

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1215**

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO,
DISCONNECTING FROM THE TOWN OF FREDERICK, THAT PORTION OF
HIGHWAY 52 PREVIOUSLY ANNEXED BY FREDERICK ON JANUARY 27,
2015**

WHEREAS, the Board of Trustees annexed three connected sections of Highway 52 on January 27, 2015; and

WHEREAS, the Weld County District Court by Order dated September 15, 2015 in case number 2015CV030314 directed the Town to disconnect these sections of Highway 52; and

WHEREAS, the Board of Trustees has determined that the disconnection of these rights-of-way are in the best interest of the Town and the Town will not be prejudiced by the disconnection of such tracts; and

WHEREAS, C.R.S. 31-12-501 authorizes the disconnection of territory from a municipality by ordinance;

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Frederick, Weld County, Colorado, that:

Section 1. The following sections of Highway 52 are hereby disconnected from the Town of Frederick:

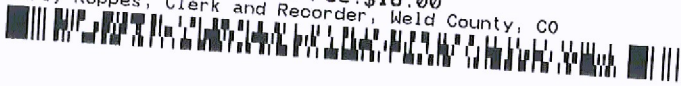
a. A parcel of land being a portion of the East Half of the Northeast Quarter of Section Five (5), Township One North (T.1N.), Range Sixty-seven West (R.67W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, as more precisely described in Exhibit A; and

b. A parcel of land being a portion of the East Half of the Northeast Quarter of Section Five (5), Township One North (T.1N.), Range Sixty-seven West (R.67W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, as more precisely described in Exhibit B; and

c. A parcel of land being a portion of the East Half of the Northeast Quarter of Section Five (5), Township One North (T.1N.), Range Sixty-seven West (R.67W.), Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado, as more precisely described in Exhibit C.

Section 2. Effective Date. This ordinance shall be published and shall become immediately effective upon its filing with the Weld County Clerk and Recorder which filing shall be accomplished in the event that the Weld County District Court denies the Town Frederick's Motion to Stay Judgment in case number 2015CV030314.

Section 3. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.



Section 4. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 5. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 12TH DAY OF JANUARY, 2016.

ATTEST:

TOWN OF FREDERICK

By *Meghan C. Martinez*
Meghan C. Martinez, Town Clerk

By *Tony Carey*
Tony Carey, Mayor

