiguity of noncontiguous parcels proposed for annexation may be achieved by annexation of one (1) or more portions of street right-of-way or other public way, a process commonly referred to as “flagpole” annexation.

Staff Comment: The proposed annexation is contiguous on all sides.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Fort Lupton Comprehensive Plan designates both parcels for Commercial General Land Uses. This designation allows for commercial businesses that offer residents basic goods and services. This supports a range of development styles, including stand-alone businesses on smaller properties as well as commercial shopping centers with multiple tenants. Primarily located along the City’s major corridors, expansion of general commercial will offer residents greater shopping options within Fort Lupton and contribute to increased local commerce. In addition to commercial, these areas can include small office buildings, medical practices, and public and semi-public uses.

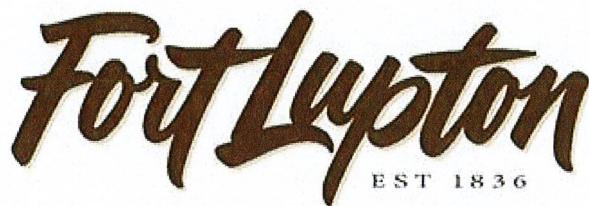
The existing rural residential and agricultural land uses are not changing at this time, and therefore, agricultural zoning is appropriate. The applicants are specifically looking at the potential for commercial development of the eastern parcel in the future. Commercial zoning would be recommended when development is planned.

REFERRALS

Referrals were provided to the list below. Any comments received are enclosed with the Planning Commission packet.

Buildings / Grounds Manager	OMI	City Attorney
GIS Specialist	Police Chief	Public Works Director
Golf Course Manager	Finance Director	Fort Lupton Fire Protection District
CDOT	Division of Water Resources	United Power
Comcast	CenturyLink	Xcel Energy
Postmaster	Weld County Department of Planning	Weld County Department of Public Health & Environment
Weld County School District RE-8	NCWCD	

***For more information on this development, please refer to the Planning Commission packet provided.
Additional documents are available for review at the Fort Lupton City Hall.***



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

www.fortluptonco.gov

Phone: 303.857.6694
Fax: 303.857.0351

Project No. _____

Land Use Application Form

A. CONTACT INFORMATION

1) Property Owner Name: George V. and Virginia J. Raterink

Company: _____

Phone: 303-709-6053 Email: georgeraterink@yahoo.com

Address: 13877 Hwy 52, Ft. Lupton, Co 80621

Preferred method of contact? Email: ☐ Phone: ☒ Mail: ☐

2) Representative Name: see above

Company: _____

Phone: _____ Email: _____

Address: _____

Preferred method of contact? Email: ☐ Phone: ☐ Mail: ☐

3) Billing Contact (where invoices should be directed to): see above

Billing Company : _____

Phone: _____ Email: _____

Address: _____ **B.**

SITE DESCRIPTION

Site Address: 13877 Hwy 52, Fort Lupton, Co. 80621

Parcel Number: 147105100001, 147105100002

Existing Zone Classification: Ag Proposed Zone Classification: Ag

Water Type: Well Name: _____

Sewage Type: Septic District Name or Location Hauled to: _____

C. APPLICATION TYPE (CHECK ALL THAT APPLY)

Sketch Plat

Preliminary Plat

Final Plat

Minor Subdivision

Amended Plat

Site Plan

Administrative Site Plan

Special Use Permit

Oil & Gas Permit

Annexation & Initial Zone

Change of Zone

Comp Plan Amendment

PUD Plan (Preliminary & Final)

Variance

Administrative Variance

Appeal

Other: _____

D. PROJECT DESCRIPTION

Project Name: Raterink Annexation

Please provide a short description of the proposed project in the space provided below:
Annexation of current property located in Weld County into the City of Fort Lupton. Property to remain Agricultural, at this time, as it is currently zoned through a Recorded Exemption with Weld County.

E. REQUIRED DOCUMENTS

For an application to be considered complete, and for planning staff to begin review and schedule any applicable public hearings, this Land Use Application Form must be fully completed and all required attachments included. Planning staff will review the application for completeness and will provide notice to the representative and/or owner whether the application has been deemed complete.

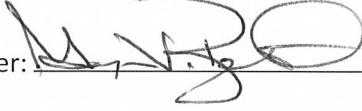
F. CERTIFICATIONS Representative Certification

By signing this application, I attest that I am acting with the knowledge and consent of all owners of the property that is the subject of this application, and that I have been designated to act as the representative for the project described in this land use application. I further certify that all information submitted with this application is true and accurate to the best of my knowledge.

Representative: _____ Date: _____

Owner Certification

I hereby certify that I am the legal owner of record of the property that is the subject of this application. I authorize the representative listed on this application, if any, to communicate directly with City officials and to submit documentation and information regarding this application on my behalf.

Owner:  Virginia J. Raterink 5/28/21
Date: _____

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

Deemed Complete Date: _____

Fees Submitted: _____ Escrow Submitted: _____

Instructions for Submitting the Land Use Application Form

DEFINITIONS

Words in the singular include the plural and words in the plural include the singular.

Application refers to the official submittal to the City of Fort Lupton's Planning Department for review of the proposed land use development identified in the land use application form. The application includes the form, all materials submitted for review of the project, including those documents required under the Land Use Regulations of the Municipal Code, and any additional information provided.

Project refers to the land use development identified on the land use application form and application materials.

Property refers to the land that is being proposed for development as described in the land use application form and application materials.

A. CONTACT INFORMATION

- 1) Provide contact information for all owners of any property that is the subject of the application. If the contact information for all property owners will not fit on the space provided, submit a separate sheet for the additional owners.
- 2) Provide contact information for all persons, firms or businesses that are authorized by the owners identified in Section A(1) to work on the land use application, including, but not limited to, discussing the project, submitting application materials, and attending meeting and hearings. If the contact information for all representatives will not fit on the space provided, submit a separate sheet for the additional representatives.
- 3) Provide contact and mailing information for the person that should receive all invoices for the project. If this person changes at any time, contact the Planning Department immediately to update this information.

B. SITE DESCRIPTION

Provide all information requested. Parcel numbers and address information may be found at the Weld County Property Portal at <https://www.co.weld.co.us/maps1/propertyportal/>. Current zoning can be found at <https://www.fortluptonco.gov/405/Zoning>.

C. APPLICATION TYPE

Select the land use application that is applicable to the project. If there are multiple land use application types being submitted to run concurrently, select all that apply. The land use application types will be identified during the required pre-application meeting. If you have any questions about this, please contact the Planning Department at 303.857.6694 or planningdept@fortluptonco.gov.

D. PROJECT DESCRIPTION

Please select a project name that will be referenced throughout the project and a description of what the project entails. If you need more space for the project description, please attach a separate sheet.

E. REQUIRED DOCUMENTS

Required documents will be discussed during the pre-application meeting with the Planning Department. If any documents are missing, the acceptance of the application may be delayed until the submittal is complete.

F. CERTIFICATIONS

Representative Certification. Provide the signature of all authorized representatives in this section.

Owner Certification. Provide the signature of all owners of properties included in the application in this section.

For any other questions, please contact the Planning Department at 303.857.6694 or planningdept@fortluptonco.gov.

ADDENDUM A

Annexation Statements:

1. Concept land use plan. No land use is proposed for the property at this time.
2. Soils Report. See attached document – Weld county Table 30-10-1 as received with completion of new septic system.
3. Environmental Hazards. At present time there are no known hazards related to the property.
4. Utilities plan. The current property has no internal utilities beyond what the city has installed along Highway 52.
5. Vicinity Map. See document provided by American West Land Survey.
6. Community Interest. The property is adjacent to the City golf course, Coyote Creek. Annexation of this property into the city is desirable to both the property owner and the City in order to make the area fall within city limits. This was not accomplished at the time of the course development but would historically refine the boundaries to be complete with the area around the property. Future development of the property, particularly Lot B, may then be done with the community of interests of both the city and the property owners working together to improve the area. The land to be annexed will conform to the goals, policies and strategies of the City and will comply with the City of Fort Lupton Comprehensive Master Plan. The area may then be urbanized to fit into the long range plans of the city integrating the utilities, services and transportation network in accordance with the City Comprehensive Master Plan. At present there are no plans to divide the property, neither Lot A or Lot B, into separate tracts but that may occur, particularly for Lot B, in the future only with written permission of the land owner. Lot A will remain at its present acreage with no plans for division. Annexation of the land has not been commenced by another municipality and such annexation will not result in detachment from the school district which currently surrounds the property. Annexation will bring the property into the city with boundaries that are consistent with the current city limits as the golf course and 2 established housing developments surround the property.
7. Water rights. Lot A has 2 wells which are part of the Weld County Recorded Exemption and will remain active for Lot A only. Additionally, Lot A has a new septic system which the owners plan to keep active for Lot A only.

PETITION FOR ANNEXATION

TO: THE CITY COUNCIL OF FORT LUPTON, COLORADO

We, the undersigned landowners, in accordance with Colorado law, hereby petition the City of Fort Lupton and its City Council for annexation to the City of Fort Lupton of the unincorporated territory, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference, located in the County of Weld and the State of Colorado, and to be known as the **Raterink Annexation** to the City of Fort Lupton.

As part of this petition, your petitioners further state to the City Council that:

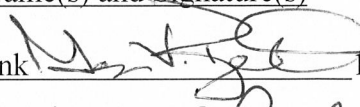
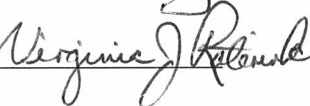
1. It is desirable and necessary that the territory described in Exhibit A be annexed to the City of Fort Lupton.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met in that:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fort Lupton or will be contiguous with the City of Fort Lupton within such time as required by Section 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the City of Fort Lupton.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fort Lupton.
 - e. No land within the boundary of the area proposed to be annexed which is 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, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.
 - f. No land within the boundary of the area proposed to be annexed which is 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, comprises twenty acres or more, and, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - g. No annexation proceedings have been commenced for any portion of the area proposed to be annexed for the annexation of such area to another municipality. The area proposed to be annexed is not part of any incorporated city, city and county, or town.

- h. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Fort Lupton was held within the twelve months preceding the filing of this petition.
 - i. The annexation of the area proposed to be annexed will not result in the detachment of said area from any school district.
 - j. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the City of Fort Lupton more than three miles in any direction from any point of the boundary of the City of Fort Lupton in any one year.
 - k. The territory to be annexed is **8.68 more or less** acres in total area.
 - l. Prior to completion of the annexation of the area proposed to be annexed, a plan will be in place, pursuant to Section 31-12-105 (1) (e), C.R. S., which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City of Fort Lupton, and the proposed land uses for the area.
 - m. In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area annexed, and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed but is not bounded on both sides by the City of Fort Lupton.
 - n. If required, an impact report will be prepared and filed pursuant to Section 31-12-108.5, C.R.S..
3. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the landowners and own more than fifty percent (50%) of the property, excluding public streets and alleys and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.
4. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of an annexation map shall be submitted to the City, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information:
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the annexation map.
 - d. The legal description.
 - e. Distinction of the boundary that is contiguous to the City and the length of same.
 - f. Lot and block numbers if the area is already platted.
 - g. Existing and proposed easements and rights-of-way.

- h. Existing and requested zoning and acreage of each requested zone.
 - i. Ownership of all parcels within and adjacent to the annexation.
 - j. Appropriate certification blocks as directed by the Planning Department.
5. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of a master plan shall be submitted to the City of Fort Lupton, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information.
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the master plan.
 - d. Existing and proposed easements and rights-of-way.
 - e. Block numbers and lot numbers with approximate dimensions.
 - f. Proposed gross and net residential density.
 - g. Existing watercourses with adequate easements for flood control.
 - h. Designation of all public sites to be reserved and dedicated.
 - i. Existing two-foot contours.
 - j. Appropriate certification blocks as directed by the Planning Department.
6. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of five (5) copies of all required supportive information shall be submitted to the City of Fort Lupton which shall include the following:
- a. Soils description and limitation.
 - b. Preliminary utility plan.
 - c. Mailing addresses of all property owners within five hundred (500) feet of the annexation.
 - d. Affidavit concerning the amount and historical use of all water rights owned.
 - e. Vicinity map with one and one-half (1 ½) mile radius, at a minimum scale of one (1) inch represents two thousand (2,000) feet.
 - f. Statement on community need for proposed annexation and zoning.
 - g. For all annexations in excess of ten (10) acres, the applicant shall obtain from the school district governing the area to be annexed a statement of the effect of the annexation upon the school district, including an estimate of the number of students generated by the proposed annexation and the capital construction required to educate such students.
7. Upon the annexation ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the City of Fort Lupton, except for general property taxes of the City of Fort Lupton, which shall become effective as of the January 1 next ensuing.

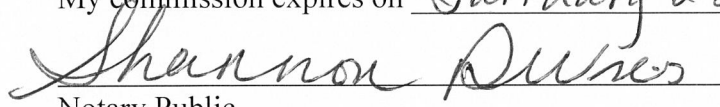
8. The zoning classification requested for the area proposed to be annexed is **Agricultural**, as shown on the annexation map attached hereto and incorporated herein.
9. As required by the City of Fort Lupton, an annexation agreement has been or will be executed by the petitioners herein and the City relating to this annexation and the petitioners hereby expressly consent to the terms and conditions set forth in the annexation agreement.
10. As an expressed condition of annexation, landowner(s) consent(s) to petition for inclusion into the Northern Colorado Water Conservancy District and the municipal sub district pursuant to Section 37-45-136 (3.6) C.R.S. to pay the appropriate fees and costs associated with such inclusion. Landowner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, landowner's(s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of landowners(s') lands. Landowner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Landowner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.
11. The non-refundable annexation application fee of **\$836.80** is tendered herewith.

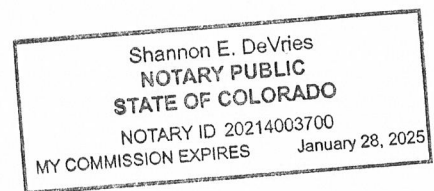
THEREFORE, the undersigned respectfully petition(s) the City Council of the City of Fort Lupton, to annex the territory described and referred to in Exhibit A to the City of Fort Lupton in accordance with and pursuant to the statutes of the State of Colorado.

<u>Land Owner(s) Name(s) and Signature(s)</u>	<u>Mailing Address</u>	<u>Date of Signing</u>
George V. Raterink 	13877 Hwy 52, Ft. Lupton, Co	5/28/21
Virginia J. Raterink 	13877 Hwy 52, Ft. Lupton, Co.	5/28/21
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The foregoing signature(s) was/were subscribed and sworn to before me this 28 day of May, 2021, by

Witness my hand and official seal.

My commission expires on January 28, 2025

 Notary Public



Land Owned

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST, OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5 TO BEAR SOUTH 89°39'45" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND ON THE WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE CITY OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. RECX20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE

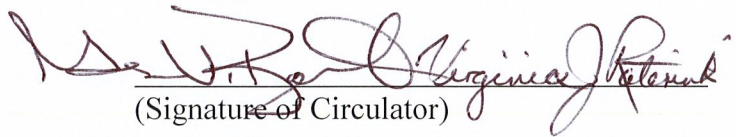
CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, RECX20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 742.13 FEET TO THE NORTHEAST CORNER OF SAID LOT B, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF CLUBHOUSE DRIVE AS DESCRIBED IN DEED RECORDED DECEMBER 21, 1998 AS RECEPTION NO. 2661930 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°07'26" EAST, COINCIDENT WITH THE WEST LINE OF SAID CLUBHOUSE DRIVE, A DISTANCE OF 94.65 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 28°57'18", WHOSE CHORD BEARS SOUTH 14°36'05" EAST, A DISTANCE OF 100.00 FEET; THENCE COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, A DISTANCE OF 101.07 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 301.20 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.60 ACRES, MORE OR LESS.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
)ss.
COUNTY OF WELD)

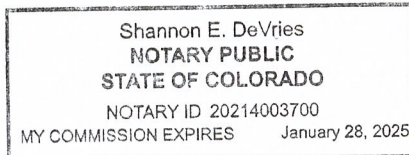
_____, being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

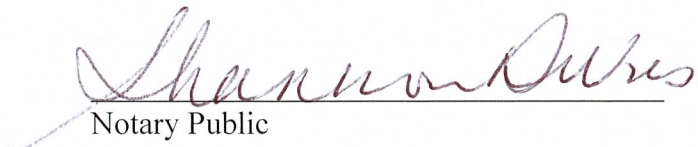

(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 28th day of May, 2021, by George Raterink + Virginia Raterink

Witness my hand and official seal.

My commission expires on 1/28/2025.




Notary Public

Located in the Northeast 1/4 of Section 5,
Township 1 North, Range 66 West of the 6th P.M.,
County of Weld, State of Colorado

[illegible]

Exhibit A

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO ANNEXATION

A PARCEL OF LAND LOCATED AT THE NORTHEAST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M. COUNTY OF WELD, STATE OF COLORADO: FURTHER DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5 TO BEAR SOUTH 89°39'45" WEST, BEING MONUMENTED ON THE EAST END BY A $\frac{3}{4}$ " REBAR WITH 3 $\frac{1}{4}$ " ALUMINUM CAP, PLS 13155 N MONUMENT BOX, AND ON THE WEST END BY A $\frac{3}{4}$ " REBAR WITH 3 $\frac{1}{4}$ " ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST $\frac{1}{4}$ CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. RECX20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, RECX20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5; HENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS

RESOLUTION NO. 2021R036

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE RATERINK ANNEXATION AND SETTING THE PUBLIC HEARING FOR JULY 20, 2021

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Virginia J. Raterink and George V. Raterink for 8.68 acres, more or less, and known as the Raterink Annexation; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for the Raterink Annexation and sets the hearing date for July 20, 2021, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 15th DAY OF JUNE 2021.

City of Fort Lupton, Colorado

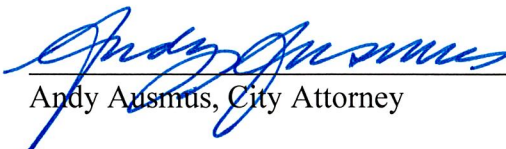

Zo Stieber, Mayor

Attest:


Maricela Peña, City Clerk



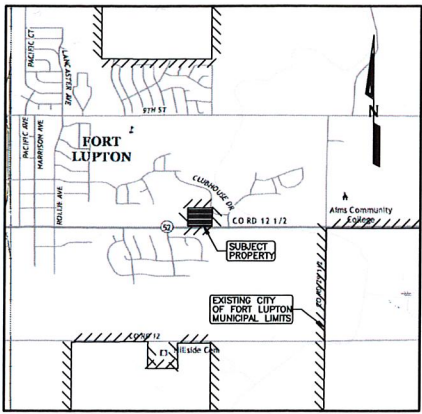
Approved as to form:


Andy Ausmus, City Attorney

RATERINK ANNEXATION TO THE CITY OF FORT LUPTON

Located in the Northeast 1/4 of Section 5,
Township 1 North, Range 66 West of the 6th P.M.,
County of Weld, State of Colorado

Sheet 1 of 1



VICINITY MAP: 1" = 2000'

NOTES:

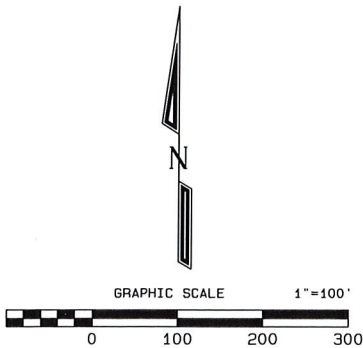
- 1) BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M. IS ASSUMED TO BEAR SOUTH 89°39'45" WEST AS MONUMENTED ON THE EAST AND WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.
- 2) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 3) CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.
- 4) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 5) DISTANCES ON THIS ANNEXATION PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
===== = EXISTING MUNICIPAL BOUNDARY, AS NOTED.

ANNEXATION TABLE:

TOTAL PERIMETER:	2519.99 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER:	420.00 FEET
CONTIGUOUS BOUNDARY:	2519.99 FEET



CITY OF FORT LUPTON
PARCEL NO. 147105100050
PART OF LOT B, RE-1350
(REC. NO. 2259411)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

CITY OF FORT LUPTON
PARCEL NO. 147105100057
RIGHT-OF-WAY PARCEL
(REC. NO. 2661931)

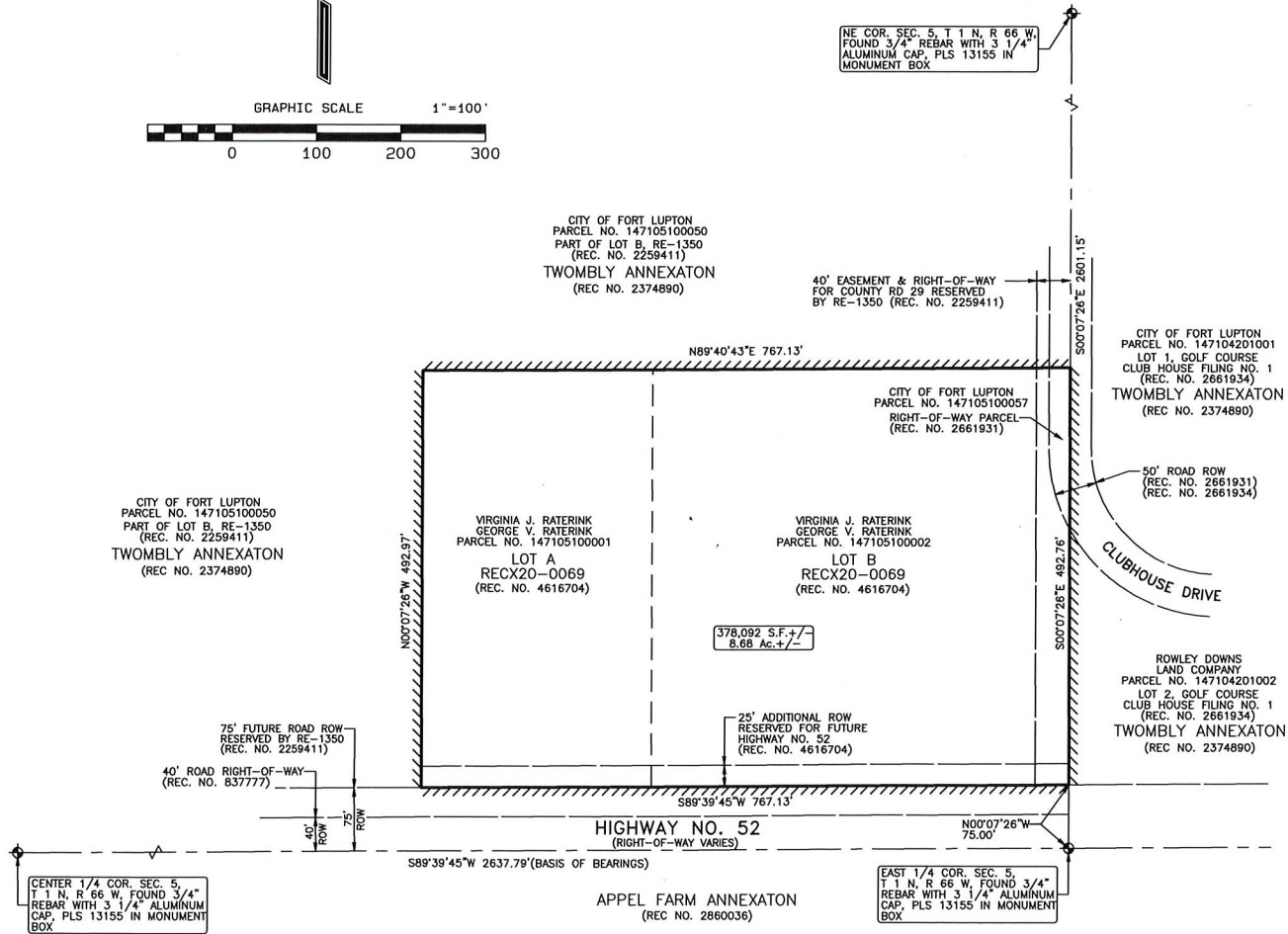
VIRGINIA J. RATERINK
GEORGE V. RATERINK
PARCEL NO. 147105100001
LOT A
RECX20-0069
(REC. NO. 4616704)

VIRGINIA J. RATERINK
GEORGE V. RATERINK
PARCEL NO. 147105100002
LOT B
RECX20-0069
(REC. NO. 4616704)

CITY OF FORT LUPTON
PARCEL NO. 147104201001
LOT 1, GOLF COURSE
CLUB HOUSE FILING NO. 1
(REC. NO. 2661934)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

ROWLEY DOWNS
LAND COMPANY
PARCEL NO. 147104201002
LOT 2, GOLF COURSE
CLUB HOUSE FILING NO. 1
(REC. NO. 2661934)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

CITY OF FORT LUPTON
PARCEL NO. 147105100050
PART OF LOT B, RE-1350
(REC. NO. 2259411)
TWOMBLY ANNEXATON
(REC. NO. 2374890)



PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST, OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5 TO BEAR SOUTH 89°39'45" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND ON THE WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. REC20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, REC20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378.092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS.

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT VIRGINIA J. RATERINK AND GEORGE V. RATERINK, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF RATERINK ANNEXATION TO THE CITY OF FORT LUPTON.

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

STATE OF COLORADO, }
COUNTY OF WELD } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY: VIRGINIA J. RATERINK AND GEORGE V. RATERINK
ON THIS ____ DAY OF _____, 20__.

WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC: _____

PLANNING COMMISSION RECOMMENDATION:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE FORT LUPTON CITY COUNCIL VIA RESOLUTION NO. ____.

RECOMMENDED THIS ____ DAY OF _____, 201__.

CHAIRPERSON, FORT LUPTON
PLANNING COMMISSION

MAYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. ____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE ____ DAY OF _____, A.D. 20__, AND THAT THE MAYOR AND THE CITY OF FORT LUPTON, AS AUTHORIZED BY ORDINANCE NO. ____ ON BEHALF OF THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

APPROVED THIS ____ DAY OF _____, 201__.

ATTEST: CITY CLERK

MAYOR

SURVEYOR'S CERTIFICATE:

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID ANNEXATION MAP TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE, THIS CERTIFIES THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY SHOWN HEREON IS CONTIGUOUS WITH THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LUPTON, COLORADO.

CURTIS D. HOOS PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION



Name: DISCOUNT PLUMBING Job # 20-1383
SERVICES, INC.

Weld County

WELD COUNTY: TABLE 30-10-1

Soil Type, Texture, Structure and Percolation Rate Range					Long Term Acceptance Rate (LTAR); Gallons per day per square foot
Soil Type	USDA Soil Texture	USDA Soil Structure-Type	USDA Soil Structure-Grade	Percolation Rate (MPI)	All Treatment Levels
R	>35% Rock (>2mm): See Table 30-10-1A	>35% Rock (>2mm): See Table 30-10-1A	>35% Rock (>2mm): See Table 30-10-1A	>35% Rock (>2mm): See Table 30-10-1A	>35% Rock (>2mm): See Table 30-10-1A
1	Sand, Loamy Sand	Single Grain	0 (Structureless)	5-15	0.80
2	Sandy Loam, Loam, Silt Loam	PR (Prismatic) BK (Blocky) GR (Granular)	2 (Moderate) 3 (Strong)	16-25	0.60
2A	Sandy Loam, Loam, Silt Loam	PR, BK, GR Massive	1 (Weak) 0 (Structureless)	26-40	0.50
3	Sandy Clay Loam, Clay Loam, Silty Clay Loam	PR, BK, GR	2, 3	41-60	0.35
3A	Sandy Clay Loam, Clay Loam, Silty Clay Loam	PR, BK, GR Massive	0 (Structureless)	61-75	0.30
4	Sandy Clay, Clay, Silty Clay	PR, BK, GR	2, 3	76-90	0.20
4A	Sandy Clay, Clay, Silty Clay	PR, BK, GR Massive	1 0 (Structureless)	91-120	0.15
5	Soil Types 2-4A	Platy	1, 2, 3	121+	0.10

Design Flow

# of Bedrooms	Design Flow
2	300

Form No. GWS-11 08/2016	COLORADO DIVISION OF WATER RESOURCES DEPARTMENT OF NATURAL RESOURCES 1313 Sherman St., Ste 821, Denver CO 80203 (303) 866-3581 dwpermitsonline@state.co.us	For Office Use Only
CHANGE IN OWNER NAME/MAILING ADDRESS		
PRIOR TO COMPLETING THIS FORM, SEE INSTRUCTIONS ON REVERSE SIDE INCOMPLETE, POOR QUALITY, OR ILLEGIBLE FORMS CANNOT BE PROCESSED AND WILL BE RETURNED		
Name, address and phone number of person claiming ownership of the well permit:		
Name(s): <u>George V. & Virginia J. Raterink</u>		
Mailing Address: <u>13877 Hwy 52</u>		
City, St. Zip: <u>Ft. Lupton, Co. 80621</u>		
Phone: <u>(303) 709-6053</u> Email: <u>georgeraterink@yahoo.com</u>		
Well Permit Number: <u>140718</u> Receipt Number: <u>0329468</u> Case Number (optional): _____		
WELL LOCATION: County: <u>Weld</u> Well Name or # (optional): _____		
Street Address at Well Location _____ City _____ State _____ Zip _____		
☐ Check if well address is same as owner's mailing address		
<u>SE</u> 1/4 of the <u>NE</u> 1/4, Sec. <u>5</u> , Township <u>1</u> ☒ N. or ☐ S., Range <u>66</u> ☐ E. or ☒ W., <u>S</u> P.M.		
Distance from Section Lines: <u>3033</u> Ft. from ☐ N. or ☒ S. Line, <u>610</u> Ft. from ☒ E. or ☐ W. Line.		
Subdivision Name (if applicable): _____, Lot _____, Block _____, Filing/Unit _____		
NOTE: If changing/correcting the permitted location of a well, use Form No. GWS-42.		
I (we) claim and say that I am (we are) the owner(s) of the well permit described above, know the contents of the statements made herein, and state that they are true to my (our) knowledge. This filing is made pursuant to C.R.S. 37-90-143.		
Signature(s) of the New Owner <u>George V. Raterink</u> <u>Virginia J. Raterink</u>	Please print the Signer's Name & Title <u>George V. Raterink</u> ^{owner} <u>Virginia J. Raterink</u>	Date <u>4/15/20</u> <u>4/15/20</u>
It is the responsibility of the new owner of this well permit to complete and sign this form. If an agent is signing or entering information, please see instructions. Please allow 4 to 6 weeks for processing of this form. Thereafter, you can view or print the accepted document at: http://www.dwr.state.co.us/WellPermitSearch		
Signature of DWR staff indicates acceptance as a Change in Owner Name and/or Mailing Address.		
For Staff Use Only		
Staff Signature _____		Date _____

Form No. GWS-11 08/2016	COLORADO DIVISION OF WATER RESOURCES DEPARTMENT OF NATURAL RESOURCES 1313 Sherman St., Ste 821, Denver CO 80203 (303) 866-3581 dwrpermitsonline@state.co.us	For Office Use Only
CHANGE IN OWNER NAME/MAILING ADDRESS		
PRIOR TO COMPLETING THIS FORM, SEE INSTRUCTIONS ON REVERSE SIDE INCOMPLETE, POOR QUALITY, OR ILLEGIBLE FORMS CANNOT BE PROCESSED AND WILL BE RETURNED		
Name, address and phone number of person claiming ownership of the well permit:		
Name(s): <u>George V. & Virginia J. Raterink</u>		
Mailing Address: <u>13877 Hwy 52</u>		
City, St. Zip: <u>Ft. Lupton, Co. 80621</u>		
Phone: <u>(303) 709-6053</u> Email: <u>george.raterink@yahoo.com</u>		
Well Permit Number: <u>160719</u> Receipt Number: <u>0325467</u> Case Number (optional): _____		
WELL LOCATION: County: <u>Weld</u> Well Name or # (optional): <u>160719</u>		
<u>13877 Hwy 52</u> <u>Ft. Lupton</u> <u>Co.</u> <u>80621</u> Street Address at Well Location City State Zip		
☒ Check if well address is same as owner's mailing address		
Section 1/4 of the <u>NE</u> 1/4, Sec. <u>5</u> , Township <u>1</u> ☒ N. or ☐ S., Range <u>66</u> ☐ E. or ☒ W., <u>S</u> P.M.		
Distance from Section Lines: <u>2865</u> Ft. from ☐ N. or ☒ S. Line, <u>570</u> Ft. from ☒ E. or ☐ W. Line.		
Subdivision Name (if applicable): _____, Lot _____, Block _____, Filing/Unit _____		
NOTE: If changing/correcting the permitted location of a well, use Form No. GWS-42.		
I (we) claim and say that I am (we are) the owner(s) of the well permit described above, know the contents of the statements made herein, and state that they are true to my (our) knowledge. This filing is made pursuant to C.R.S. 37-90-143.		
Signature(s) of the New Owner <u>George V. Raterink</u> <u>Virginia J. Raterink</u>	Please print the Signer's Name & Title <u>George V. Raterink Owner</u> <u>Virginia J. Raterink</u>	Date <u>4/15/20</u> <u>4/15/20</u>
It is the responsibility of the new owner of this well permit to complete and sign this form. If an agent is signing or entering information, please see instructions.		
Please allow 4 to 6 weeks for processing of this form. Thereafter, you can view or print the accepted document at: http://www.dwr.state.co.us/WellPermitSearch		
Signature of DWR staff indicates acceptance as a Change in Owner Name and/or Mailing Address.		
For Staff Use Only		
Staff Signature _____		Date _____



FROM: Maria Lancto
 DATE: 06/03/21
 PROJECT: Raterink Annexation and Change of Zone
 Project No. LUP2021-0017; Plan Nos. ANX2021-0003 & COZ2021-0004

INTERNAL DISTRIBUTION:

☒ Buildings/Grounds Manager	☒ City Attorney	☒ Police Chief
☐ City Administrator	☐ City Clerk	☒ Public Works Director
☐ Building Inspector	☐ Recreation Manager	☒ Golf Course Manager
☒ OMI	☒ GIS Specialist	☒ Finance Director

OUTSIDE DISTRIBUTION:

☒ Fort Lupton Fire Protection District	☒ Weld County Dept. of Public Health & Env.
☒ CDOT	☐ Weld County Public Works
☐ Colorado DRMS	☒ Weld County School District RE-8
☐ Colorado Parks and Wildlife	☒ NCWCD
☒ Division of Water Resources	☐ Fulton Ditch Company
☐ Army Corp of Engineers	☐ Platteville Ditch Company
☒ United Power	☐ City of Brighton
☒ Comcast	☐ Town of Frederick
☒ CenturyLink	☐ Town of Platteville
☒ Xcel Energy	☐ City of Dacono
☒ Postmaster	☐ Town of Firestone
☒ Weld County Department of Planning	☐ Other:

If you have comments, please respond by: June 24, 2021

Comments may be sent via mail, faxed to 303.857.0351 or emailed to planningdept@fortluptonco.gov. A non-response to this referral may be considered a favorable response.

COMMENTS:

These parcels are not within the boundaries of the Northern Colorado Water Conservancy District or the Municipal Subdistrict. Petitions for Inclusions need to be filed for both.



June 22, 2021

Fort Lupton Planning Department
130 S. McKinley Avenue
Fort Lupton, CO 80621
www.fortlupton.org

Re: Raterink Annexation and Change of Zone - Project No. LUP2021-0017; Plan Nos. ANX2021-0003 & COZ2021-0004

Dear Mr. Hodges & Ms. Knutson:

On behalf of United Power, Inc., thank you for inviting us to review and comment on the Project No. LUP2021-0017; Plan Nos. ANX2021-0003 & COZ2021-0004. After review of the information, United Power has no concerns or objection to the proposed Raterink Annexation and Change of Zone; contingent upon United Power's ability to maintain all existing rights, facilities/equipment, and existing easements. This request should not hinder our ability for future expansion, including all present and any future accommodations for electrical distribution.

Please note, the property owner/developer/contractor must submit an application along with CAD data for new electric service via <https://www.unitedpower.com/construction>. United Power would like to work with these persons early in the construction process on getting an electric design prepared so that we can request any additional easements needed and hopefully have those easements dedicated on the plat rather than obtaining separate document(s). Obtaining easements via a separate document can be time consuming and could cause delays.

As a Reminder: No permanent structures are acceptable within the dry utility easement(s); such as, window wells, wing walls, retaining walls, basement walls, roof overhang, anything affixed to the house like decks, etc. United Power considers any structure that impedes the access, maintenance, and safety of our facilities a permanent structure. No exceptions will be allowed, and any encroachments could result in penalties.

Service will be provided according to the rules, regulations, and policies in effect by United Power at the time service is requested. We look forward to safely and efficiently providing reliable electric power and outstanding service.

Thank you,

Amber Mendoza

Amber Mendoza, RWA
ROW Agent
720.249.9315 | platreferral@unitedpower.com



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
donna.l.george@xcelenergy.com

June 24, 2021

City of Fort Lupton Planning Department
130 South McKinley Avenue
Fort Lupton, CO 80621

Attn: Alyssa Knutson and Todd Hodges

Re: Raterink Annexation and Zoning, Case # LUP2021-0017

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans for **Raterink Annexation and Zoning** and has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The City of Fort Lupton must send us notification after approval of the proposed annexation has been finalized. This notification should be sent to Jacob Van Laere (303-571-3818) at: Xcel Energy, 1123 West 3rd Avenue, Denver, Colorado 80223 or jacob.van.laere@xcelenergy.com. This will allow our mapping department to make the necessary updates to our mapping system.

As the project progresses, the property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. Additional easements may need to be acquired by separate document for new facilities.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

Magaly Morales-Tejada

From: Williams - DNR, Joanna
Sent: Thursday, June 3, 2021 1:34 PM
To: Magaly Morales-Tejada
Subject: Re: Referral Response Request: Raterink Annexation & Change of Zone; Project No. LUP2021-0017

Good Afternoon Magaly,
Our office has no comments on the proposed annexation and change of zone. If your office has any specific questions for us regarding the proposal please contact me.
Regards,

Joanna Williams, P.E.
Water Resource Engineer



COLORADO
Division of Water Resources
Department of Natural Resources

P 303.866.3581 x 8265
1313 Sherman Street, Room 821, Denver, CO 80203
Joanna.Williams@state.co.us | www.colorado.gov/water

On Thu, Jun 3, 2021 at 11:25 AM Magaly Morales-Tejada wrote:

Good Morning,

The documentation located at the following link is submitted to you for review and recommendation for an annexation and change of zone being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link: <https://www.fortlupton.org/DocumentCenter/Index/605>.

Any comments you consider relevant to this request would be appreciated. Please reply by **June 24, 2021**, so that we may give full consideration to your recommendation. Any response not received before or on this date may be deemed to be a favorable response to the Planning & Building Department.

The Public Hearings for this matter are scheduled for:

- Planning Commission: Thursday, July 8, 2021 at 6:00 PM; and
- City Council: Tuesday, July 20, 2021 at 7:00 PM

Your time in this matter is greatly appreciated!

Magaly Morales-Tejada

Planning assistant
130 S. McKinley Ave.
Fort Lupton, CO 80621
Direct: 720-466-6111



The information transmitted is intended only for the person or entity to which it is addressed and may contain CONFIDENTIAL material. If you receive this information in error, please delete or destroy the information.

Magaly Morales-Tejada

From: John Fryar
Sent: Friday, June 4, 2021 12:52 PM
To: Magaly Morales-Tejada
Subject: RE: Referral Response Request: Raterink Annexation & Change of Zone; Project No. LUP2021-0017

I don't see any LE issues.



Chief John Fryar

From: Magaly Morales-Tejada
Sent: Thursday, June 3, 2021 11:18 AM
To: Magaly Morales-Tejada
Cc: Maria Lancto; Todd Hodges; Alyssa Knutson
Subject: Referral Response Request: Raterink Annexation & Change of Zone; Project No. LUP2021-0017

Good Morning,

The documentation located at the following link is submitted to you for review and recommendation for an annexation and change of zone being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link: <https://www.fortlupton.org/DocumentCenter/Index/605>.

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Your time in this matter is greatly appreciated!

Magaly Morales-Tejada

Planning assistant

130 S. McKinley Ave.
Fort Lupton, CO 80621
Direct: 720-466-6111



Magaly Morales-Tejada

From: Lauren Light
Sent: Friday, June 4, 2021 10:27 AM
To: Magaly Morales-Tejada
Cc: Maria Lancto; Todd Hodges; Alyssa Knutson
Subject: RE: Referral Response Request: Raterink Annexation & Change of Zone; Project No. LUP2021-0017

No concerns with this request

Lauren Light, M.B.S.
Program Manager/Environmental Planner, Environmental Health Services
Weld County Department of Public Health & Environment
1555 N. 17th Ave.
Greeley, CO 80631
llight@weldgov.com
970-400-2211 (office)



Confidentiality Notice: This electronic transmission and any attached documents or other writings are intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. If you have received this communication in error, please immediately notify sender by return e-mail and destroy the communication. Any disclosure, copying, distribution or the taking of any action concerning the contents of this communication or any attachments by anyone other than the named recipient is strictly prohibited.

From: Magaly Morales-Tejada
Sent: Thursday, June 3, 2021 11:18 AM
To: Magaly Morales-Tejada
Cc: Maria Lancto ; Todd Hodges ; Alyssa Knutson
Subject: Referral Response Request: Raterink Annexation & Change of Zone; Project No. LUP2021-0017

Caution: This email originated from outside of Weld County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

The documentation located at the following link is submitted to you for review and recommendation for an annexation and change of zone being reviewed by the City of Fort Lupton. The application documents can be reviewed at the following link: <https://www.fortlupton.org/DocumentCenter/Index/605>.

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Your time in this matter is greatly appreciated!

Magaly Morales-Tejada

Planning assistant

130 S. McKinley Ave.

Fort Lupton, CO 80621

Direct: 720-466-6111

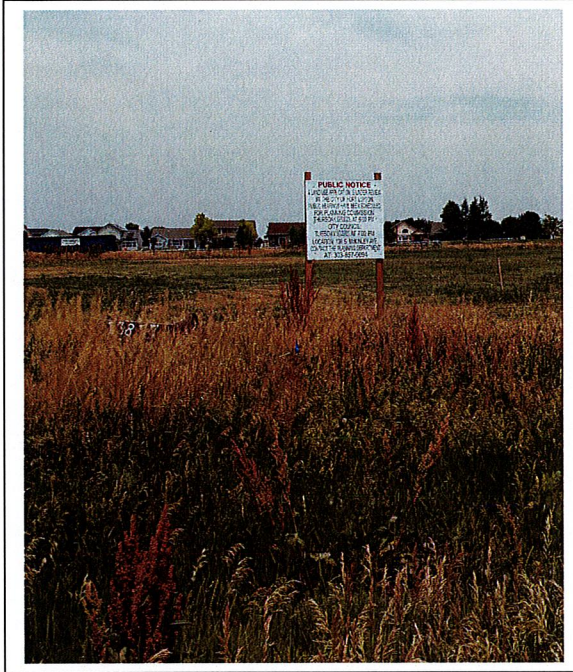


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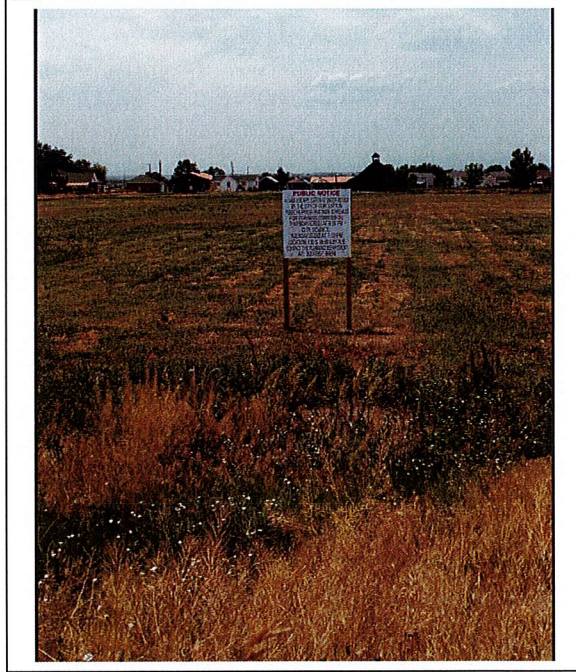
Sign Posting Affidavit

Raterink Annexation

Project No. LUP2021-0017 / Plan No. ANX2021-0003



Facing HWY 52



Facing Clubhouse Rd

I, George & Virginia Raterink, hereby acknowledge that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 23rd day of June, 2021.

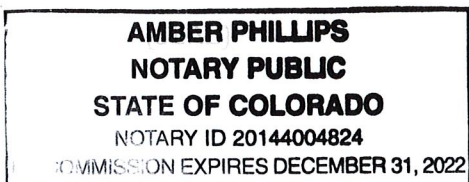
George & Virginia Raterink
Signature of Owner or Owner's Representative

The foregoing instrument was acknowledged before me by George & Virginia Raterink, this 24 day of June, 2021. Witness my hand and seal.

My commission expires 12-30-22.

Amber Phillips

Notary Public



**CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Virginia Raterink and George Raterink for an annexation and initial zoning to the 'A' Agricultural Zone District for a property located at 13877 Hwy 52 in Weld County, CO and including the parcel east and adjacent, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, July 8, 2021, at 6:00 P.M., and before the City Council on Tuesday, July 20, 2021, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. In the event that City Hall is closed to the public at the time of the hearings due to COVID-19, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning & Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED AT THE NORTHEAST ¼ OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M. COUNTY OF WELD, STATE OF COLORADO: FURTHER DESCRIBED AS FOLLOWS: CONSIDERING THE SOUTH LINE OF THE NORTHEAST ¼ OF SAID SECTION 5 TO BEAR SOUTH 89°39'45"WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 N MONUMENT BOX, AND ON THE WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST ¼ CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST ¼ OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. REC20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, REC20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST ¼ OF SAID SECTION 5; HENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS

RESOLUTION NO. 2021R036

A RESOLUTION OF THE CITY COUNCIL OF

**FORT LUPTON INITIATING ANNEXATION
PROCEEDINGS FOR THE ANNEXATION
KNOWN AS THE RATERINK ANNEXATION
AND SETTING THE PUBLIC HEARING FOR
JULY 20, 2021**

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Virginia J. Raterink and George V. Raterink for 8.68 acres, more or less, and known as the Raterink Annexation; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for the Raterink Annexation and sets the hearing date for July 20, 2021, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

**APPROVED AND ADOPTED BY THE FORT
LUPTON CITY COUNCIL THIS 15th DAY OF
JUNE 2021.**

City of Fort Lupton, Colorado
s/Zo Stieber
Zo Stieber, Mayor

Attest:
s/Maricela Peña
Maricela Peña, City Clerk

Approved as to form:
s/Andy Ausmus
Andy Ausmus, City Attorney

Legal Ad No.: FLP222335
First Publication: June 23, 2021
Last Publication: July 7, 2021
Published In: Fort Lupton Press



CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 22nd day of June, 2021, a true and correct copy of the foregoing Notice of Public Hearings and Annexation maps for the Raterink Annexation was sent via U.S. Mail, postage pre-paid, to the following addresses:

PATRICIA L TERRY TRUST 1312 DENVER AVE FORT LUPTON, CO 80621	GARY JOHN BRYANT 112 APPEL CT FORT LUPTON, CO 80621	ANTHONY EDWARD DENEKE DANIELLE MARIE DENEKE 1917 TRAILBLAZER RD FORT LUPTON, CO 80621
DAKOTAH KESSLER 251 PONDEROSA PL FORT LUPTON, CO 80621	MARIE RICHARDS 250 PONDEROSA PL FORT LUPTON, CO 80621	LI CAI RI 1937 TRAILBLAZER RD FORT LUPTON, CO 80621
MELISSA A DECHANT 254 PONDEROSA PL FORT LUPTON, CO 80621	MANUEL LUNA MENDOZA 258 PONDEROSA PL FORT LUPTON, CO 80621	LINDSEY RAMIREZ 151 S ROLAND AVE FORT LUPTON, CO 80621
YOLANDA D LANGLAIS 262 PONDEROSA PL FORT LUPTON, CO 80621	JESSIE OVERLY 266 PONDEROSA PL FORT LUPTON, CO 80621	COLE FAMILY TRUST 301 CLUBHOUSE DR FORT LUPTON, CO 80621
JOHN GUNZNER MARGARET GUNZNER 270 PONDEROSA PL FORT LUPTON, CO 80621	JOHN P REVOCABLE TRUST 274 PONDEROSA PL FORT LUPTON, CO 80621	LINDSEY RAMIREZ 151 S ROLAND AVE FORT LUPTON, CO 80621
LARRY P WEIGEL ROBERT LEDOUX 161 S ROLAND AVE FORT LUPTON, CO 80621	ASHLEY FOX CURTIS FOX 311 CLUBHOUSE DR FORT LUPTON, CO 80621	HPA US1 LLC 120 S RIVERSIDE PLZ STE 2000 CHICAGO, IL 60606
GINGER WELLER DUSTIN M WELLER 321 CLUBHOUSE DR FORT LUPTON, CO 80621	ALBERT P DREITZ KATHLEEN E DREITZ 331 CLUBHOUSE DR FORT LUPTON, CO 80621	JESSICA WEBB JEREMY WEBB 156 S TRAILBLAZER RD FORT LUPTON, CO 80621
BRUCE K CHAIN ANNE M MACKENZIE 341 CLUBHOUSE DR FORT LUPTON, CO 80621	TODD TAYLOR 351 CLUBHOUSE DR FORT LUPTON, CO 80621	JENNIFER CAROL MARTINEZ RONALD CHAD MARTINEZ 155 S TRAILBLAZER RD FORT LUPTON, CO 80621



MICHELLE L BUSCHO
JON E BUSCHO
361 CLUBHOUSE DR
FORT LUPTON, CO 80621

KYRA RAU
DAN SOBECK
371 CLUBHOUSE DR
FORT LUPTON, CO 80621

KATHRYN MARIE KING
1872 MALIBU CT
FORT LUPTON, CO 80621

MELODY D GRANT
381 CLUBHOUSE DR
FORT LUPTON, CO 80621

KERRY A MCCORMICK
MICHAEL S MCCORMICK
391 CLUBHOUSE DR
FORT LUPTON, CO 80621

STACEY A BEAN
MICHAEL J BEAN
1870 MALIBU CT
FORT LUPTON, CO 80621

CYNTHIA J MOYA
401 CLUBHOUSE DR
FORT LUPTON, CO 80621

WESLEY STEPHEN BACK
411 CLUBHOUSE DR
FORT LUPTON, CO 80621

LAMONTAGNE FAMILY TRUST
1868 MALIBU CT
FORT LUPTON, CO 80621

TERICINE JUDY COFFMAN
421 CLUBHOUSE DR
FORT LUPTON, CO 80621

PERRI M-J COMPANY
14286 HIGHWAY 52
FORT LUPTON CO, 80621

KENT N BIEL
1864 MALIBU CT
FORT LUPTON, CO 80621

LORI ANN SCHICK
RAYMOND ANDREW SCHICK
441 CLUBHOUSE DR
FORT LUPTON, CO 80621

NIKKI P SANDERS
WILLIAM JUSTIN SANDERS
451 CLUBHOUSE DR
FORT LUPTON, CO 80621

PAULA J APPEL
DAVID L APPEL
602 BETHANY DR
SHOREWOOD, IL 60404

ESTHER CLAIRE REED
VAN G REED
4801 SORREL LN
JOHNSTOWN, CO 80534

ISAAC COVARRUBIAS
370 CLUBHOUSE DR
FORT LUPTON, CO 80621

GENOVEVA MENDOZA
1856 MALIBU CT
FORT LUPTON, CO 80621

CELLA ORNELAS
PATRICK JOHN ORNELAS
380 CLUBHOUSE DR
FORT LUPTON, CO 80621

JEFF EDWARD JEFFRIES
400 CLUBHOUSE DR
FORT LUPTON, CO 80621

IRMA E RAMIREZ
152 S ROLAND AVE
FORT LUPTON, CO 80621

DEBORA R HARRIS
RANDY D HARRIS
410 CLUBHOUSE DR
FORT LUPTON, CO 80621

HUNTER T FERREFEE
420 CLUBHOUSE DR
FORT LUPTON, CO 80621

LUPITA MONCADA
RAMIRO MONCADA
162 S ROLAND AVE
FORT LUPTON, CO 80621

COYOTE CREEK MASTER
ASSOCIATION
PO BOX 30
FREDERICK, CO 80530

DEBRA STOOPS
1837 TRAIL BLAZER RD
FORT LUPTON, CO 80621

HELLEN P WITT
JEFFREY A WITT
212 S ROLAND AVE
FORT LUPTON, CO 80621



BEATRICE THERESA
ROSALES
SERGIO SANCHEZ ROSALES
653 NE 19TH ST
GUYMON, OK 73942

MEGAN B STATES
BRET D STATES
1877 TRAILBLAZER RD
FORT LUPTON, CO 80621

LISA M GEIGER
BRYAN M WEIGEL
1957 TRAILBLAZER RD
FORT LUPTON, CO 80621

PAULA VASQUEZ
FLORENCIO JR VASQUEZ
121 S ROLAND AVE
FORT LUPTON, CO 80621

ALBERT GARRET
SHERRI GARRET
6000 CYPRUS LOOP
RICHLAND WEST, WA 99353

ASHLEY K KAMIN
RYAN L KAMIN
132 APPEL CT
FORT LUPTON, CO 80621

MICHELLE BRESCIANI
CARLSEN
CHRISTOPHER CARLSEN
431 CLUBHOUSE DR
FORT LUPTON, CO 80621

GERARDO MANRIQUEZ
165 S TRAILBLAZER RD
FORT LUPTON, CO 80621

SUSAN L DENNY
VAUNOLD D DENNY
116 S TRAILBLAZER RD
FORT LUPTON, CO 80621

APPEL FARMS HOMEOWNERS
ASSOC INC
PO BOX 30
FREDERICK, CO 80530

ROWLEY DOWNS LAND COMPANY
260 KRAMERIA ST
DENVER, CO 80220

Magaly Morales-Tejada
City Official



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortlupton.org

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Virginia Raterink and George Raterink for an annexation and initial zoning to the 'A' Agricultural Zone District for a property located at 13877 Hwy 52 in Weld County, CO and including the parcel east and adjacent, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

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Further information is available through the City Planning & Building Department at (303) 857-6694.

**ADDITIONAL INFORMATION AND DOCUMENTS ON THIS APPLICATION CAN BE FOUND AT
BIT.LY/FLDEVELOPMENT AND SCROLLING DOWN TO THE ROW TITLED: RATERINK
ANNEXATION & CHANGE OF ZONE**

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

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SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS

RESOLUTION NO. 2021R036

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE RATERINK ANNEXATION AND SETTING THE PUBLIC HEARING FOR JULY 20, 2021

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Virginia J. Raterink and George V. Raterink for 8.68 acres, more or less, and known as the Raterink Annexation; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

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APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 15th DAY OF JUNE 2021.

City of Fort Lupton, Colorado

s/Zo Stieber
Zo Stieber, Mayor

Attest:

s/Maricela Peña
Maricela Peña, City Clerk

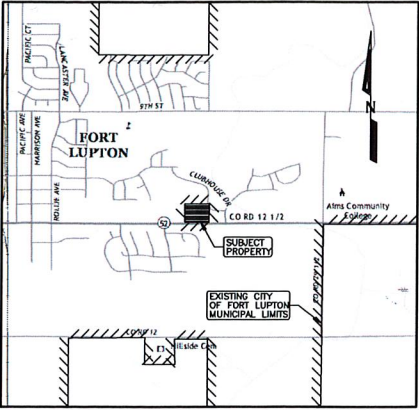
Approved as to form:

s/Andy Ausmus
Andy Ausmus, City Attorney

RATERINK ANNEXATION TO THE CITY OF FORT LUPTON

Located in the Northeast 1/4 of Section 5,
Township 1 North, Range 66 West of the 6th P.M.,
County of Weld, State of Colorado

Sheet 1 of 1



VICINITY MAP: 1" = 2000'

NOTES:

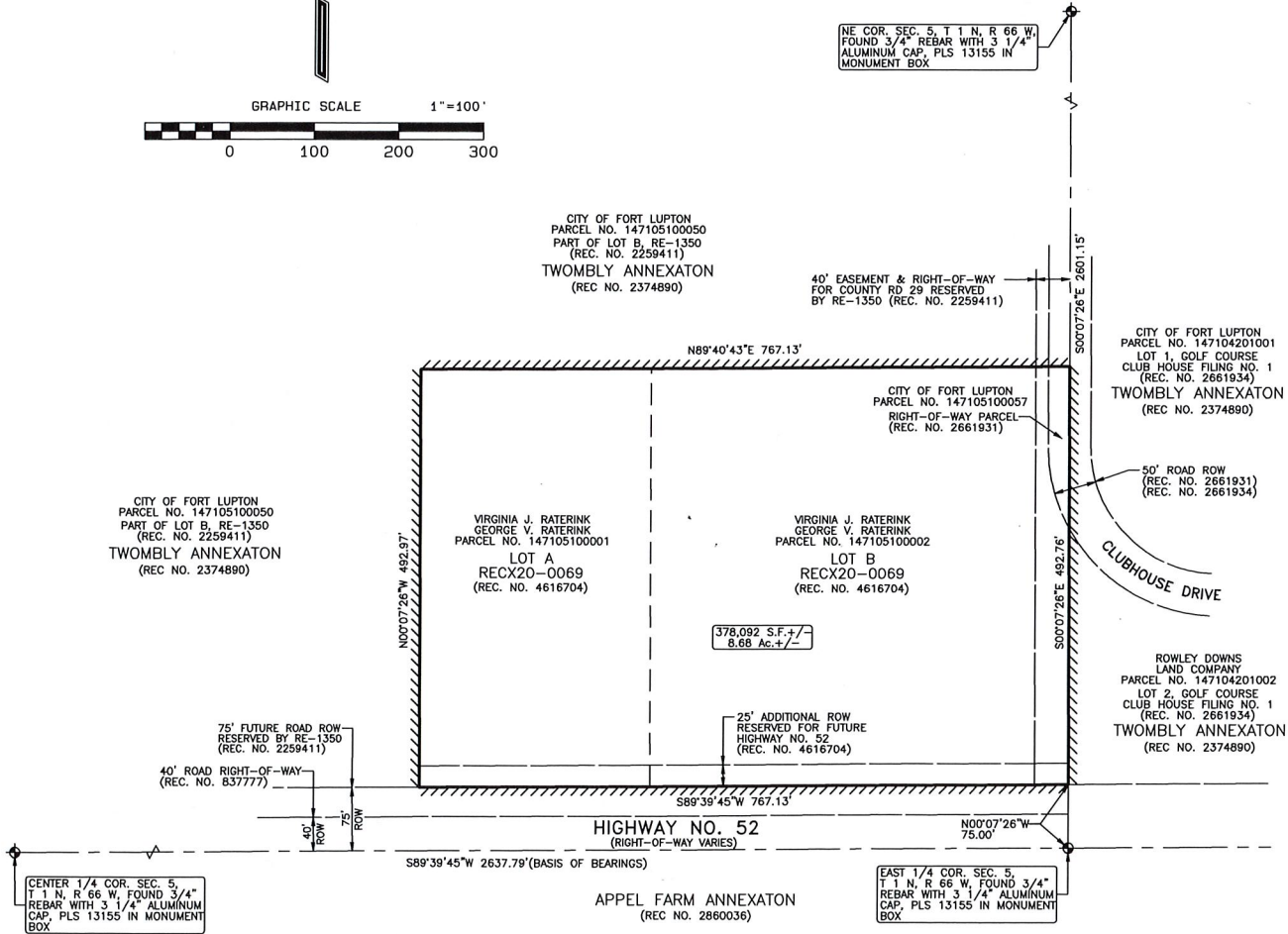
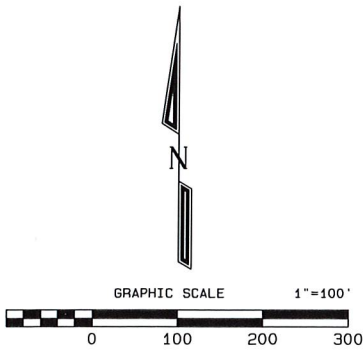
- 1) BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M. IS ASSUMED TO BEAR SOUTH 89°39'45" WEST AS MONUMENTED ON THE EAST AND WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.
- 2) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 3) CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.
- 4) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 5) DISTANCES ON THIS ANNEXATION PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
- ===== = EXISTING MUNICIPAL BOUNDARY, AS NOTED.

ANNEXATION TABLE:

TOTAL PERIMETER:	2519.99 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER:	420.00 FEET
CONTIGUOUS BOUNDARY:	2519.99 FEET



PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST, OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5 TO BEAR SOUTH 89°39'45" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND ON THE WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. REC20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, REC20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378.092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS.

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT VIRGINIA J. RATERINK AND GEORGE V. RATERINK, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF RATERINK ANNEXATION TO THE CITY OF FORT LUPTON.

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

STATE OF COLORADO, }
COUNTY OF WELD } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY: VIRGINIA J. RATERINK AND GEORGE V. RATERINK
ON THIS ____ DAY OF _____, 20__.

WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC: _____

PLANNING COMMISSION RECOMMENDATION:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE FORT LUPTON CITY COUNCIL VIA RESOLUTION NO. ____.

RECOMMENDED THIS ____ DAY OF _____, 201__.

CHAIRPERSON, FORT LUPTON
PLANNING COMMISSION

MAYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. ____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE ____ DAY OF _____, A.D., 20__, AND THAT THE MAYOR AND THE CITY OF FORT LUPTON, AS AUTHORIZED BY ORDINANCE NO. ____ ON BEHALF OF THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

APPROVED THIS ____ DAY OF _____, 201__.

ATTEST: CITY CLERK

MAYOR

SURVEYOR'S CERTIFICATE:

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID ANNEXATION MAP TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE, THIS CERTIFIES THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY SHOWN HEREON IS CONTIGUOUS WITH THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LUPTON, COLORADO.

CURTIS D. HOOS PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION





CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 23th day of June 2021, a true and correct copy of the foregoing Notice of Public Hearings and Annexation Petition for the Raterink Annexation was sent via Certified Mail, Return-Receipt Requested, to the following addresses:

AIMS JUNIOR COLLEGE
P.O. BOX 69
GREELEY, CO 80632

CENTRAL COLORADO WATER (CCW)
3209 W. 28TH STREET
GREELEY, CO 80631

FORT LUPTON FIRE
1121 DENVER AVENUE
FORT LUPTON, CO 80621

HIGH PLAINS LIBRARY
2650 W. 29TH STREET
GREELEY, CO 80631

PLATTE VALLEY CONSERVATION
57 WEST BROMELY LANE
BRIGHTON, CO 80601

WELD COUNTY RE-8 SCHOOL DISTRICT
200 S. FULTON AVENUE
FORT LUPTON, CO 80621

WELD COUNTY COMMISSIONERS
1150 O STREET
PO BOX 758
GREELEY, CO 80631

WELD COUNTY ATTORNEY
1150 O STREET
PO BOX 758
GREELEY, CO 80631



City Official



Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694
Fax: 303.857.0351

www.fortlupton.org

CITY OF FORT LUPTON NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Virginia Raterink and George Raterink for an annexation and initial zoning to the 'A' Agricultural Zone District for a property located at 13877 Hwy 52 in Weld County, CO and including the parcel east and adjacent, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

The public hearings are to be held before the Planning Commission on Thursday, July 8, 2021, at 6:00 P.M., and before the City Council on Tuesday, July 20, 2021, at 7:00 P.M. or as soon as possible thereafter.

The public hearings shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. In the event that City Hall is closed to the public at the time of the hearings due to COVID-19, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda posted on the City's website, www.fortluptonco.gov.

Further information is available through the City Planning & Building Department at (303) 857-6694.

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED AT THE NORTHEAST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP1 NORTH, RANGE 66 WEST OF THE 6TH P.M. COUNTY OF WELD, STATE OF COLORADO: FURTHER DESCRIBED AS FOLLOWS: CONSIDERING THE SOUTH LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5 TO BEAR SOUTH 89°39'45"WEST, BEING MONUMENTED ON THE EAST END BY A $\frac{3}{4}$ " REBAR WITH 3 $\frac{1}{4}$ " ALUMINUM CAP, PLS 13155 N MONUMENT BOX, AND ON THE WEST END BY A $\frac{3}{4}$ " REBAR WITH 3 $\frac{1}{4}$ " ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST $\frac{1}{4}$ CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGNNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. RECX20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A

DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, RECX20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST ¼ OF SAID SECTION 5; HENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS

RESOLUTION NO. 2021R036

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR THE ANNEXATION KNOWN AS THE RATERINK ANNEXATION AND SETTING THE PUBLIC HEARING FOR JULY 20, 2021

WHEREAS, the Fort Lupton City Council has reviewed the annexation petition submitted by Virginia J. Raterink and George V. Raterink for 8.68 acres, more or less, and known as the Raterink Annexation; and

WHEREAS, the Fort Lupton City Council finds the annexation petition to be complete and in substantial conformance with the requirements of C.R.S. 31-12-107 (1) as amended.

NOW THEREFORE BE IT RESOLVED that the Fort Lupton City Council hereby approves this Resolution initiating annexation proceedings for the Raterink Annexation and sets the hearing date for July 20, 2021, to determine if the proposed annexation complies with C.R.S. 31-12-104 and 31-12-105, or such parts thereof as may be required to establish eligibility for annexation under the terms of Part 1, Article 12, Title 31, C.R.S.

APPROVED AND ADOPTED BY THE FORT LUPTON CITY COUNCIL THIS 15th DAY OF JUNE 2021.

City of Fort Lupton, Colorado

s/Zo Stieber
Zo Stieber, Mayor

Attest:

s/Maricela Peña
Maricela Peña, City Clerk

Approved as to form:

s/Andy Ausmus
Andy Ausmus, City Attorney

PETITION FOR ANNEXATION

TO: THE CITY COUNCIL OF FORT LUPTON, COLORADO

We, the undersigned landowners, in accordance with Colorado law, hereby petition the City of Fort Lupton and its City Council for annexation to the City of Fort Lupton of the unincorporated territory, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference, located in the County of Weld and the State of Colorado, and to be known as the **Raterink Annexation** to the City of Fort Lupton.

As part of this petition, your petitioners further state to the City Council that:

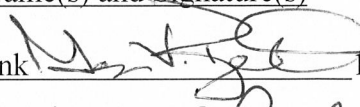
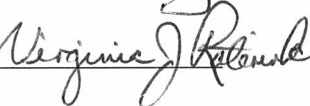
1. It is desirable and necessary that the territory described in Exhibit A be annexed to the City of Fort Lupton.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met in that:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fort Lupton or will be contiguous with the City of Fort Lupton within such time as required by Section 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the City of Fort Lupton.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fort Lupton.
 - e. No land within the boundary of the area proposed to be annexed which is 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, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.
 - f. No land within the boundary of the area proposed to be annexed which is 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, comprises twenty acres or more, and, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - g. No annexation proceedings have been commenced for any portion of the area proposed to be annexed for the annexation of such area to another municipality. The area proposed to be annexed is not part of any incorporated city, city and county, or town.

- h. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the City of Fort Lupton was held within the twelve months preceding the filing of this petition.
 - i. The annexation of the area proposed to be annexed will not result in the detachment of said area from any school district.
 - j. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the City of Fort Lupton more than three miles in any direction from any point of the boundary of the City of Fort Lupton in any one year.
 - k. The territory to be annexed is **8.68 more or less** acres in total area.
 - l. Prior to completion of the annexation of the area proposed to be annexed, a plan will be in place, pursuant to Section 31-12-105 (1) (e), C.R. S., which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City of Fort Lupton, and the proposed land uses for the area.
 - m. In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area annexed, and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed but is not bounded on both sides by the City of Fort Lupton.
 - n. If required, an impact report will be prepared and filed pursuant to Section 31-12-108.5, C.R.S..
3. The signer(s) of this petition comprise(s) more than fifty percent (50%) of the landowners and own more than fifty percent (50%) of the property, excluding public streets and alleys and any land owned by the annexing municipality, and are, in fact, owners of one hundred percent (100%) of the property set forth in Exhibit A attached hereto and incorporated herein by reference.
4. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of an annexation map shall be submitted to the City, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information:
- a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the annexation map.
 - d. The legal description.
 - e. Distinction of the boundary that is contiguous to the City and the length of same.
 - f. Lot and block numbers if the area is already platted.
 - g. Existing and proposed easements and rights-of-way.

- h. Existing and requested zoning and acreage of each requested zone.
 - i. Ownership of all parcels within and adjacent to the annexation.
 - j. Appropriate certification blocks as directed by the Planning Department.
- 5. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of fifteen (15) copies of a master plan shall be submitted to the City of Fort Lupton, produced with an engineer's scale, minimum scale to be one (1) inch represents one hundred (100) feet, on a reproducible medium with outer dimensions of twenty-four (24) by thirty-six (36) inches, containing the following information.
 - a. The date of preparation, the scale and a symbol designating true north.
 - b. The name of the annexation.
 - c. The names, addresses and phone numbers of the applicant and the firm or person responsible for preparing the master plan.
 - d. Existing and proposed easements and rights-of-way.
 - e. Block numbers and lot numbers with approximate dimensions.
 - f. Proposed gross and net residential density.
 - g. Existing watercourses with adequate easements for flood control.
 - h. Designation of all public sites to be reserved and dedicated.
 - i. Existing two-foot contours.
 - j. Appropriate certification blocks as directed by the Planning Department.
- 6. At least fifteen (15) days prior to the presentation of this petition to the Fort Lupton City Council, a minimum of five (5) copies of all required supportive information shall be submitted to the City of Fort Lupton which shall include the following:
 - a. Soils description and limitation.
 - b. Preliminary utility plan.
 - c. Mailing addresses of all property owners within five hundred (500) feet of the annexation.
 - d. Affidavit concerning the amount and historical use of all water rights owned.
 - e. Vicinity map with one and one-half (1 ½) mile radius, at a minimum scale of one (1) inch represents two thousand (2,000) feet.
 - f. Statement on community need for proposed annexation and zoning.
 - g. For all annexations in excess of ten (10) acres, the applicant shall obtain from the school district governing the area to be annexed a statement of the effect of the annexation upon the school district, including an estimate of the number of students generated by the proposed annexation and the capital construction required to educate such students.
- 7. Upon the annexation ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the City of Fort Lupton, except for general property taxes of the City of Fort Lupton, which shall become effective as of the January 1 next ensuing.

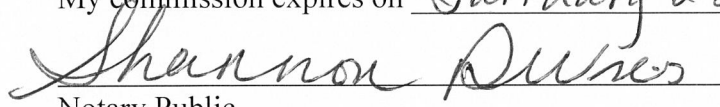
8. The zoning classification requested for the area proposed to be annexed is **Agricultural**, as shown on the annexation map attached hereto and incorporated herein.
9. As required by the City of Fort Lupton, an annexation agreement has been or will be executed by the petitioners herein and the City relating to this annexation and the petitioners hereby expressly consent to the terms and conditions set forth in the annexation agreement.
10. As an expressed condition of annexation, landowner(s) consent(s) to petition for inclusion into the Northern Colorado Water Conservancy District and the municipal sub district pursuant to Section 37-45-136 (3.6) C.R.S. to pay the appropriate fees and costs associated with such inclusion. Landowner(s) acknowledge(s) that, upon inclusion into the district and subdistrict, landowner's(s') property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the district and subdistrict at the time of inclusion of landowners(s') lands. Landowner(s) agree(s) to waive any right to an election which may exist to require an election pursuant to Article X, Section 20, of the Colorado Constitution before the district and subdistrict can impose such mill levies and special assessments as it has the authority to impose. Landowner(s) also agree(s) to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, Section 20, of the Colorado Constitution.
11. The non-refundable annexation application fee of **\$836.80** is tendered herewith.

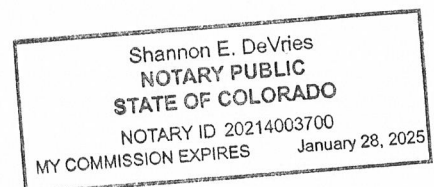
THEREFORE, the undersigned respectfully petition(s) the City Council of the City of Fort Lupton, to annex the territory described and referred to in Exhibit A to the City of Fort Lupton in accordance with and pursuant to the statutes of the State of Colorado.

<u>Land Owner(s) Name(s) and Signature(s)</u>	<u>Mailing Address</u>	<u>Date of Signing</u>
George V. Raterink 	13877 Hwy 52, Ft. Lupton, Co	5/28/21
Virginia J. Raterink 	13877 Hwy 52, Ft. Lupton, Co.	5/28/21
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The foregoing signature(s) was/were subscribed and sworn to before me this 28 day of May, 2021, by

Witness my hand and official seal.

My commission expires on January 28, 2025

Notary Public



Land Owned

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST, OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5 TO BEAR SOUTH 89°39'45" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND ON THE WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE CITY OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. RECX20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE

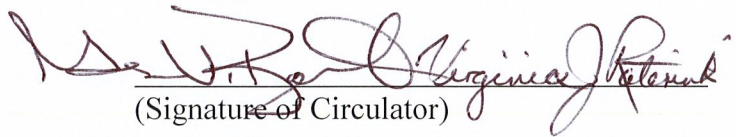
CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, RECX20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 742.13 FEET TO THE NORTHEAST CORNER OF SAID LOT B, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF CLUBHOUSE DRIVE AS DESCRIBED IN DEED RECORDED DECEMBER 21, 1998 AS RECEPTION NO. 2661930 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE SOUTH 00°07'26" EAST, COINCIDENT WITH THE WEST LINE OF SAID CLUBHOUSE DRIVE, A DISTANCE OF 94.65 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 28°57'18", WHOSE CHORD BEARS SOUTH 14°36'05" EAST, A DISTANCE OF 100.00 FEET; THENCE COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, A DISTANCE OF 101.07 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 301.20 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.60 ACRES, MORE OR LESS.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
)ss.
COUNTY OF WELD)

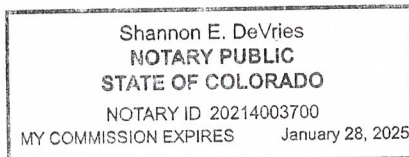
_____, being first duly sworn, states upon oath that he/she is the circulator of the petition to which this Affidavit is attached and knows of his/her own knowledge that the signature of each land owner appearing on said petition is the signature of the person whose name it purports it to be.

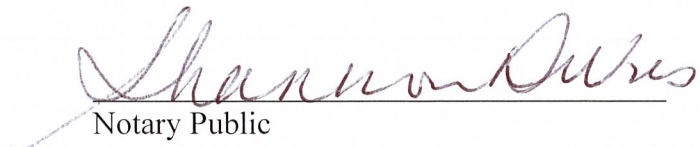

(Signature of Circulator)

The foregoing Affidavit was subscribed and sworn to before me this 28th day of May, 2021, by George Raterink + Virginia Raterink

Witness my hand and official seal.

My commission expires on 1/28/2025.

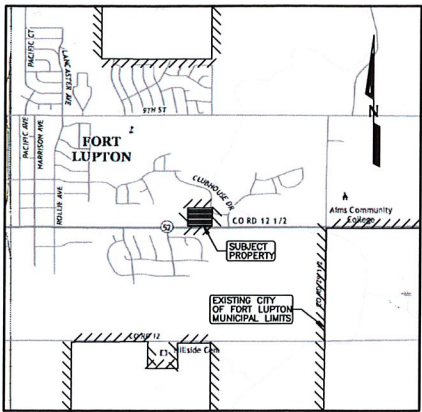



Notary Public

RATERINK ANNEXATION TO THE CITY OF FORT LUPTON

Located in the Northeast 1/4 of Section 5,
Township 1 North, Range 66 West of the 6th P.M.,
County of Weld, State of Colorado

Sheet 1 of 1



VICINITY MAP: 1" = 2000'

NOTES:

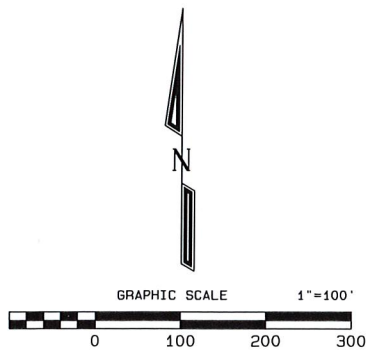
- 1) BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M. IS ASSUMED TO BEAR SOUTH 89°39'45" WEST AS MONUMENTED ON THE EAST AND WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.
- 2) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 3) CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.
- 4) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 5) DISTANCES ON THIS ANNEXATION PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
===== = EXISTING MUNICIPAL BOUNDARY, AS NOTED.

ANNEXATION TABLE:

TOTAL PERIMETER:	2519.99 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER:	420.00 FEET
CONTIGUOUS BOUNDARY:	2519.99 FEET



CITY OF FORT LUPTON
PARCEL NO. 147105100050
PART OF LOT B, RE-1350
(REC. NO. 2259411)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

CITY OF FORT LUPTON
PARCEL NO. 147105100050
PART OF LOT B, RE-1350
(REC. NO. 2259411)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

VIRGINIA J. RATERINK
GEORGE V. RATERINK
PARCEL NO. 147105100001
LOT A
RECX20-0069
(REC. NO. 4616704)

VIRGINIA J. RATERINK
GEORGE V. RATERINK
PARCEL NO. 147105100002
LOT B
RECX20-0069
(REC. NO. 4616704)

378,092 S.F. ±
8.68 Ac. ±

40' EASEMENT & RIGHT-OF-WAY
FOR COUNTY RD 29 RESERVED
BY RE-1350 (REC. NO. 2259411)

CITY OF FORT LUPTON
PARCEL NO. 147105100057
RIGHT-OF-WAY PARCEL
(REC. NO. 2661931)

CITY OF FORT LUPTON
PARCEL NO. 147104201001
LOT 1, GOLF COURSE
CLUB HOUSE FILING NO. 1
(REC. NO. 2661934)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

50' ROAD ROW
(REC. NO. 2661931)
(REC. NO. 2661934)

ROWLEY DOWNS
LAND COMPANY
PARCEL NO. 147104201002
LOT 2, GOLF COURSE
CLUB HOUSE FILING NO. 1
(REC. NO. 2661934)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

75' FUTURE ROAD ROW
RESERVED BY RE-1350
(REC. NO. 2259411)

40' ROAD RIGHT-OF-WAY
(REC. NO. 837777)

25' ADDITIONAL ROW
RESERVED FOR FUTURE
HIGHWAY NO. 52
(REC. NO. 4616704)

HIGHWAY NO. 52
(RIGHT-OF-WAY VARIES)

APPEL FARM ANNEXATON
(REC. NO. 2860036)

EAST 1/4 COR. SEC. 5,
T 1 N, R 66 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155 IN MONUMENT
BOX

PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST, OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5 TO BEAR SOUTH 89°39'45" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND ON THE WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. REC20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, REC20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS.

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT VIRGINIA J. RATERINK AND GEORGE V. RATERINK, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF RATERINK ANNEXATION TO THE CITY OF FORT LUPTON.

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

STATE OF COLORADO, }
COUNTY OF WELD } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY: VIRGINIA J. RATERINK AND GEORGE V. RATERINK
ON THIS ____ DAY OF _____, 20__.

WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC: _____

PLANNING COMMISSION RECOMMENDATION:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE FORT LUPTON CITY COUNCIL VIA RESOLUTION NO. ____.

RECOMMENDED THIS ____ DAY OF _____, 201__.

CHAIRPERSON, FORT LUPTON
PLANNING COMMISSION

MAYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. ____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE ____ DAY OF _____, A.D. 20__.

AND THAT THE MAYOR AND THE CITY OF FORT LUPTON, AS AUTHORIZED BY ORDINANCE NO. ____ ON BEHALF OF THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

APPROVED THIS ____ DAY OF _____, 201__.

ATTEST: CITY CLERK

MAYOR

SURVEYOR'S CERTIFICATE:

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID ANNEXATION MAP TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE, THIS CERTIFIES THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY SHOWN HEREON IS CONTIGUOUS WITH THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LUPTON, COLORADO.

CURTIS D. HOOS PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION



Exhibit A

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO ANNEXATION

A PARCEL OF LAND LOCATED AT THE NORTHEAST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M. COUNTY OF WELD, STATE OF COLORADO: FURTHER DESCRIBED AS FOLLOWS:

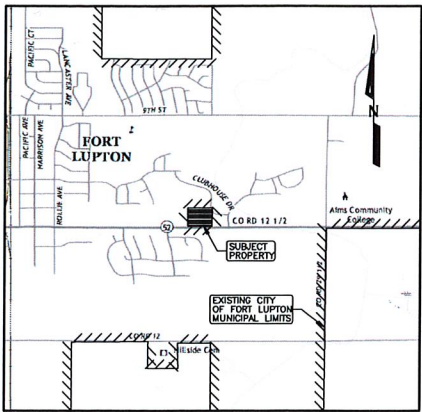
CONSIDERING THE SOUTH LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5 TO BEAR SOUTH 89°39'45" WEST, BEING MONUMENTED ON THE EAST END BY A $\frac{3}{4}$ " REBAR WITH 3 $\frac{1}{4}$ " ALUMINUM CAP, PLS 13155 N MONUMENT BOX, AND ON THE WEST END BY A $\frac{3}{4}$ " REBAR WITH 3 $\frac{1}{4}$ " ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST $\frac{1}{4}$ CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. RECX20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, RECX20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 5; HENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS

RATERINK ANNEXATION TO THE CITY OF FORT LUPTON

Located in the Northeast 1/4 of Section 5,
Township 1 North, Range 66 West of the 6th P.M.,
County of Weld, State of Colorado

Sheet 1 of 1



VICINITY MAP: 1" = 2000'

NOTES:

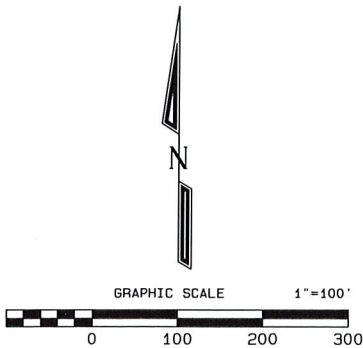
- 1) BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH P.M. IS ASSUMED TO BEAR SOUTH 89°39'45" WEST AS MONUMENTED ON THE EAST AND WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.
- 2) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 3) CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.
- 4) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 5) DISTANCES ON THIS ANNEXATION PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

LEGEND:

- ◆ = ALIQUOT MONUMENT, AS NOTED.
===== = EXISTING MUNICIPAL BOUNDARY, AS NOTED.

ANNEXATION TABLE:

TOTAL PERIMETER:	2519.99 FEET
REQUIRED 1/6 CONTIGUOUS PERIMETER:	420.00 FEET
CONTIGUOUS BOUNDARY:	2519.99 FEET



CITY OF FORT LUPTON
PARCEL NO. 147105100050
PART OF LOT B, RE-1350
(REC. NO. 2259411)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

CITY OF FORT LUPTON
PARCEL NO. 147105100050
PART OF LOT B, RE-1350
(REC. NO. 2259411)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

VIRGINIA J. RATERINK
GEORGE V. RATERINK
PARCEL NO. 147105100001
LOT A
RECX20-0069
(REC. NO. 4616704)

VIRGINIA J. RATERINK
GEORGE V. RATERINK
PARCEL NO. 147105100002
LOT B
RECX20-0069
(REC. NO. 4616704)

378,092 S.F. ±
8.68 Ac. ±

40' EASEMENT & RIGHT-OF-WAY
FOR COUNTY RD 29 RESERVED
BY RE-1350 (REC. NO. 2259411)

CITY OF FORT LUPTON
PARCEL NO. 147105100057
RIGHT-OF-WAY PARCEL
(REC. NO. 2661931)

CITY OF FORT LUPTON
PARCEL NO. 147104201001
LOT 1, GOLF COURSE
CLUB HOUSE FILING NO. 1
(REC. NO. 2661934)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

50' ROAD ROW
(REC. NO. 2661931)
(REC. NO. 2661934)

ROWLEY DOWNS
LAND COMPANY
PARCEL NO. 147104201002
LOT 2, GOLF COURSE
CLUB HOUSE FILING NO. 1
(REC. NO. 2661934)
TWOMBLY ANNEXATON
(REC. NO. 2374890)

75' FUTURE ROAD ROW
RESERVED BY RE-1350
(REC. NO. 2259411)

40' ROAD RIGHT-OF-WAY
(REC. NO. 837777)

25' ADDITIONAL ROW
RESERVED FOR FUTURE
HIGHWAY NO. 52
(REC. NO. 4616704)

HIGHWAY NO. 52
(RIGHT-OF-WAY VARIES)

APPEL FARM ANNEXATON
(REC. NO. 2860036)

EAST 1/4 COR. SEC. 5,
T 1 N, R 66 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155 IN MONUMENT
BOX

PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE CITY OF FORT LUPTON, COLORADO, LOCATED IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 66 WEST, OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5 TO BEAR SOUTH 89°39'45" WEST, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND ON THE WEST END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155 IN MONUMENT BOX, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5, A DISTANCE OF 75.00 FEET TO THE NORTH LINE OF APPEL FARM ANNEXATION TO THE TOWN OF FORT LUPTON AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'45" WEST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 767.13 FEET TO THE WEST LINE OF LOT A, RECORDED EXEMPTION NO. REC20-0069, AS SHOWN ON THE PLAT RECORDED AUGUST 5, 2020 AS RECEPTION NO. 4616704 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, ALSO BEING THE EAST LINE OF TWOMBLY ANNEXATION, AS SHOWN ON THE PLAT RECORDED FEBRUARY 23, 1994 AS RECEPTION NO. 2374890 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE NORTH 00°07'26" WEST, COINCIDENT WITH SAID LINE, A DISTANCE OF 492.97 FEET TO THE NORTHWEST CORNER OF SAID LOT A; THENCE NORTH 89°40'43" EAST, COINCIDENT WITH THE NORTH LINE OF SAID LOT A AND LOT B, REC20-0069, ALSO BEING THE SOUTH LINE OF SAID TWOMBLY ANNEXATION, A DISTANCE OF 767.13 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE SOUTH 00°07'26" EAST, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 492.76 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 378,092 SQUARE FEET OR 8.68 ACRES, MORE OR LESS.

OWNER'S APPROVAL:

KNOW ALL MEN BY THESE PRESENTS, THAT VIRGINIA J. RATERINK AND GEORGE V. RATERINK, BEING THE SOLE OWNERS OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAID LAND TO BE ANNEXED UNDER THE NAME OF RATERINK ANNEXATION TO THE CITY OF FORT LUPTON.

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

STATE OF COLORADO, }
COUNTY OF WELD } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY: VIRGINIA J. RATERINK AND GEORGE V. RATERINK
ON THIS ____ DAY OF _____, 20__.

WITNESS MY HAND AND SEAL.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC: _____

PLANNING COMMISSION RECOMMENDATION:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS RECOMMENDED TO THE FORT LUPTON CITY COUNCIL VIA RESOLUTION NO. ____.

RECOMMENDED THIS ____ DAY OF _____, 201__.

CHAIRPERSON, FORT LUPTON
PLANNING COMMISSION

MAYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ANNEXATION MAP OF THE ABOVE-DESCRIBED PROPERTY WAS APPROVED BY ORDINANCE NO. ____ OF THE CITY OF FORT LUPTON PASSED AND ADOPTED ON THE ____ DAY OF _____, A.D. 20__.

AND THAT THE MAYOR AND THE CITY OF FORT LUPTON, AS AUTHORIZED BY ORDINANCE NO. ____ ON BEHALF OF THE CITY OF FORT LUPTON, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID ANNEXATION MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

APPROVED THIS ____ DAY OF _____, 201__.

ATTEST: CITY CLERK

MAYOR

SURVEYOR'S CERTIFICATE:

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID ANNEXATION MAP TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE, THIS CERTIFIES THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY SHOWN HEREON IS CONTIGUOUS WITH THE MUNICIPAL BOUNDARY OF THE CITY OF FORT LUPTON, COLORADO.

CURTIS D. HOOS PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION

