

ORDINANCE NO. 800

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 TOLLGATE FARMS SECOND 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 June 23, 1998 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:

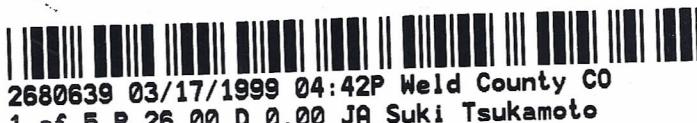
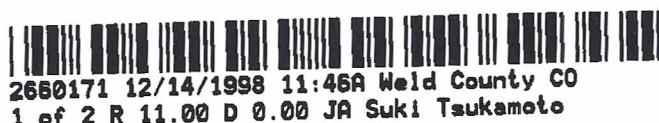
Section 1.

That the land described on Exhibit "A" attached hereto and incorporated herein by reference to be known and described as the Tollgate Farms Second Annexation to the Town of Berthoud is hereby annexed.

The described parcel contains 239 acres, more or less, which shall be zoned AG-Agricultural except for that portion described on Exhibit "B" attached hereto which shall be zoned T-Transitional.

NOTE: Re-recorded to include
"Exhibit A"

TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513



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.

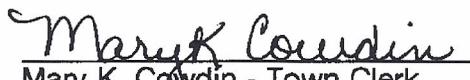
At its meeting June 23, 1998, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 28th day of July, 1998. After the public hearing, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 28th day of July, 1998.

TOWN OF BERTHOUD:



Richard Strachan - Mayor

ATTEST:



Mary K. Cowdin
Mary K. Cowdin - Town Clerk

Published: 7-30-98



TOLLGATE 2ND ANNEXATION

"EXHIBIT A"

LEGAL DESCRIPTION

Those portions of Sections 15 through 22, Township 4 North, Range 68 West of the 6th P.M., Weld County, Colorado, described as follows:

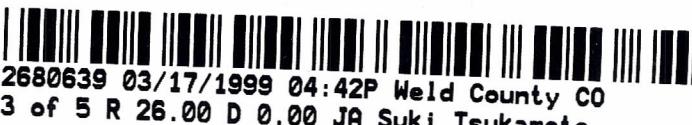
Beginning at the East Quarter Corner of Section 19; thence along the East-West centerline of said Section 19 South 89°38'26" West, a distance of 5097.56 feet to a line that is parallel with and 30.00 feet East measured at right angles from the West line of the Northwest Quarter of said Section 19; thence along said parallel line North 00°33'39" East, a distance of 1208.02 feet to the Southerly boundary line of Tollgate Farms Annexation to the Town of Berthoud; thence along said Southerly boundary line and the East and North boundary lines of said Tollgate Farms Annexation to the Town of Berthoud the following ten courses and distances:

- 1) South 89°25'21" East, a distance of 25.00 feet;
- 2) South 00°33'39" West, a distance of 1197.62 feet;
- 3) North 89°38'26" East, a distance of 100.00 feet;
- 4) North 00°33'39" East, a distance of 1000.00 feet;
- 5) North 89°38'26" East, a distance of 2600.00 feet;
- 6) South 00°21'34" East, a distance of 999.87 feet;
- 7) North 89°38'26" East, a distance of 2316.49 feet;
- 8) North 00°32'14" East, a distance of 1307.01 feet;
- 9) South 89°32'22" West, a distance of 2547.35 feet;
- 10) North 01°18'36" East, a distance of 10.01 feet

to the Northwest Corner of the South Half of the Northeast Quarter of said Section 19; thence along the North line of said South Half of the Northeast Quarter North 89°32'22" East, a distance of 2557.22 feet to the West right-of-way line of Weld County Road No. 3; thence along said West right-of-way line North 01°11'00" West, a distance of 1475.32 feet to the North right-of-way line of Colorado State Highway No. 56; thence along said North right-of-way line of Colorado State Highway No. 56 the following fourteen (14) courses and distances:

- 1) North 88°49'45" East, a distance of 60.04 feet;
- 2) South 46°10'30" East, a distance of 70.70 feet;
- 3) North 88°50'30" East, a distance of 267.20 feet to the beginning of a curve concave to the South, having a central angle of 02°04'00" and a chord of 22995.00 feet, the chord of which bears North 89°52'30" East, a distance of 829.40 feet;
- 4) thence Easterly along the arc of said curve 829.44 feet;
- 5) South 87°51'30" East, a distance of 792.90 feet;
- 6) North 88°37'00" East, a distance of 839.50 feet;
- 7) North 85°04'00" East, a distance of 1040.00 feet to the beginning of a curve concave to the South, having a central angle of 04°41'01" and a chord of 7715.00 feet, the chord of which bears North 88°49'30" East, a distance of 630.50 feet;
- 8) thence Easterly along the arc of said curve 630.68 feet;
- 9) South 87°03'30" East, a distance of 751.80 feet;
- 10) North 44°54'30" East, a distance of 69.10 feet;
- 11) South 88°50'00" East, a distance of 28.21 feet;
- 12) North 89°22'42" East, a distance of 28.79 feet;
- 13) South 44°56'00" East, a distance of 72.50 feet;
- 14) North 89°22'00" East, a distance of 5218.83 feet

to the West line of said Section 15; thence along said West line North 00°23'00" West, a distance of 1.00 foot to a line that is parallel with and 1.00 foot North measured at right angles from the North right-of-way line of said Highway No. 56; thence along said parallel line North 89°08'00" East, a distance of 2662.20 feet to a line that is parallel with a 1.00 foot West measured at right angles, from the West line of the Southeast Quarter of said Section 15; thence along said parallel line North 00°01'02" West, a distance of 1.90 feet; thence North 89°08'00" East, a distance of 1.00 foot to said West line of the Southeast Quarter of Section 15; thence along said West line North 00°24'16" West, a distance of 2623.91 feet to the North line of the Southeast Quarter of Section 15; thence along said North line North 89°37'00" East, a distance of 2425.46 feet to said West line of the Hart Annexation to the Town of Johnstown and the West right-of-way line of said Interstate Highway No. 25; thence along said West lines South 00°08'12" East, a distance of 270.41 feet to the beginning of a curve, concave to the West having a central angle of 11°58'34" and a chord of 5595.00 feet, the chord of which bears South 05°52'43" West, a distance of 1167.37 feet.



to the South line of the North Half of the Southwest Quarter of said Section 22; thence along said South line North 89°22'49" West, a distance of 10.00 feet to the said East right-of-way line of Weld County Road No. 7; thence along said East right-of-way line the following seven (7) courses and distances:

- 1) North 00°20'41" East, a distance of 876.55 feet;
- 2) North 30°20'41" East, a distance of 30.00 feet;
- 3) North 00°20'41" East, a distance of 499.02 feet;
- 4) North 10°57'55" West, a distance of 50.99 feet;
- 5) North 00°20'41" East, a distance of 216.34 feet;
- 6) North 29°39'19" West, a distance of 10.00 feet;
- 7) North 00°20'41" East, a distance of 2155.14 feet

to the South right-of-way line of Highway No. 56; thence along said South right-of-way line the following twenty three (23) courses and distances:

- 1) South 89°22'32" West, a distance of 30.00 feet;
- 2) South 00°20'41" West, a distance of 50.33 feet;
- 3) South 89°56'24" West, a distance of 30.00 feet;
- 4) North 44°24'42" West, a distance of 69.28 feet;
- 5) South 89°22'00" West, a distance of 2568.90 feet;
- 6) South 89°22'00" West 2287.50 feet to the beginning of a curve concave to the North, having a central angle of 00°41'55" and a chord of 22995.00 feet, the chord of which bears South 89°43'00" West for 280.40 feet;
- 7) thence Westerly along the arc of said curve 280.40 feet;
- 8) South 44°00'30" West, a distance of 70.30 feet;
- 9) South 89°24'08" West, a distance of 28.70 feet;
- 10) North 88°37'19" West, a distance of 28.20 feet;
- 11) North 45°05'30" West 72.20 feet to the beginning of a curve concave to the North, having a central angle of 00°42'38" and a chord of 22995.00 feet, the chord of which bears North 89°11'30" West for 285.20 feet;
- 12) thence Westerly along the arc of said curve 285.20 feet;
- 13) North 88°50'00" West, a distance of 471.80 feet;
- 14) North 88°26'00" West, a distance of 500.40 feet;
- 15) South 88°37'00" West, a distance of 207.00 feet;
- 16) South 83°56'00" West, a distance of 602.50 feet;
- 17) South 86°29'00" West 604.20 feet to the beginning of a curve concave to the North, having a central angle of 04°25'30" and a chord of 7715.00 feet, the chord of which bears South 88°42'00" West for 595.70 feet;
- 18) thence Westerly along the arc of said curve 595.85 feet;
- 19) North 89°05'30" West, a distance of 792.70 feet;
- 20) North 85°06'30" West, a distance of 363.20 feet;
- 21) South 88°31'30" West, a distance of 319.00 feet;
- 22) South 88°45'30" West, a distance of 410.80 feet;
- 23) South 43°43'00" West, a distance of 70.80 feet;

to the East right-of-way line of said Weld County Road No. 3; thence along said East right-of-way line South 00°32'14" West, a distance of 2572.80 feet to the South line of the Northwest Quarter of Section 20; thence along said South line South 88°49'01" West, a distance of 30.00 feet to the Point of Beginning.

The above described land contains 239 ACRES, more or less.



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from; thence South 23°14'24" West, a distance of 1244.7 feet to the said North line of the Hart Annexation to the Town of Johns and to the North right-of-way line of said Highway No. 56; thence along said North lines South 89°16'48" West, a distance of 750.00 feet; thence South 86°31'48" West, a distance of 190.66 feet to the East line of LOT A of the WILBERT HART, Recorded Exemption No. 1061-15-4-RE1529; thence along said East line and the North and West lines of said Exemption the following 3 courses and distances:

- 1) North 02°54'09" West, a distance of 201.80 feet;
- 2) North 88°15'31" West, a distance of 225.84 feet;
- 3) South 01°35'12" West, a distance of 223.17 feet

to the North line of the HART ANNEXATION to the Town of Johnstown and the North right-of-way line of State Highway No. 56; thence along said North lines South 86°31'48" West, a distance of 373.96 feet; thence South 88°14'27" West, a distance of 241.25 feet to the West line of the Southeast Quarter of Section 15; thence along said West line South 00°01'02" East, a distance of 31.90 feet to the South Quarter Corner of Section 15; thence continuing along the East line of the Northwest Quarter of Section 22 and the West line of the HART ANNEXATION, to the Town of Johnstown South 00°17'25" East, a distance of 92.90 feet to the South right-of-way line of Highway No. 56; thence along said South right-of-way line the following three (3) courses and distances:

- 1) South 88°21'00" West, a distance of 293.50 feet;
- 2) South 89°08'30" West, a distance of 1960.70 feet;
- 3) South 89°22'32" West, a distance of 368.87 feet;

to a line that is parallel with and 10 feet East, measured at right angles, from the East right-of-way line of Weld County Road No. 7; thence along said East line the following seven (7) courses and distances:

- 1) South 00°20'41" West, a distance of 2152.62 feet;
- 2) South 29°29'39" East, a distance of 10.00 feet;
- 3) South 00°20'41" West, a distance of 218.03 feet;
- 4) South 10°57'55" East, a distance of 50.99 feet;
- 5) South 00°20'41" West, a distance of 502.69 feet;
- 6) South 30°20'41" West, a distance of 30.01 feet;
- 7) South 00°20'41" West, a distance of 873.92 feet



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