

ORDINANCE NO. 1088

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 SOMMERS 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.; Chapter 30-8 and Section 30-16-300 of the *Development Code* of the Town of Berthoud; 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 Sommers Annexation to the Town of Berthoud:

The parcel contains approximately 9.0124 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.

At its meeting June 10, 2008, the Ordinance was read, passed and ordered published by the Board of Trustees.

ATTEST:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

RECEPTION#: 20080050161, 08/06/2008 at
08:33:36 AM,
1 OF 2, R \$11.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

TOWN OF BERTHOUD:

T.P. Patterson
T.P. Patterson - Mayor

✓ Town of Berthoud
PO Box 1229
1 Berthoud CO 80513

EXHIBIT "A"
SOMMERS ANNEXATION

A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

CONSIDERING THE NORTH LINE OF SAID NORTHWEST QUARTER AS BEARING NORTH 88°42'13" EAST BETWEEN THE MONUMENTS SHOWN AND DESCRIBED HEREON, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER FROM WHICH THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER BEARS SOUTH 88°42'13" WEST, A DISTANCE OF 2659.84 FEET; THENCE SOUTH 00°57'50" EAST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 34.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°57'50" EAST, ALONG SAID EAST LINE, A DISTANCE OF 1,281.57 FEET;

THENCE SOUTH 88°35'09" WEST, ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID NORTHWEST QUARTER, A DISTANCE OF 327.50 FEET; THENCE NORTH 00°57'51" WEST, A DISTANCE OF 1,156.55 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A DEED RECORDED MARCH 2, 1995 AS RECEPTION NO. 95012284 AS FOUND MONUMENTED WITH A 2" PIPE WITH CONCRETE PLUG AND BRASS SEAL INSCRIBED R.L.S. 4845; THENCE NORTH 88°42'13" EAST, PARALLEL WITH THE NORTHERLY LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 216.50 FEET TO A 2" PIPE WITH CONCRETE PLUG AND BRASS SEAL INSCRIBED R.L.S. 4845;

THENCE NORTH 00°53'17" WEST, ALONG THE EAST LINE OF SAID PARCEL DESCRIBED AT RECEPTION NO. 95012284, A DISTANCE OF 125.60 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 56 AS DESCRIBED IN A DEED RECORDED IN BOOK 1182 AT PAGE 506; THENCE NORTH 88°36'06" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 110.83 FEET TO THE POINT OF BEGINNING.

CONTAINING 392,582.22 SQUARE FEET OR 9.0124 ACRES, MORE OR LESS.