

ORDINANCE NO. 796

AN ORDINANCE APPROVING THE PLAT FOR THE SUBDIVISION OF BERTHOUD COMMON, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 4 NORTH, RANGE 69 OF THE 6TH P.M., AND RE-ZONING OF THE SUBDIVISION PARCEL LOCATED IN THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

Section 1.

WHEREAS, the Planning Commission and the Board of Trustees of the Town of Berthoud have resolved the issues surrounding the subdivision plat for the development of land located in the Town of Berthoud, County of Larimer, State of Colorado.

Section 2.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO:

The Board of Trustees hereby approves the Subdivision of Berthoud Common legally described as follows:

A tract of land located in the NW 1/4 of Section 24, Township 4 North, Range 69 West of the 6th P.M., Town of Berthoud, County of Larimer, State of Colorado, described as follows:

Commencing at the Northwest Corner of said Section 23, from which the N 1/4 corner of said Section 23 bears S 88°59'18" E, thence S 88°59'18" E, 1165.54 feet along the North line of the NW 1/4 of said Section 23 to a Northeast corner of Bein Sixth Annexation as Recorded in Book 2296 at Page 1460 of the Records of Larimer County, Colorado; thence S 00°15'21" E, 455.28 feet along an easterly line of said Bein Sixth Annexation to the TRUE POINT OF BEGINNING:

Thence the following six (6) courses and distances are along the easterly line of said Bein Sixth Annexation: Thence continuing S 00°15'21" E, 292.53 feet; thence S 89° 16'00" E, 500.00 feet; thence S 60° 00'00" E, 200.00 feet; thence S 27°00'00" E, 200.00 feet; thence S 50°00'00" E, 37.07 feet; thence S 00°54'38" E, 398.79 feet along the easterly line of said Bein Sixth Annexation to the Southeasterly corner thereof; thence N 76°04'21" W, 816.07 feet along a southerly line and a southerly line extended Northwesterly of said Bein Sixth Annexation; thence S 31°00'00" W, 216.36

Town of Berthoud  
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feet to a point of curve to the left; thence Southwesterly, 90.34 feet along the arc of said curve to the Northeast corner of Berthoud Heights - West Subdivision, a Subdivision of the Town of Berthoud, County of Larimer, State of Colorado, according to the recorded plat thereof, said arc having a radius of 620.00 feet, a central angle of  $8^{\circ}20'55''$  and being subtended by a chord that bears S  $26^{\circ}49'32''$  W, 90.26 feet; the following four (4) courses and distances are along the Northerly line of said Berthoud Heights - West Subdivision: Thence S  $89^{\circ}44'39''$  W, 355.21 feet; thence N  $64^{\circ}00'00''$  W, 380.00 feet; thence N  $05^{\circ}30'00''$  E, 300.00 feet; thence N  $81^{\circ}30'00''$  W, 350.00 feet to the West line of the NW 1/4 of said Section 23; thence N  $00^{\circ}30'03''$  W, 568.84 feet along the West line of the NW 1/4 of said Section 23 to a point from which the TRUE POINT OF BEGINNING bears S  $89^{\circ}16'00''$  E; thence S  $89^{\circ}16'00''$  E, 1163.46 feet to an East line of said Bein Sixth Annexation and the TRUE POINT OF BEGINNING, containing 34.148 acres, more or less.

The above described parcel is subject to all existing easements and/or rights-of-way of record.

Said parcel is hereby platted into Outlot A and Lots 1 through 7, Block 1; Outlot B and Lots 1 through 6, Block 2; Lots 1 through 12, Block 3; Lots 1 through 13, Block 4; Lots 1 through 9, Block 5; Outlot C and Lots 1 through 23, Block 6; Outlot D and Lots 1 through 10, Block 7; and, Block 8 as described on the Plat for Berthoud Common which is incorporated herein by reference. It is further determined the plat is to be recorded in the office of the Larimer County Clerk and Recorder.

The above subdivision plat is re-zoned to R1 except for Block 8 which is to remain zoned R3.

### Section 3.

The Town of Berthoud hereby accepts dedication to the public of all streets, Outlots A through D and utility easements as described on said plat.

### Section 4. Effective Date:

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordnance shall take effect and be in force thirty (30) days after publication.

At its meeting April 28, 1998, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 12th day of May, 1998. After the

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public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 12th day of May, 1998.

ATTEST:

Mary K. Cowdin

Mary K. Cowdin - Town Clerk

Published: 5-14-98

TOWN OF BERTHOUD:

Richard D. Strachan

Richard D. Strachan - Mayor