

RCPTN # 2001098679 11/02/2001 10:44:00 # PAGES - 3 FEE - \$15.00
M RODENBERGER RECORDER, LARIMER COUNTY CO STATE DOC FEE - \$.00

ORDINANCE NO. 897

AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF LAND TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE BROWN MLD ANNEXATION TO THE TOWN OF BERTHOUD, COLORADO

WHEREAS, a Petition for Annexation together with seven copies of a Plat of said land as required by ordinance were filed with the Town of Berthoud by the owners of one hundred percent (100%) of the area of the land hereinafter described; and,

WHEREAS, the Board of Trustees by motion at its regular meeting accepted said Petition and found that the Petition 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 were not to be imposed and that the Petition was signed by owners of one hundred percent (100%) 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 land to the municipality should be considered.

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

Section 1.

The land described on Exhibit "A" attached hereto and incorporated herein by reference is hereby annexed and shall be known and described as the Brown MLD Annexation to the Town of Berthoud:

The parcel described on Exhibit "A" contains approximately 40.77 acres more or less, and shall be zoned T-Transitional.

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.

✓
TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

At its meeting July 24, 2001, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 24th 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

79/3
EXHIBIT A

TO

**PETITION FOR ANNEXATION OF UNINCORPORATED TERRITORY
IN THE COUNTY OF LARIMER, STATE OF COLORADO
TO THE TOWN OF BERTHOUD, COLORADO**

**BROWN MLD
ANNEXATION**

Legal Description

A tract of land lying in the Southeast $\frac{1}{4}$ of Section 11 and the Northeast $\frac{1}{4}$ of Section 14, Township 4 North, Range 69 West of the 6th Principal Meridian, Larimer County, Colorado, being more particularly described as follows:

Assuming the East line of Lot 2, BROWN M.L.D. 97-EX 1074, public records of Larimer County, Colorado bears N 00°04'00" E with all bearings relative thereto.

BEGIN at the Northeast corner of Lot 2, BROWN M.L.D. 97-EX 1074, public records of Larimer County, Colorado, said point also lying on the West right-of-way line of U.S. Highway No. 287; thence run S 89°43'21" W along the North line of said Lot 2 and the extension thereof for a distance of 1380.32 feet to the West right-of-way line of the Burlington Northern Railroad; thence leaving said North line run S 02°31'11" E along said West right-of-way line for a distance of 1745.79 feet to the North line of the Northeast Addition Annexation; thence leaving said West right-of-way line run S 89°51'18" E along said North line for a distance of 100.11 feet, to a point on the East right-of-way line of the Burlington Northern Railroad; thence leaving said North line run N 02°31'11" W along said East right-of-way line for a distance of 388.16 feet, to a point on the South right-of-way line Larimer County Road 10; thence leaving said East right-of-way line run S 89°51'01" E along said South right-of-way line for a distance of 1218.92 feet to the aforesaid West right-of-way line of U.S. Highway No. 287; thence leaving said South right-of-way line run N 00°04'00" E along said West right-of-way line for a distance of 60.00 feet to the North right-of-way line of aforesaid Larimer County Road No. 10; thence leaving said West right-of-way line run N 89°51'01" W along said North right-of-way line for a distance of 295.91 feet to the Easterly line of the aforesaid Lot 2; thence leaving said North right-of-way line run N 00°04'00" E along said Easterly line for a distance of 335.24 feet to the Southerly line of said Lot 2; thence leaving said Easterly line run N 88°45'31" E along said Southerly line for a distance of 295.98 feet to the aforesaid East line of Lot 2 and the West right-of-way line of U.S. Highway No. 287; thence leaving said Southerly line run N 00°04'00" E along said East line and said West right-of-way line for a distance of 964.01 feet to the Point of Beginning.

Containing 40.77 acres, more or less, and being subject to all existing easements and/or right-of-way record.