

ORDINANCE NO. 899

AN ORDINANCE ANNEXING AND ZONING LAND TO THE TOWN OF BERTHOUD, COUNTIES OF LARIMER AND WELD, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE HAMMOND ANNEXATION NO. 1, HAMMOND ANNEXATION NO. 2, HAMMOND ANNEXATION NO. 3, AND HAMMOND ANNEXATION NO. 4 TO THE TOWN OF BERTHOUD, COLORADO.

WHEREAS, four Petitions for Annexation together with seven copies for each petition of a Plat of said land as required by ordinance were filed with the Town of Berthoud by the owners of more than fifty percent (50%) of the area of the land hereinafter described; and,

WHEREAS, the Board of Trustees by resolution at its regular meeting accepted said Petitions and found that the Petitions substantially complied with the statutory requirements set forth in Sections 31-12-104, 31-12-105 and 31-12-107, C.R.S.; and,

WHEREAS, the Board of Trustees has determined that an election is not required under Section 31-12-107(2), C.R.S. as provided in Section 31-12-111, C.R.S.; and,

WHEREAS, the Board of Trustees has determined that additional terms and conditions are not to be imposed and that the Petitions were signed by owners of more than fifty percent (50%) of the property proposed to be annexed, exclusive of streets and alleys. Therefore, in accordance with Section 31-12-107, C.R.S., the Board of Trustees of the Town of Berthoud has determined that an ordinance to annex such lands to the municipality should be considered.

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

Section 1.

That the lands described on Exhibits "A", "B", "C" and "D" to be known and described as the Hammond Annexation No. 1, Hammond Annexation No. 2, Hammond Annexation No. 3 and Hammond Annexation No. 4 to the Town of Berthoud, are hereby annexed.

The parcel described in the Hammond Annexation No. 1 (Exhibit "A") contains 0.101 acres of land, more or less, and shall be zoned T-Transitional.

The parcel described in the Hammond Annexation No. 2 (Exhibit "B") contains 0.415 acres, more or less, and shall be zoned T-Transitional.

The parcel described in the Hammond Annexation No. 3 (Exhibit "C") contains 4.145 acres, more or less, and shall be zoned P.U.D.

2

The parcel described in the Hammond Annexation No. 4 (Exhibit "D") contains 185.641 acres, more or less, and shall be zoned P.U.D.

Section 2. Effective Date:

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

A public hearing was conducted by the Board of Trustees of the Town of Berthoud pursuant to the requirements of the Municipal Annexation Act of 1965. After the public hearing, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 24<sup>th</sup> day of July 2001.

TOWN OF BERTHOUD:

Milan Karspeck  
Milan Karspeck - Mayor

ATTEST:

Mary K. Cowdin  
Mary K. Cowdin - Town Clerk

Published: 7-26-01

3

LEGAL DESCRIPTION: HAMMOND ANNEXATION NO. 1

A TRACT OF LAND LOCATED IN SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST-WEST CENTER LINE OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 11 BEARS S89°24'32"W, 3648.38 FEET, AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO; SAID POINT LYING ON THE WEST LINE OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO AS DESCRIBED AND KNOWN AS THE FOURTH STREET THIRD ANNEXATION TO THE TOWN OF BERTHOUD.

THENCE ALONG SAID WEST LINE S00°43'40"E, 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E; THENCE N79°11'27"W, 150.00 FEET; THENCE N77°44'07"E, 150.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E, SAID POINT ALSO LYING ON THE WEST LINE OF SAID FOURTH STREET THIRD ANNEXATION; THENCE ALONG SAID WEST LINE S00°43'40"E, 30.00 FEET TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT OF LAND CONTAINS 0.101 ACRES MORE OR LESS.

LEGAL DESCRIPTION: HAMMOND ANNEXATION NO. 2

A TRACT OF LAND LOCATED IN SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST-WEST CENTER LINE OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 11 BEARS S89°24'32"W, 3648.38 FEET, AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO; SAID POINT LYING ON THE WEST LINE OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO AS DESCRIBED AND KNOWN AS THE FOURTH STREET THIRD ANNEXATION TO THE TOWN OF BERTHOUD.

THENCE ALONG SAID WEST LINE N00°43'40"W, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE S77°44'07"W, 150.00 FEET; THENCE S79°11'27"E, 150.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E; THENCE N88°26'07"W, 750.00 FEET; THENCE N86°58'47"E, 750.00 FEET TO THE TRUE POINT OF BEGINNING.

THUS DESCRIBED TRACT OF LAND CONTAINS 0.415 ACRES MORE OR LESS.

LEGAL DESCRIPTION: HAMMOND ANNEXATION NO. 3

A TRACT OF LAND LOCATED IN SECTIONS 10 AND 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

4

BEGINNING AT A POINT ON THE EAST-WEST CENTER LINE OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 11 BEARS S89°24'32"W, 3648.38 FEET, AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO; SAID POINT LYING ON THE WEST LINE OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO AS DESCRIBED AND KNOWN AS THE FOURTH STREET THIRD ANNEXATION TO THE TOWN OF BERTHOUD.

THENCE ALONG SAID WEST LINE N00°43'40"W, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E; SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE S86°58'47"W, 750.00 FEET; THENCE S88°26'07"E, 750.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E; THENCE S89°29'13"W, 3673.55 FEET; THENCE N12°18'51"E, 126.61 FEET; THENCE S17°12'17"E, 76.61 FEET; THENCE N89°19'47"E, 3623.22 FEET TO THE TRUE POINT OF BEGINNING.

THUS DESCRIBED TRACT OF LAND CONTAINS 4.145 ACRES MORE OR LESS.

LEGAL DESCRIPTION: HAMMOND ANNEXATION NO. 4

A TRACT OF LAND LOCATED IN SECTIONS 10 AND 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST-WEST CENTER LINE OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, FROM WHENCE THE WEST QUARTER CORNER OF SAID SECTION 11 BEARS S89°24'32"W, 3648.38 FEET, AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO; SAID POINT LYING ON THE WEST LINE OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO AS DESCRIBED AND KNOWN AS THE FOURTH STREET THIRD ANNEXATION TO THE TOWN OF BERTHOUD.

THENCE ALONG SAID WEST LINE N00°43'40"W, 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E; SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE S89°19'47"W, 3623.22 FEET; THENCE N17°12'17"W, 76.61 FEET; THENCE S12°18'51"W, 126.61 FEET; THENCE N89°29'13"E, 3673.55 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S89°24'32"W, 3618.58 FEET TO THE EAST RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 17 (A.K.A. TAFT AVENUE); THENCE ALONG SAID EAST LINE S00°20'26"E, 51.33 FEET; THENCE S89°39'34"W, 30.00 FEET; THENCE S37°08'03"W, 174.83 FEET; THENCE 236.57 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID ARC HAVING A CENTRAL ANGLE OF 42°21'30", A RADIUS OF 320.00 FEET, AND WHOSE CHORD BEARS S58°18'48"W, 231.22 FEET; THENCE S79°29'33"W, 183.43 FEET; THENCE 140.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID ARC HAVING A CENTRAL ANGLE OF 30°54'30", A RADIUS OF 260.00 FEET, AND WHOSE CHORD BEARS S64°02'18"W, 138.56 FEET; THENCE S48°35'03"W, 103.63 FEET; THENCE 243.87 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID ARC HAVING A CENTRAL ANGLE OF 55°53'30", A RADIUS OF 250.00 FEET, AND WHOSE CHORD BEARS S76°31'48"W, 234.32 FEET; THENCE N75°31'27"W, 319.51 FEET; THENCE 263.34 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID ARC HAVING A CENTRAL ANGLE OF 16°57'10", A RADIUS OF 890.00 FEET, AND WHOSE CHORD BEARS N84°00'02"W, 262.38 FEET; THENCE S87°31'23"W, 251.26 FEET; THENCE 399.28 FEET ALONG THE ARC OF A

83/5

CURVE TO THE RIGHT, SAID ARC HAVING A CENTRAL ANGLE OF 23°06'30", A RADIUS OF 990.00 FEET, AND WHOSE CHORD BEARS N80°55'22"W, 396.58 FEET; THENCE N69°22'07"W, 201.78 FEET; THENCE 129.11 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID ARC HAVING A CENTRAL ANGLE OF 35°13'30", A RADIUS OF 210.00 FEET, AND WHOSE CHORD BEARS N86°58'52"W, 127.08 FEET; THENCE S75°24'23"W, 218.65 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 10; THENCE ALONG SAID WEST LINE, N00°00'04W", 3003.19 FEET TO THE NORTH QUARTER CORNER OF SECTION 10; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, N89°20'15"E, 2339.89 FEET; THENCE S00°23'02"E, 295.16 FEET; THENCE N89°20'15"E, 325.16 FEET TO THE EAST RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 17 (A.K.A. TAFT AVENUE); THENCE ALONG SAID EAST RIGHT OF WAY LINE S00°23'02"E, 2331.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 10E; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N89°24'32"E, 3618.20 FEET TO THE TRUE POINT OF BEGINNING.

THUS DESCRIBED TRACT OF LAND CONTAINS 185.641 ACRES MORE OR LESS.