

TOWN OF LYONS, COLORADO

**PLANNING AND COMMUNITY DEVELOPMENT COMMISSION
RESOLUTION 2024-11-PCDC**

**A RESOLUTION OF THE TOWN OF LYONS PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION RECOMMENDING THE ANNEXATION OF THE
TEBO ANNEXATION**

WHEREAS, pursuant to C.R.S. § 31-23-301, the Town of Lyons ("Town") possesses the authority to regulate land uses within the Town; and

WHEREAS, a written petition, together with four (4) prints of an annexation map has been filed with the Town Clerk requesting annexation of certain property to be known as the "Tebo Property," as more particularly described below; and

WHEREAS, the Town of Lyons Board of Trustees ("Board of Trustees") desires to approve an annexation petition in accordance with the Municipal Annexation Act, Section 31-12-101 *et seq.*, Colorado Revised Statutes and Lyons Municipal Code ("LMC") Chapter 15; and

WHEREAS, the Board of Trustees previously approved Resolution 2024-55, finding substantial compliance and initiating annexation proceedings for the Tebo Property, as defined therein and described below; and

WHEREAS, LMC Chapter 15 requires that the Town of Lyons Planning and Community Development Commission ("PCDC") make a recommendation to the Board of Trustees on the annexation of land; and

WHEREAS, pursuant to LMC § 15-1-220, "shall, by resolution, recommend approval of the petition for annexation with or without modifications and/or conditions, or recommend denial. If zoning of the property is requested at the time of annexation, the PCDC shall, by resolution, recommend approval with or without modifications and/or conditions, or recommend denial of the requested zoning. The PCDC shall refer any such recommendation to the Board of Trustees"; and

WHEREAS, concurrently with the consideration of this Resolution the PCDC is considering the zoning of the Tebo Annexation; and

WHEREAS, the PCDC has determined it is in the best interest of the Town to annex the property to be known as the Tebo Property to the Town and recommends to the Board of Trustees that it be annexed.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSION:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The PCDC hereby incorporates the findings of Resolution 2024-55 and 2024-74 and further finds that it is in the best interest of the Town to annex the Tebo Property to the Town.

Section 3. The Tebo Property is more particularly described in the real property records for Boulder County as:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED LONGMONT, IN THE COUNTY OF BOULDER, STATE OF COLORADO, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

The West half of the Southeast Quarter of the Northeast Quarter of Section 20, Township 3 North, Range 70 West of the 6th Principal Meridian,
Except the following:

Tract conveyed to Boulder County by deed recorded in Book 624 at Page 426;
Tract conveyed to Hugh Lee Hammonds and Susie Cornelia Hammonds by deed Recorded in Book 642 at Page 16;

Tract conveyed to Fred Dirkes by deed recorded in Book 660 at Page 162;
Tract conveyed to Fred David Dirkes and Dorothy Beth Dirkes by deed recorded September 05, 1957 in Book 1055 at Page 197;

Tract conveyed to City of Longmont by Deed recorded August 3, 1966 at Reception No. 822965;

And except any part of the land lying North of the Boulder County Highway known as the Old Estes Park Highway;

And except a tract in the Northeast corner, as stated to have been conveyed by Deed from William L. Parsons to Thomas McCall, as evidenced by deed recorded September 05, 1957 in Book 1055 at Page 200;

And except that part to the Department of Highways by instrument recorded January 19, 1968 on film 625 as Reception No. 869134,

And except a tract conveyed to Junge by deed recorded July 3, 1959 in Book 1113 at Page 416

PARCEL B:

All that portion of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 3 North, Range 70 West of the 6th P.M., County of Boulder, State of Colorado, lying East of the Boulder County highway, known as the Estes Park Highway, and North of the following described line:

Beginning at a point on the North right of way line of Highway No. 66, whence the Northeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said section 20, bears North $39^{\circ}49'$ East, 1032.99 feet; Thence North $1^{\circ}34'$ East, 405.87 feet to the True Point of Beginning of said line;

Thence Westerly parallel to the North line of Highway No. 66, 214.6 feet;

Thence South $1^{\circ}34'$ West, 157.77 feet;

Thence North $88^{\circ}47'$ West, 423.4 feet, more or less, to said Estes Park Highway; Except that parcel of land described in Warranty Deed from William L. Parsons and Elizabeth Parsons to Thomas McCall recorded December 13, 1879 in Book 58 at Page 147, Boulder County, Colorado records; and

Except that parcel of land described in Warranty Deed from George W. Kirk to Hugh Lee Hammonds and Susie Cornelia Hammonds recorded July 28, 1936 in Book 642 at Page 16, of said records.

THE PRIOR DESCRIBED PARCEL OF LAND ALSO BEING DESCRIBED AS FOLLOWS:

A parcel of land located in the Southeast quarter of the Northeast quarter of Section 20, Township 3 North, Range 70 West of the 6th P.M., County of Boulder, State of Colorado, described as follows:

Commencing at the Northeast corner of said South half of the Northeast quarter of section 20 (North sixteenth corner of sections 20 and 21) from whence the East quarter corner lies $S00^{\circ}15'23''W$, 1315.54 feet;

Thence $S59^{\circ}09'09''W$, 759.51 feet to the Northeasterly corner of a parcel of land described in deed recorded August 3, 1966 at Reception No. 822965, being the point of beginning;

Thence along the Northerly and Westerly lines of said parcel the following two courses:

1) $S84^{\circ}59'36''W$, 214.68 feet;

2) $S01^{\circ}03'36''W$, 157.77 feet;

Thence $N89^{\circ}17'24''W$, 410.41 feet, more or less to a point on the Easterly line of highland drive (previously known as Estes park highway);

Thence along the Easterly and Southerly right of way line of Highland Drive, being 20.00 feet from the approximate centerline (as of June, 2009), the following nine courses:

1) $N21^{\circ}03'39''E$, 31.46 feet;

- 2) N27°42'44"E, 48.39 feet;
- 3) N48°05'53"E, 58.96 feet;
- 4) N58°08'08"E, 148.64 feet;
- 5) N48°49'41"E, 107.44 feet;
- 6) N55°01'35"E, 138.17 feet;
- 7) N28°56'43"E, 100.35 feet;
- 8) N38°25'53"E, 70.69 feet;
- 9) N62°50'27"E, 75.50 feet;

Thence S00°00'00"W, 158.28 feet, more or less, along the extended Westerly line of a parcel described in deed recorded in Book 642 at Page 16 to the approximate Northerly bank (as of June, 2009) of the Palmerton ditch; Thence along the approximate Northerly bank (as of June, 2009) of the Palmerton ditch the following three courses:

- 1) N55°07'06"E, 40.49 feet;
- 2) N76°13'39"E, 28.23 feet;
- 3) S76°54'46"E, 13.12 feet;

Thence S01°03'36"W, 214.89 feet, more or less, along the Westerly line extended North of a parcel of land described in deed recorded July 12, 1966 at Reception No. 820796 to the point of beginning, County of Boulder, State of Colorado.

is hereby recommended to be annexed to the Town of Lyons, Colorado and is made a part of the Town, to be known as the Tebo Property, which annexation shall become effective upon completion of the Conditions contained in C.R.S. Section 31-12-113 including, without limitation, all required filings for recording with the Boulder County Clerk and Recorder.

Section 4. That, in annexing the Tebo Property to the Town, the Town does not assume any obligation respecting the construction of water mains, electric service lines, streets or any other service or utilities in connection with the Tebo Property except as may be provided for by Ordinances of the Town or as contractually agreed to in an annexation agreement with the applicant.

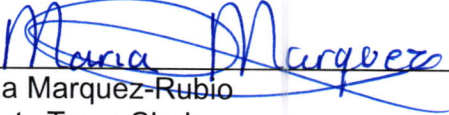
Section 5. This Resolution shall take effect immediately upon adoption

ADOPTED this 14th DAY OF August 2024.

**PLANNING AND COMMUNITY
DEVELOPMENT COMMISSION FOR THE
TOWN OF LYONS, COLORADO**

By: 
Neil Evers, Chair

ATTEST:


Maria Marquez-Rubio
Deputy Town Clerk

