

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CARBON VALLEY PARKS AND RECREATION DISTRICT
FOR THE ADOPTION OF PETITION FOR INCLUSION INTO THE DISTRICT

RESOLUTION 2024 – 3

By the Board of Directors of the Carbon Valley Parks and Recreation District Concerning an Adoption of Petition for Inclusion into the District.

WHEREAS, the Carbon Valley Parks and Recreation District Board of Directors recognized the submittal for the adoption of a petition for inclusion into the District and directed staff to provide for a public review of the document; and

WHEREAS, the District's Rules and Regulations state that persons whose property is located outside the boundaries of the District are required to file for a petition for the inclusion of real property with the District; and

WHEREAS, the District currently provides recreational services within its boundaries, for the benefit of its residents and property owners located in Weld County, State of Colorado; and

WHEREAS, Petitioner is the owner of certain real property (hereinafter, the "Property"), described in **Exhibit A** attached hereto and incorporated herein by this reference;

WHEREAS, the JOHNSON FARMS LLP has made a formal request dated September 7, 2023, to include the JOHNSON FARMS/SPINDLE HILL ENERGY MINOR SUBDIVISION, OUTLOT 1. 142.91 ACRES MORE OR LESS. PART OF THE SOUTH HALF OF SECTION 33, AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO into the Carbon Valley Parks and Recreation District boundaries and attached to that request a legal description of that portion to be considered for inclusion; and

WHEREAS, the Carbon Valley Parks and Recreation District Board of Directors has reviewed the Adoption of a Petition for Inclusion of real property and that District Board of Directors request that portion to be included therein; and

WHEREAS, the District published notice on January 25, 2024 of a public hearing concerning the inclusion request and the JOHNSON FARMS LLP resolution at least ten (10) days before the public hearing was held; and

WHEREAS, a public hearing was held on February 21, 2024, concerning the inclusion matter, and at the conclusion of that hearing the District decided to proceed with the adoption of the petition for inclusion of JOHNSON FARMS LLP.

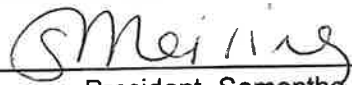
NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

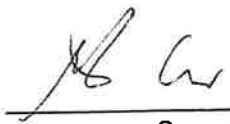
1. The Carbon Valley Parks and Recreation District Board of Directors concludes that the inclusion of JOHNSON FARMS LLP is as described in the attachment hereto; and

2. The Carbon Valley Parks and Recreation District Board of Directors hereby accepts and adopts by this resolution, effective immediately, to include JOHNSON FARMS LLP into the Carbon Valley Parks and Recreation District boundaries.

The foregoing is a true copy of a resolution duly adopted by the Board of Directors of the Carbon Valley Park and Recreation District by vote at a public meeting on the 21st day of February 2024.

BY ORDER OF THE BOARD OF DIRECTORS OF THE
CARBON VALLEY PARKS AND RECREATION DISTRICT

By: /s/ 
President, Samantha Meiring


ATTEST:
Secretary, Stevin Colvin


Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

Carbon Valley Park & Rec District**
8350 CR 13, Ste#180
Firestone CO 80504

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Weld } ss


This Affidavit of Publication for the Fort Lupton Press, a weekly newspaper, printed and published for the County of Weld, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 1/25/2024, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Fort Lupton Press

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 1/25/2024. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing on Petition for Inclusion Of Real Property into Recreation District

Frederick, Colorado - PLEASE TAKE NOTICE that at 6:30 PM on February 21, 2024 the Board of Directors of the CARBON VALLEY PARKS AND RECREATION DISTRICT will hold a public hearing to consider a Petition of Inclusion by JOHNSON FARMS LLP to be included into the Carbon Valley Parks and Recreation District's boundaries with the following legal description of real property:

LEGAL DESCRIPTION – JOHNSON FARMS/SPINDLE HILL ENERGY MINOR SUBDIVISION, OUTLOT 1. 142.91 ACRES MORE OR LESS. PART OF THE SOUTH HALF OF SECTION 33, AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO

Copies of the Petition and the legal description of the property is subject to the above-mentioned inclusion may be obtained from Bryan Hostetter, 151 Grant Avenue, Firestone, Colorado, 80520.

The public hearing will be held at the Carbon Valley Parks and Recreation District Community Center located at 151 Grant Avenue, Firestone, CO, 80520, February 21, 2024 at 6:30 PM. Questions prior to the public meeting should be directed to Bryan Hostetter, Business and Finance Director, (303) 833-3660 Ext. 104.

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

Dean Rummel, Executive Director
Carbon Valley Parks and Recreation District

For more information or to view Petitions for Inclusion, please contact Bryan Hostetter at bhostetter@cvprd.com.

Legal Notice No. FLP999
First Publication: January 25, 2024
Last Publication: January 25, 2024
Publisher: Fort Lupton Press



For Immediate Release

Date: January 17, 2024

Contact: Bryan Hostetler

Phone 303-833-3660 ext. 104

Email bhostetler@cvprd.com

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Dean Rummel, Executive Director

Carbon Valley Parks and Recreation District

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CARBON VALLEY

PARKS & RECREATION DISTRICT

Draft Form Completed for Owner's Signature
09/07/23

RE: Required Inclusion into Carbon Valley Parks and Recreation District - Frederick, Colorado

Dear Property Owner or Developer:

Pursuant to the Intergovernmental Agreement between Town of Frederick and Carbon Valley Parks and Recreation District (CVPRD), the Town requires developments/properties within the Town that are not currently within CVRPD to Petition for Inclusion into the special district. At present, the property owned by your organization in the Town of Frederick is not included in the parks and recreation special district.

To encourage immediate compliance with the agreement, an inclusion packet is enclosed with all District requirements. The packet contains instructions and forms to help you successfully and legally petition into CVPRD. A signed and notarized Petition for Inclusion form must be submitted as Exhibit A and a map of the real property/properties must be attached to the petition as well. CVPRD recommends you maintain a complete copy of the inclusion packet for your records before returning all original documents to the District for processing. CVPRD will absorb any costs associated with processing the inclusion request and a public hearing shall be scheduled.

The District requests that you respond with the petition for inclusion as soon as possible. Please do not hesitate to contact me directly with questions or concerns.

Thank you in advance for your cooperation and compliance.

Sincerely,

Dean Rummel
Executive Director
Drummel@cvprd.com

Enclosures



CARBON VALLEY

PARKS & RECREATION DISTRICT

Instructions for Inclusion of Real Property into Carbon Valley Parks & Recreation District

1. Pursuant to the Town/City annexation ordinance and Intergovernmental Agreement, a property that seeks annexation into or development within the Town/City shall also seek inclusion into all applicable special districts.
2. The Carbon Valley Parks and Recreation District absorbs all the costs associated with processing inclusion.
3. A Petition for Inclusion **must be executed before a notary public by 100% of the owners of the real property to be included into the District.**
4. An accurate legal description and map of the real property to be included into the District **must be attached to the fully executed Petition for Inclusion.**
5. The fully executed Petition for Inclusion must be filed with the District at the following address:

Carbon Valley Parks and Recreation District

Attention: Bryan Hostetler

701 5th Street

Frederick, Colorado 80530

303.833.3660 Fax 303.833.7068

bhostetler@cvprd.com

6. Upon the receipt of the Petition for Inclusion, the Board of Directors of the District will set a public hearing at which the Board will consider the petition. Notice of the public hearing will be published one time prior to the public hearing.
7. At such public hearing, upon the approval of the Petition, the Board will issue an Order of Inclusion, which will be filed with the Weld County District Court with a request that the District Court Judge issue a final Order of Inclusion.
8. Upon issuance of the Order of Inclusion by the Weld County District Court Judge, the Order will be recorded with the Weld County Clerk and Recorder, and the inclusion will be in effect.



CARBON VALLEY

PARKS & RECREATION DISTRICT

Petition for Inclusion Filing Name:

Columbine Heights (a.k.a. Johnson Farms/Spindle Hill Energy Minor Subdivision)

In the Matter of Carbon Valley Parks and Recreation District, Weld County, Colorado.

To The Board of Directors of District:

The undersigned Petitioner(s), being the free owner(s) of 100% of the real property hereinafter described, hereby request(s) that such property be included within the Carbon Valley Parks and recreation District, as provided by law, and for cause, state(s):

- 1. That such property is capable of being served with facilities of District.**
- 2. That assent to the inclusion of such property in the District is hereby given by the undersigned, who constitute(s) the free owner(s) of 100% of such property.**
- 3. That there shall be no withdrawal from this Petition after consideration by the Board, nor shall further objections be filed thereto by the Petitioner(s).**
- 4. That the inclusion of such property into the District shall be subject to any and all terms and conditions established by the Board and accepted by Petitioner(s), and to all duly promulgated rules, regulations and rates of District.**
- 5. That the property owned by Petitioner(s) and sought to be included in District is accurately described as follows:**

See Exhibit A attached hereto and incorporated herein by this reference.



CARBON VALLEY

PARKS & RECREATION DISTRICT

Exhibit A

(If more than two Petitioners/Property Owners, please copy this page as needed.)

PETITIONER (S):

Johnson Farms, LLP

Printed Name of Petitioner

c/o Susan Troutd

Title / Company

None - Approx. 7701 Hwy 52

Property Address *See Legal Description below

Frederick, CO 80530, Weld Co.

City, State, Zip COUNTY

Who owns 100 % of property

talltailamas@gmail.com

Phone Number or Email

Susan J Troutd
managing partner

Signature of Petitioner

Printed Name of Petitioner

Title / Company

Property Address

City, State, Zip COUNTY

Who owns _____ % of property

Phone Number or Email

Signature of Petitioner

State of Colorado

Boulder County

)
) ss.
)

ANNA HERRERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20234024903
MY COMMISSION EXPIRES JUNE 30, 2027

Subscribed and sworn to before me this 23rd day of October, 2023

Witness my hand and official seal.

[Signature]
Notary of the Public

My commission expires June 30, 2027

*JOHNSON FARMS/SPINDLE HILL ENERGY MINOR SUBDIVISION, OUTLOT 1. 142.91 ACRES MORE OR LESS. PART OF THE SOUTH HALF OF SECTION 33, AND THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 67 WEST OF THE PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO



CARBON VALLEY

PARKS & RECREATION DISTRICT

Office Use Only:

Received petition of inclusion _____ (date)

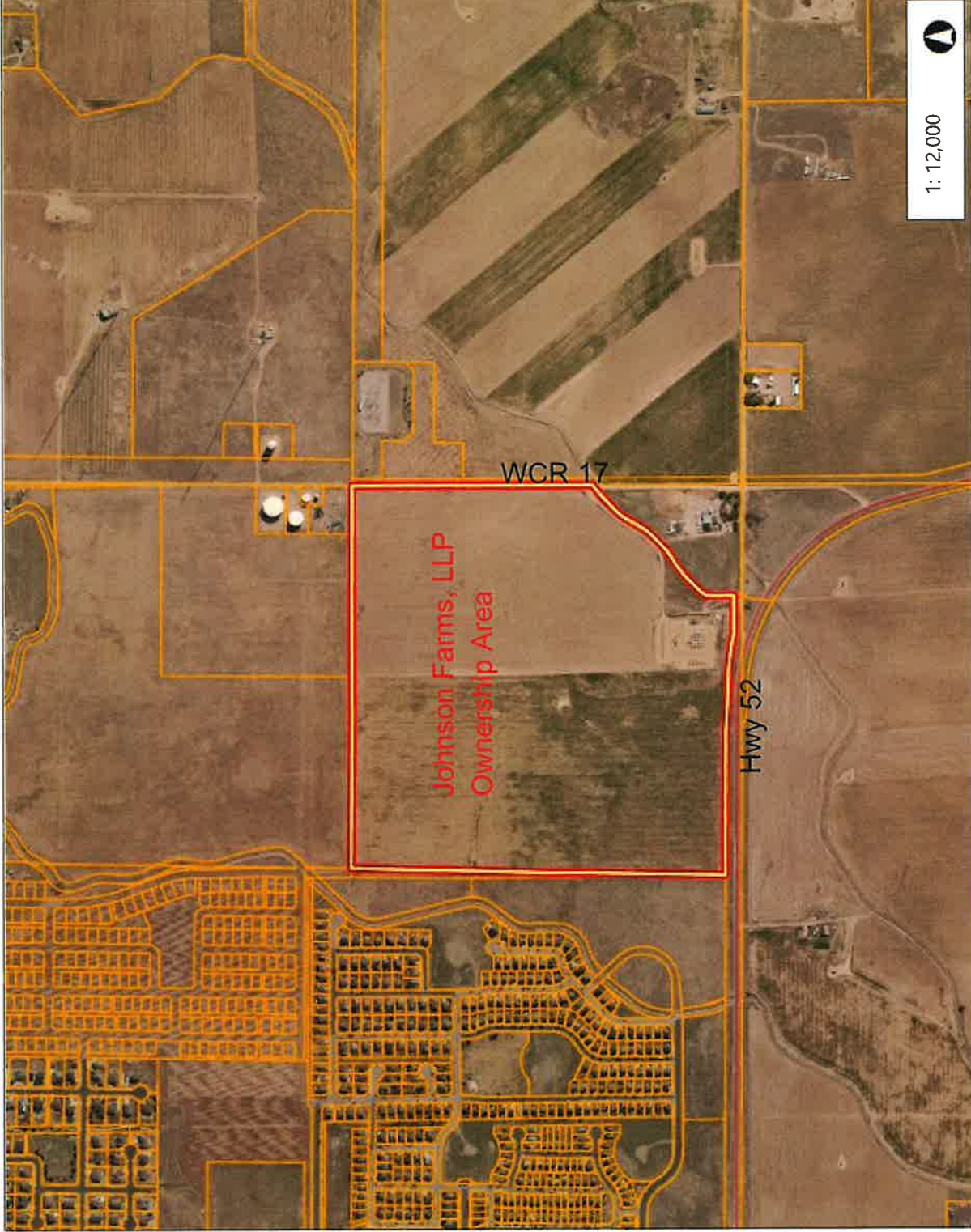
Board Agenda _____ (date)

Order of Inclusion submitted to Weld County Courts _____ (date)



Legend

- Parcels
- Highway
- County Boundary



1: 12,000



This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Johnson Farms Ownership Area

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Legal Notice No. FLP999
First Publication: January 25, 2024
Last Publication: January 25, 2024
Publisher: Fort Lupton Press

Katie Hyde

From: Jean Schaffer <jschaffer@coloradocommunitymedia.com>
Sent: Wednesday, January 17, 2024 3:14 PM
To: Katie Hyde
Subject: Legal Proof: FLP999 notice of inclusion JOHNSON FARMS LLP
Attachments: AdProof_51565.pdf

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hi Katie Hyde,

Here is your legal notice.

See an attached prepress proof of the notice. Please carefully proof this, including the case number and make sure it's all accurate. Let me know if you need changes or anything else.

Total due: \$44.04
Order No.: 51565
Advertiser No.: 17326

Description: FLP999 notice of inclusion JOHNSON FARMS LLP
Run dates: FLP: 1/25/2024

And finally, an affidavit of publication will be mailed (via US mail) to you after the notice finishes its run. Expect them within a week following the last run on 1/25/2024. You will need to file it with the court.

In addition to the prepress proof, please verify your address here:

Carbon Valley Park & Rec District**
8350 CR 13, Ste#180
Firestone CO 80504

If you have decided you don't need the notice, please tell us so it can be canceled. Thanks.

Thank you for publishing your legal notice with Colorado Community Media! We appreciate your business.

Thank you,
Jean Schaffer

Jean Schaffer • Legal Specialist • 303-566-4123

Please send any replies to legals2@coloradocommunitymedia.com OR jschaffer@coloradocommunitymedia.com

Deadlines

Wednesday 1 week prior to publication by 3PM

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