

ORDINANCE NO. 448

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS JONES SECOND ANNEXATION 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 June 27, 1978, by the owners of more than fifty percent (50%) of the area of the territory hereinafter described and the Petition for Annexation contains signatures of one hundred percent (100%) of the landowners. That the Trustees by resolution, at their regular meeting held on June 27, 1978, accepted said Petition and found that the Petition substantially complied with the statutory requirements set forth in C.R.S. 1973, as amended, 31-12-104, 31-12-105 and 31-12-107. The Board of Trustees determined that the applicable parts of Section 31-12-104 and 31-12-105 have been met and further determined that an election is not required under Section 31-12-107 as provided in 31-12-111. 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. Therefor, in accordance with 31-12-107, 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 Jones Second Annexation to the Town of Berthoud, is hereby approved:

That portion of Section 23, Township 4 North, Range 69 West of the 6th P.M., Larimer County, Colorado, more particularly known as follows:

Beginning at the Southwest corner of Jones Subdivision First Filing, an addition to the Town of Berthoud, said point being on the centerline of Fifth Street; thence (1) S 00° 57' 52" W 152.80 feet along same Fifth Street centerline; thence (2) S 62° 02' 57" E 33.66 feet; thence (3) S 00° 57' 52" W 106.14 feet; thence (4) east 748.50 feet to a point on a curve; thence (5) along said curve having a radius of 230.00 feet; a chord bearing of S 22° 37' 40" E and a chord length 70.96 feet to the end of curve; thence (6) S 31° 30' E 5.00 feet; thence (7) S 89° 52' 51" E 70.46 feet; thence (8) N 77° 26' 57" E 164.70 feet to a point on a curve, said point being on the Westerly right of

way line of the Colorado and Southern Railroad; thence (9) along said curve having a radius of 5338.03 feet; a chord bearing of N 12°16'56" W and a chord length of 48.01 feet to the end of curve; thence (10) N 12°01'28" 134.87 feet; thence (11) West 48.00 feet; thence (12) South 20.00 feet; thence (13) West 151.43 feet; thence (14) North 150.00 feet; thence (15) West 797.28 feet to the point of beginning.

The above described parcel contains 5.93 acres, more or less.

Section 3:

The Board of Trustees herewith finds, determines and designates that because of the use of septic systems and domestic wells in a densely populated area, 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 upon its final passage.

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, July 11, 1978.

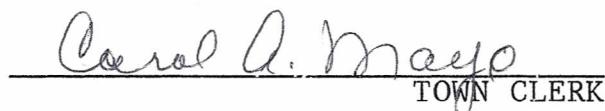
Signed and approved this 11th day of July, 1978.

TOWN OF BERTHOUD:



MAYOR

ATTEST:



Carol A. Mayo
TOWN CLERK

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