

**RESOLUTION OF THE BOARD OF DIRECTORS OF
EVANS FIRE PROTECTION DISTRICT
FOR INCLUSION OF REAL PROPERTY**

THIS MATTER comes before the Board of Directors ("**Board**") of the Evans Fire Protection District ("**District**") upon the Petition of WetCo Farms Inc. ("**Landowner**"), which is the one hundred percent (100%) fee owner of certain real property more specifically identified in the Petition attached as **Exhibit A** ("**Property**"), to include the Property into the District's jurisdiction pursuant to C.R.S. § 32-1-401 of the Special District Act.

WHEREAS, the District is a political subdivision of the State of Colorado, formed pursuant to C.R.S. § 32-1-101, *et seq.* of the Special District Act, to provide fire suppression, fire prevention, rescue, hazardous materials, and emergency medical services (collectively, "**Emergency Services**") to the citizens and property within its jurisdiction;

WHEREAS, the Property currently is located within the jurisdiction and boundaries of the LaSalle Fire Protection District ("**LaSalle FPD**");

WHEREAS, the Property has been annexed into the jurisdiction and boundaries of the City of Evans ("**City**");

WHEREAS, in calendar year 2011, the City entered into an Intergovernmental Agreement for the Transfer of Emergency Services ("**IGA**") with the District. Pursuant to the IGA, it is the City's and District's intent that the District's boundaries and jurisdiction shall at all times include all property located within the City's corporate boundaries, as such boundaries may be adjusted from time-to-time through annexation or otherwise;

WHEREAS, pursuant to C.R.S. § 32-1-401(1)(b), the District duly published notice of a public meeting to be held on January 23, 2023 to consider the Landowner's Petition for Inclusion. The Notice of Public Meeting is attached as **Exhibit B**;

WHEREAS, on January 23, 2023, the District Board held a public meeting to consider the Landowner's request that the Property be included within the District's jurisdiction;

WHEREAS, during the January 23, 2023 public meeting, the District Board received no objection to the Landowner's request that the Property be included within the District's jurisdiction; and

WHEREAS, the Board of Directors has determined it is in the best interests of the District, the District's constituents, the Property, and the Landowner, and is consistent with the District's obligations under the IGA, that the Property be included within the District's jurisdiction immediately upon exclusion from LaSalle FPD's jurisdiction.

NOW THEREFORE, pursuant to C.R.S. § 32-1-401, the District Board hereby approves the inclusion of the Property identified in **Exhibit A** within the boundaries and jurisdiction of the

Evans Fire Protection District immediately upon exclusion of the Property from LaSalle Fire Protection District's jurisdiction.

Pursuant to C.R.S. § 32-1-402(1)(b), after the date of inclusion into the District, the Property shall be subject to all of the taxes and charges imposed by the District and shall be liable for its proportionate share of the District's existing bonded indebtedness; however, the Property shall not be liable for any taxes or charges levied or assessed prior to its inclusion into the District, nor shall its entry into the District be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge that is not uniformly made, assessed, or levied for the entire District without the prior consent of the Landowner or approval of the electors of the Property.

ADOPTED this 23rd day of January, 2023.

BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT



President



Secretary

**PETITION TO THE EVANS FIRE PROTECTION DISTRICT
FOR INCLUSION OF PROPERTY**

WHEREAS, the undersigned Petitioner is the 100% fee owner of certain real property, the legal description of which is attached hereto as Exhibit A-1 and Exhibit A-2 ("Property");

WHEREAS, the Property has been annexed to the City of Evans ("City"). The Property also currently is within, and receives fire and emergency services from, the LaSalle Fire Protection District ("LaSalle FPD");

WHEREAS, in 2011 the City organized the Evans Fire Protection District ("Evans FPD") to provide fire and emergency services to all property then annexed to, or that in the future may be annexed to, the City;

WHEREAS, as a condition of the Annexation Agreement entered into by and between the Petitioner and the City, the Petitioner is required to exclude the Property from LaSalle FPD's jurisdiction and include the Property into Evans FPD's jurisdiction; and

WHEREAS, Petitioner has petitioned the Board of Directors of LaSalle FPD to exclude the Property from LaSalle FPD's jurisdiction, and desires to include the Property into Evans FPD's jurisdiction immediately upon its exclusion from LaSalle FPD, stating:

1. The Petitioner assents to and requests the inclusion of the Property into Evans FPD's jurisdiction;

2. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-401(1)(c)(I), the Evans FPD Board may grant or deny this Petition in whole or in part, and with any conditions it deems necessary and appropriate;

3. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-402, upon inclusion into Evans FPD, the Property shall be subject to all of the taxes and charges imposed by Evans FPD and shall be liable for its proportionate share of existing bonded indebtedness of Evans FPD; but the Property shall not be liable for any taxes or charges levied or assessed prior to its inclusion into Evans FPD; nor shall inclusion of the Property be made subject to or contingent upon the payment or assumption of any tax, rate, fee, toll, or charge, other than the taxes, rates, fees, tolls and charges which are uniformly made, assessed or levied for all of Evans FPD, without the prior consent of the Petitioner. The Property shall also be liable for its proportionate share of annual operation and maintenance charges and the cost of facilities of Evans FPD and taxes, rates, fees, tolls or charges shall be certified and levied or assessed therefore;

4. The Petitioner understands and agrees that, pursuant to C.R.S. § 32-1-402(1)(c), the Petitioner may be required to pay a one-time processing fee incident to inclusion of the Property within Evans FPD. If a fee is required, Petitioner agrees to pay the fee contemporaneously with the filing of this Petition; and

5. The Petitioner understands and agrees it cannot withdraw this Petition without the consent of the Evans FPD Board of Directors after Evans FPD has published notice of a public hearing on the Petition.

NOW THEREFORE, pursuant to C.R.S. § 32-1-401(1), the Petitioner respectfully petitions the Board of Directors of the Evans FPD to include the Property into Evans FPD's jurisdiction immediately upon its exclusion from LaSalle FPD's jurisdiction.

Dated: 11/30/2022

Property Owner:

By: *Craig Sparrow*
 Name: Craig Sparrow, WetCo Farms, Inc.
 Title: Owner
 Address: 2055 1st Avenue
Greeley, CO 80631

STATE OF COLORADO)
) ss.
 COUNTY OF WELD)

The foregoing instrument was acknowledged before me this 30 day of Nov, 2022, by Craig Sparrow, (on behalf of Wetco Farms Inc).

Witness my hand and official seal.



Sharon Sparrow
 Notary Public
 My commission expires: 2/24/2025

CITY OF EVANS, COLORADO

ORDINANCE NO. 784-22

AN ORDINANCE ANNEXING AND ZONING CERTAIN LANDS TO THE CITY IN CONNECTION WITH THE MOUNTAIN CEMENT COMPANY PETITION FOR ANNEXATION AND ZONING SUCH LANDS

WHEREAS, the City Council of the City of Evans, Colorado, pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado; and

WHEREAS, WetCo Farms, Inc. (“the Petitioner”) filed with the City Clerk a Petition for Annexation dated June 17, 2022 requesting that the property described on Exhibit A, attached hereto (“the Property”), be annexed to the City of Evans, Colorado; and

WHEREAS, the City Council, reviewed the Petition at its meeting on August 1, 2022 and adopted Resolution No. 26-2022, setting the matter for public hearing on October 18, 2022 to determine whether the Property was eligible for annexation; and

WHEREAS, the City Council finds that the Property is eligible for annexation and that Ordinance 784-22 should be adopted; and

WHEREAS, pursuant to the provisions of the Evans City Code, including but not limited to Sections 18.06.030 and 18.06.040, the matter was referred to the Planning Commission to obtain a recommendation as to the appropriate zoning of the Property if it is annexed to the City; and

WHEREAS, the criteria to be considered by the Planning Commission and the City Council in zoning property, as set forth in Section 18.06.040.D of the Evans City Code are:

1. A need exists for the proposed uses,
2. The parcel of ground is indeed the correct site for the proposed development,
3. There has been an error in the assigned zoning, or
4. There have been significant changes in the area to warrant a zone change,
5. Adequate circulation exists and traffic movement would not be impeded by the development,
6. Additional municipal service costs will not be incurred which the City is not prepared to meet,
7. There are minimal environmental impacts or impacts can be mitigated,
8. The proposal is consistent with the Evans Comprehensive Plan, maps, goals

and polices, and

9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land use.

WHEREAS, at its meeting on September 27, 2022, the Planning Commission considered the appropriate zoning of the Property; and

WHEREAS, based on the criteria set forth above, the materials included in the Application, the matters presented to the Planning Commission by the Petitioner, and the comments of staff and the public, the Planning Commission adopted staff recommendations that the Property be zoned to Industrial, I-3; and

WHEREAS, based on the matters presented to it, including the Application, comments from staff and the public, and all applicable criteria and requirements, the City Council concludes that it is in the best interest of the City to annex the Property to the City of Evans; and

WHEREAS, based on the recommendation of the Planning Commission, as well as the Application, comments from staff and the public, and applying the criteria set forth above, the Council concludes that, the Property should be zoned Industrial, I-3 for land uses as defined in the current land use code through the appropriate land use planning process.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO AS FOLLOWS:

1. The Property described in Exhibit A, attached hereto and incorporated by reference herein, shall be and hereby is annexed to, incorporated in, and made a part of the City of Evans, Colorado.
2. The annexation of the Property to the City of Evans shall be complete and effective on the effective date of this ordinance, except for purposes of General Property Taxes, and shall be effective as to General Property Taxes on and after the first day of January 2023.
3. The Property shall be zoned Property Industrial, I-3 as defined in the current land use code.
4. The City Clerk, or their assign, is hereby directed to record this Ordinance and the Staff Report found in Exhibit B, attached hereto, with the Weld County Clerk and Recorder with the Annexation Agreement and the required mapping materials.

Recording all materials shall be concurrent.


5. Staff shall change the official Zoning Map for the City of Evans to reflect this approved Annexation and zoning change.

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

7. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

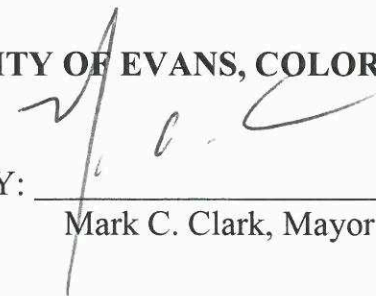
INTRODUCED AND PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 18th DAY OF OCTOBER, 2022.

ATTEST:


Julie Kamka, City Clerk

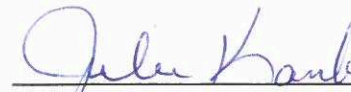


CITY OF EVANS, COLORADO

BY: 
Mark C. Clark, Mayor

PASSED AND ADOPTED ON A SECOND READING THIS 1st DAY OF NOVEMBER, 2022.

ATTEST:


Julie Kamka, City Clerk



CITY OF EVANS, COLORADO

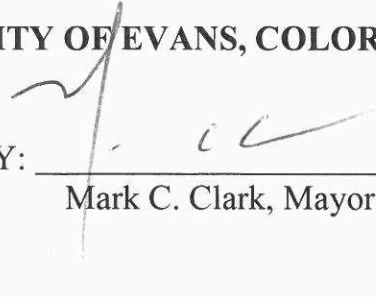
BY: 
Mark C. Clark, Mayor

EXHIBIT A: LEGAL DESCRIPTION

MCC Annexation #1

A parcel of land being annexed to the City of Evans and being a portion of Lot A and a portion of Lot B, Recorded Exemption No. 1057-03-04 RECX15-0163 recorded April 27, 2016 as Reception No. 4198942 of the Records of Weld County and situate within Section Three (3), Township Four North (T.4N.), Range Sixty-six West (R.66W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado being more particularly described as follows;

COMMENCING at the Southeast Corner of said Section 3 and assuming the East line of the Southeast Quarter of Section 3 as bearing North 00° 31' 39" West a distance of 2778.85 feet, and being monumented on the South by a #6 Rebar with a 3.25" Aluminum Cap stamped LS 38353 and on the North by a 3" Iron Pipe with a 3.25" Aluminum Cap stamped LS 13258 with all other bearings contained herein relative thereto:

THENCE North 00° 31' 39" West along said East line of the Southeast Quarter of Section 3 a distance of 50.00 feet to the most Easterly Southeast Corner of said Lot A, Recorded Exemption No. 1057-03-04 RECX15-0163;

THENCE South 88° 55' 06" West along the South line of said Lot A a distance of 30.00 feet to the Westerly line of the County Road 33 Annexation 3 to the Town of Evans recorded November 19, 2004 as Reception No. 3237185 of the Records of Weld County and to the **POINT OF BEGINNING**.

The following Three (3) courses are along the Southerly and Easterly lines of said Lot A.

THENCE South 88° 55' 06" West a distance of 50.00 feet;

THENCE South 00° 31' 39" East a distance of 50.00 feet to the South line of the Southeast Quarter of said Section 3;

THENCE South 88° 55' 06" West along said South line of the Southeast Quarter of Section 3 a distance of 10.00 feet;

THENCE North 12° 43' 58" West a distance of 818.35 feet;

THENCE North 07° 07' 43" East a distance of 812.17 feet to the Northerly line of Lot B, Recorded Exemption No. 1057-03-04 RECX15-0163;

THENCE North 86° 17' 13" East along the Northerly line of said Lot B and along the Southerly Right of Way line of The Union Pacific Railroad a distance of 125.00 feet to the Westerly line of said County Road 33 Annexation 3;

THENCE South 00° 31' 39" East along the Westerly line of the County Road 33 Annexation 3 a distance of 283.00 feet to the most Northerly Southerly line of said Lot B;

The following Three (3) courses are along the Southerly, Southeasterly and Northeasterly lines of said Lot B, RECX15-0163

THENCE South 89° 28' 21" West a distance of 17.40 feet to the beginning of a curve non-tangent to this course;

THENCE along the arc of a curve concave to the Northwest a distance of 566.56 feet, said curve has a Radius of 1312.00 feet, a Delta of 24° 45' 32" and is subtended by a Chord bearing South 19° 17' 31" West a distance of 562.17 feet to the endpoint of the curve;

THENCE South 25° 38' 08" East along a line non-tangent to the aforesaid course a distance of 490.21 feet to the Westerly line of said County Road 33 Annexation 3;

THENCE South 00° 31' 39" East along the County Road 33 Annexation 3 a distance of 305.38 feet to the **POINT OF BEGINNING**.

The above-described tract of land contains 164,776 square feet or 3.78 acres, more or less (±).

MCC Annexation #2

A parcel of land being annexed to the City of Evans and being a portion of Lot A and a portion of Lot B, Recorded Exemption No. 1057-03-04 RECX15-0163 recorded April 27, 2016 as Reception No. 4198942 of the Records of Weld County and situate within Section Three (3), Township Four North (T.4N.), Range Sixty-six West (R.66W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado being more particularly described as follows;

COMMENCING at the Southeast Corner of said Section 3 and assuming the East line of the Southeast Quarter of Section 3 as bearing North 00° 31' 39" West a distance of 2778.85 feet, and being monumented on the South by a #6 Rebar with a 3.25" Aluminum Cap stamped LS 38353 and on the North by a 3" Iron Pipe with a 3.25" Aluminum Cap stamped LS 13258 with all other bearings contained herein relative thereto:

THENCE South 88° 55' 06" West along the South line of the Southeast Quarter of said Section 3 a distance of 90.00 feet to the **POINT OF BEGINNING**.

The following Three (3) courses are along the Southerly and Westerly lines of said Lot A and the Westerly and Northerly lines of said Lot B, all of Recorded Exemption No. 1057-03-04 RECX15-0163.

THENCE South 88° 55' 06" West along the South Line of Said Southeast Quarter of Section 3 a distance of 2592.09 feet to the South Quarter Corner of said Section 3;

THENCE North 01° 24' 49" West a distance of 1488.09 feet to the Southerly Right of Way line of The Union Pacific Railroad;

THENCE North 86° 17' 13" East along the Southerly Right of Way line of The Union Pacific Railroad a distance of 2554.11 feet;

THENCE South 07° 07' 43" West a distance of 812.17 feet;

THENCE South 12° 43' 58" East a distance of 818.35 feet to the Southerly line of said Lot A and to the **POINT OF BEGINNING**.

The above-described tract of land contains 3,866,516 square feet or 88.76 acres, more or less (±).

EXHIBIT B: STAFF AGENDA REPORT

CITY COUNCIL AGENDA REPORT

DATE: October 18, 2022

SUBJECT: Public Hearing: Consideration of Resolution Number 31-2022 to Annex two parcels of land known as the Mountain Cement Annexation into the City of Evans and Consideration of Ordinance Number 784-22, to Zone the parcels to Industrial, I-3, if annexed to the City of Evans (Parcel numbers 1057-03-400001 and 1057-03-400002)

PRESENTED BY: Randy Ready, Interim City Manager
Anne Best Johnson, Community Development Director

ITEM DESCRIPTION:

Concurrent Land Use Applications

There are multiple land use applications that are being processed concurrently associated with the request of Eagle Materials to develop properties in Evans for an industrial project. Each of these processes is outlined below.

- Resolution 26-2022: Annexation Petition acceptance and established a hearing date for the Annexation and Change of Zone public hearings by City Council.
- Resolution 31-2022: Consideration of the Annexation and Annexation Agreement by City Council.
- Ordinance 784-22: Consideration of the Zoning classification, and authorization to staff to accordingly amend the official Zoning Map of the City of Evans for parcels 1057-03-400001 and 1057-03-400002.
- Resolution 32-2022: Consideration of a Variance for height in the Industrial I-3 zone district.

Procedure and Legal Notice

Section 18.06.030 of the Evans Municipal Code identifies the process and procedures that an applicant must follow in seeking approval of a Zoning District assignment when concurrent with an Annexation application. A preapplication meeting was held. The application materials were accepted upon submittal. Staff and referral agencies were given an opportunity to respond.

Surrounding property owners were sent a notice via certified mail on August 25, 2022. In accordance with Section 18.10.010, Staff posted a sign on August 4, 2022. Notice of the upcoming hearings were published in the Greeley Tribune for four weeks preceding the City Council hearing. The applicant provided notice to the Mineral Estate on August 25, 2022.

The applicant seeks approval to annex two parcels of land currently in unincorporated Weld County into the City and zone the property to Industrial, I-3. Planning Commission may hear the application for a Change of Zone and make a recommendation to City Council for consideration with the Annexation approval should City Council approve the Annexation at their hearings on October 18 and November 1, 2022. Planning Commission heard the request at their September 27, 2022 meeting and voted to forward their recommendation of approval on the Change of Zone request to Council for their consideration.

Review Criteria

Section 18.06.030 provides an overview of the procedure for annexing and zoning property into the City of Evans. Section 18.06.030.D provides a clear outline of nine Criteria to be met for the Planning Commission and City Council to approve an application request for a Change of Zone. These Criteria are listed below along with narrative detailing how staff has found each criteria is or can be met with the attached Conditions of Approval.

1. *That a need exists for the proposal*

The applicant has requested Annexation and concurrent zoning. Zoning property to Industrial, I-3 is compatible with the zoning of the properties on the east side of 47th Avenue. Industrial zoning and land uses are consistent with the 2022 Future Land Use Map associated with the recently-adopted Master Plan. The applicant will need to propose a land use through either a Site Plan or a Special Use Permit once the properties have been annexed and zoned in the City. The application will contribute to diversifying the business and employment base in Evans.

2. *The particular parcel is indeed the correct site for the proposed development*

The project site is across 47th Avenue from the MountainTRAX Industrial Park and southwest of the EnviroTech industrial site. The site is south of and adjacent to the rail line. Rail will be used to bring raw materials to the site. Operations, Engineering and Planning, along with outside referral agencies have reviewed the application and find that the property is appropriate for industrial development.

3. *There has been an error in the original zoning OR*

4. *There have been significant changes in the area to warrant a change of zone*

The property is not in the City of Evans at this time so there is no error in the original zoning. As discussed in the response to question 1 above, zoning the property to Industrial, I-3 is compatible with the zoning of the adjacent property and the projected land use in the Master Plan's Future Land Use Map.

5. *Adequate circulation exists and traffic movement would not be impeded by development*

The applicants will be required to provide a Traffic Impact Study with their land use permit. In addition, the Annexation Agreement contains language regarding traffic on 47th Avenue. A

subsequent Development Agreement will also be developed through the land use permitting process.

6. *Additional municipal service costs will not be incurred which the City cannot meet*
Required services will be reviewed with a future land use permit application.

7. *There are minimal environmental impacts or impacts can be mitigated*
The act of changing the zone of these parcels does not create environmental impacts. Future site-specific plans will be required to discuss how proposed development may impact the environment and include any mitigation measures.

8. *The proposal is consistent with the Evans Comprehensive Plan maps, goals and policies*
The Three-Mile Plan adopted on February 15, 2022 identifies this property as appropriate for future industrial development.

9. *There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.*

Future site-specific plans will be required to discuss how the proposed development may impact service providers. Since the application is for industrial development, the impact to schools and parks and recreation are limited vs. the impact resulting from residential development. Referral agencies such as the City's Stormwater and Water Departments and the Engineering Department will also review the future land use application to determine if there are impacts to be mitigated, inclusive of impacts to local roads.

Recommendation

Planning Commission found that the application materials for the Change of Zone request were filed correctly and that the request is consistent with the Land Use Code process, procedures and criteria for approval, as well as the intent of the Master Plan. Planning Commission made a motion to recommend approval of the Change of Zone request should Council approve the Annexation.

Conditions of Approval

1. The applicant must annex into the Evans Fire Protection District within (90) days of annexing land into the City of Evans. Please contact the Evans Fire Protection District Chief when ready to start the process. Provide evidence to the City of Evans that the Annexation process has commenced with the Evans Fire Protection District.

2. The following Development Standards shall be placed on the Change of Zone Map as notes under the heading of "Development Standards."

- a. Approval of this plan may create a vested property right pursuant to Article 68 of Title 24 C.R.S., as amended.
 - b. The plans reviewed by the City and subsequently recorded with Weld County Clerk and Recorder constitute the extent of the land use approval. Any changes may necessitate an
-

amendment to the land use permit.

- c. All land use activities occurring on the property are required to have a site-specific development plan such as a Site Plan or a Special Use Permit.
- d. All required building permits for structures, buildings, building additions and new signs shall be filed with the City of Evans for review and issuance. Review by the Evans Fire Protection District is required.
- e. The property owner is responsible for providing an adequate amount and quality of water supply to the property to serve the proposed development.
- f. The application reviewed by the City and subsequently recorded with Weld County Clerk and Recorder constitute the extent of the approval for a change of zone.
- g. The site shall remain in compliance with the City Code, at all times.
- h. Nuisance conditions, including, but not limited to, glare, noise, dust, and light shall be cause for revocation of the land use permit.

3. The Change of Zone map shall be provided to the City Planning Department for approval along with all items needed to satisfy the Conditions of Approval. Upon approval, the applicant shall return the final Change of Zone maps to the City electronically with necessary signatures and stamps.

FINANCIAL SUMMARY:

An Annexation Agreement is required with the Annexation. A Development Agreement will be required with the future land use application to address financial impacts.

RECOMMENDATION:

Staff recommends approval of the request to Annex the properties into the City of Evans. Planning Commission heard the request for zoning at its September 27, 2022 public hearing and recommends that City Council zone the property as requested in application materials. These recommendations are provided to City Council based upon the Criteria for Approval found in the Land Use Code, referral agency responses and findings of Planning Commission.

SUGGESTED MOTIONS:

“Upon review of the Criteria for Approval found in Title 18 of the Municipal Code and Planning Commission’s findings, I move to approve Resolution Number 31- 2022 to Annex two parcels of land associated with the Mountain Cement property into the City of Evans. I further move to approve Ordinance Number 784-22 zoning the two parcels Industrial, I-3 on first reading and direct staff to change the official zoning map for the City of Evans upon final approval.”

"I move to deny Resolution Number 31-2022 to Annex two parcels of land associated with the Mountain Cement property into the City of Evans. I further move to approve Ordinance Number 784-22 zoning the two parcels Industrial, I-3 on first reading for the reasons stated."

ATTACHMENTS:

- Annexation Agreement
- Annexation Impact Report
- Ordinance Number 784-22
- Resolution Number 31-2022
- Draft Planning Commission Minutes
- Project Description
- Project Maps

**NOTICE OF PUBLIC MEETING
ON PETITION FOR INCLUSION OF PROPERTY INTO THE
EVANS FIRE PROTECTION DISTRICT**

PLEASE TAKE NOTICE that at 6:30 p.m. on January 23, 2023, the Board of Directors of the Evans Fire Protection District ("District") will hold a public meeting to consider a Petition by WetCo Farms Inc., 2055 1st Avenue, Greeley, CO 80631 to include into the District's jurisdiction and boundaries the following real property, which currently is located within the LaSalle Fire Protection District:

A parcel of land being annexed to the City of Evans and being a portion of Lot A and a portion of Lot B, Recorded Exemption No. 1057-03-04 RECX15-0163 recorded April 27, 2016 as Reception No. 4198942 of the Records of Weld County and situate within Section Three (3), Township Four North (T.4N.), Range Sixty-six West (R.66W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado.

Copies of the Petition and the legal description of the real property subject to the requested inclusion may be obtained from the District at its Administrative Office, located at Fire Station 2, 2100 37th Street, Evans, CO 80620; (970) 339-3920.

The public meeting will be held at the District's Fire Station 2 at the address above. Questions prior to the public meeting should be directed to Fire Chief Joe DeSalvo, (970) 339-3920.

All interested persons, municipalities, or counties that may be able to provide service to the above-identified real property shall appear at the public meeting and show cause in writing why the Board of Directors of the District should not adopt a final resolution and order approving inclusion of the real property. The Board of Directors may continue the public meeting to a subsequent meeting. The failure of any person within the District to file a written objection shall be taken as an assent on his or her part to the inclusion of the property into the District's jurisdiction.

BY ORDER OF THE BOARD OF DIRECTORS OF THE
EVANS FIRE PROTECTION DISTRICT

By: /s/ Marty Schanwolf
Secretary

Sharon Bowles

From: jdgeddes@prairiemountainmedia.com on behalf of Classifieds Main
<classifieds@prairiemountainmedia.com>
Sent: Tuesday, January 17, 2023 9:06 AM
To: Sharon Bowles
Subject: Re: legal notice

This is scheduled for Jan 20 in the GT, ad#1949760, cost \$41.36
JD

On Tue, Jan 17, 2023 at 8:39 AM Sharon Bowles <sbowles@evansfiredistrict.org> wrote:

Good Morning,

Please publish the attached as soon as possible. Please advise if this cannot be published before Saturday, January 21.

Thank you,

Sharon Bowles

Business Manager

Evans Fire Protection District

O – 970-339-3920 x202

C – 970-988-0878



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Prairie Mountain Publishing-
303-466-3636
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