

ORDINANCE NO. 1087

AN ORDINANCE REZONING REAL PROPERTY KNOWN AS THE SOUTH FIRST STREET ANNEXATION HERETOFORE ZONED T-TRANSITIONAL BY THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO.

Section 1.

WHEREAS, the applicant has submitted an application for rezoning and the owner of the property has requested the Town of Berthoud to rezone the property.

Section 2.

WHEREAS, pursuant to the Planning and Zoning Ordinances of the Town of Berthoud, the Board of Trustees determines that the hereinafter-described area of the Town requires rezoning.

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

Section 3.

The property described on Exhibit "A" attached hereto and incorporated herein by reference and known as a portion of the South First Street Annexation being a portion of the Town of Berthoud, Larimer County, Colorado, is rezoned from T-Transitional to M-2.

Section 4. Emergency Clause

WHEREAS, in the opinion of the Board of Trustees an emergency exists which requires the immediate enactment of this ordinance to ensure the continued availability of the financing for this project.

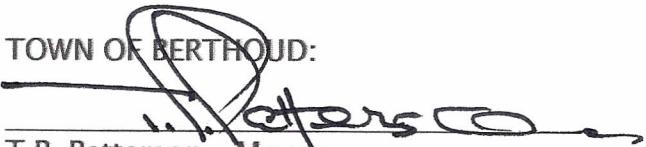
Section 5. Effective Date

At its meeting held on May 13, 2008 a public hearing was held and the Board of Trustees voted to enact this Ordinance. This Ordinance shall take effect and be in force immediately upon its passage and adoption.

ATTEST:


Mary K. Cowdin - Town Clerk

TOWN OF BERTHOUD:


T.P. Patterson - Mayor

Published: June 5, 2008

RECEPTION#: 20090043425, 06/29/2009 at
11:59:27 AM,
1 OF 2, R \$11.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

EXHIBIT "A"
ZONING – LEGAL DESCRIPTION

That portion of the Southwest 1/4 of Section 24 and the East 1/2 of Section 23, both in Township 4 North, Range 69 West of the 6th P.M., Larimer County, Colorado described as follows.

Considering the West line of said Southwest 1/4 of Section 24 as bearing South 00° East and with all bearings contained herein relative thereto: Being Parcels denominated as "Parcel 4" & "Parcel 5" on the attached survey;

Beginning at the West 1/4 corner of said Section 24; thence along the North line of said Southwest 1/4 of Section 24 North 89°27'54" East 50.00 feet to the East right-of-way line of County Road 15; thence along said East right-of-way line South 00° East 1326.61 feet to the South line of the North 1/2 of said Southwest 1/4 of Section 24: thence along said South line south 89°24'06" West 20.00 feet; thence continuing along the East line of said County Road 15 South 00° East 184.86 feet; thence North 90° West 30.00 feet to the intersection of the said West line of the Southwest 1/4 of Section 24 and the Easterly right-of-way line of the Colorado and Southern Railroad said intersection point being on a curve concave to the Southwest having a central angle of 17°22'18" and a radius 2735.89 feet, the chord of which bears North 20°48'59" West, for 826.33 feet; thence Northwesterly along the arc of said curve 829.50 feet; thence continuing along said Easterly right-of-way line the following 7 courses and distances:

- 1) North 30°41'28" West 47.95 feet
- 1) North 30°57'59" West 50.20 feet
- 1) North 31°08'55" West 50.12 feet
- 1) North 31°14'22" West 50.04 feet
- 1) North 31°15'17" West 101.20 feet
- 1) North 31°15'56" West 37.31 feet
- 1) North 27°51'00" West 201.09 feet to the beginning of a curve concave to the Northeast having a central angle of 08°08'09" and a radius 2815.73 feet, the chord of which bears North 21°40'47" West for 399.49 feet; thence Northwesterly along the arc of said curve, and continuing along said right-of-way line 399 .82 feet to the South line of the Keep Annexation to the Town of Berthoud; thence along said South line North 89°57'54" East 679.23 feet, and again North 90°East 30.00 feet to the West line of Berthoud Heights East Subdivision; thence along said West line South 00°00'00" East 98.98 feet to the Point of Beginning. Containing 13.937 acres more or less.

Specifically excluding the parcel designated as "Welch's Suburban Lots".