

ORDINANCE NO. 361

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE TOWN OF BERTHOUD, COLORADO, TO BE KNOWN AND DESIGNATED AS GREER SUBDIVISION SECOND FILING TO THE TOWN OF BERTHOUD, COLORADO.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. That a petition for Annexation together with four copies of a Plat of said territory as required by law was filed with the Board of Trustees February 8, 1972, by the owners of more than fifty per cent (50%) of the area of the territory hereinafter described and the Petition for Annexation contains signatures of one hundred per cent (100%) of the land-owners. That the Trustees by resolution, at their regular meeting held on February 8, 1972, accepted said petition and found that the petition substantially complied with the statutory requirements set forth in C.R.S. 1963, as amended, 139-21-3, 139-21-4, and 139-21-6. The Board of Trustees determined that the applicable parts of Section 139-21-3 and 129-21-4 have been met and further determined that an election is not required under Section 139-21-6(2) as provided in 139-21-10. The Board of Trustees determined that additional terms and conditions were not to be imposed and that the petition was signed by owners of 100% of the property proposed to be annexed, exclusive of streets and alleys. Therefore, in accordance with 139-21-6(1) (h) the Town Board determined that an ordinance to annex such territory to the municipality should be adopted without notice or hearing and without election.

Section 2. That the annexation to the Town of Berthoud of the following described territory, to be known and designated as " Greer Subdivision Second Filing to the Town of Berthoud, Colorado" is hereby approved:

Commencing at the North Quarter corner of said Section 23 and considering the North line of the NE $\frac{1}{4}$  of said Section 23 to bear North 90° 00' 00" East, with all bearings herein being relative thereto:

Thence North 90° 00' 00" East along the North line of the NE $\frac{1}{4}$  of said Section 23, a distance of 727.50 feet; thence South 00° 58' 00" West, 913.02 feet to the true point of beginning; said point being also the Southwest corner of Greer Subdivision, First Filing according to the recorded plat thereof; Thence North 90° 00' 00" East along the South line of said Greer Subdivision First Filing, 826.57 feet to the Southeast corner of Said Greer Subdivision First Filing, said point being on the westerly right-of-way line of the Colorado and Southern Railroad; thence along said westerly right-of-way line by the following 4 bearings and distances:

South 01° 57' 30" East, 86.95 feet; North 88° 02' 30" East, 50.00 feet; South 01° 57' 30" East 573.20 feet; along the arc of a 1482.69 foot radius curve to the left, a distance of 203.28 feet; the long chord of which bears South 05° 53' 10" East; 203.16 feet to the Southeast corner of said Lot 9; Thence South 90° 00' 00" West along the South line of said Lot 9 a distance of 934.42 feet to the Southwest corner of said Lot 9; thence North 00° 57' 52" East, 860.27 feet to the true point of beginning.

Section 3. The Board of Trustees herewith finds, determines and designates that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety, and whereas, in the opinion of the Board of Trustees an emergency exists, this ordinance shall take effect and be in force five (5) days after its final passage, adoption and publication.

The above ordinance was passed on the first reading and adopted by the Board of Trustees of the Town of Berthoud, Colorado, at its regular meeting held Tuesday, February 8, 1972.

Signed and approved this 8th day of February, 1972.

TOWN OF BERTHOUD

John S. Angeles  
Mayor Pro Tem

ATTEST:

Carol A. Mayo  
Town Clerk

Published: February 17, 1972