

ORDINANCE NO. 1071

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 COOPER PROPERTY 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 Cooper Property Annexation to the Town of Berthoud:

The parcel contains approximately 225.3 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 October 23, 2007, the Ordinance was read, passed and ordered published by the Board of Trustees.

ATTEST:

TOWN OF BERTHOUD:

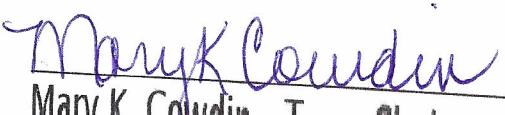

Mary K. Couldin

EXHIBIT "A"
COOPER PROPERTY ANNEXATION

A tract of land located in the S1/2 of Section 2, the SE1/4 of Section 3, the NE1/4 of Section 10, and the NW1/4 of Section 11, all of T4N, R69W of the 6th P.M., County of Larimer, State of Colorado, described as follows:

COMMENCING at the Southwest Corner of said Section 2, from which the W1/4 Corner of said Section 2 bears N00°37'55"W, 2663.62 feet (Basis of Bearing), thence N89°36'41"E, 60.00 feet along the South Line of the S1/2 of said Section 2 to the Easterly Right-of-way Line of Larimer County Road No. 17 and the **TRUE POINT OF BEGINNING**;

Thence continuing N89°36'41"E, 3580.15 feet along the South Line of the S1/2 of said Section 2 to the Westerly Right-of-way Line of the Burlington Northern & Santa Fe Railroad;

Thence N03°06'38"W, 2684.23 feet along the Westerly Right-of-way Line of said Burlington Northern & Santa Fe Railroad to the North Line of the S1/2 of said Section 2;

Thence S89°19'30"W, 3524.03 feet along the North Line of the S1/2 of said Section 2 to the W1/4 Corner of said Section 2;

Thence N89°58'53"W, 60.00 feet along the North Line of the SE1/4 of said Section 3 to the Westerly Right-of-way Line of said Larimer County Road No. 17;

Thence S00°37'55"E, 75.88 feet along the Westerly Right-of-way Line of said Larimer County Road No. 17 to an angle point thereof;

Thence S05°36'03"E, 346.36 feet along the Westerly Right-of-way Line of said Larimer County Road No. 17 to an angle point thereof;

Thence S00°37'55"E, 478.07 feet along the Westerly Right-of-way Line of said Larimer County Road No. 17 to angle point thereof at the Northwesterly Corner of Parcel 230-A of Colorado Department of Transportation Project NH 2873-068 Unit 2;

Thence S05°18'11"W, 148.87 feet along the Westerly Right-of-way Line of said Larimer County Road No. 17 and along the Westerly Line of said Parcel 230-A to an angle point thereof;

Thence S00°14'09"W, 682.15 feet along the Westerly Right-of-way Line of said Larimer County Road No. 17 and along the Westerly Lines of said Parcel 230-A and Parcel 230 of Colorado Department of Transportation Project NH 2873-068 Unit 2 to a point of curvature thereof;

Thence S01°31'13"W, 574.61 feet to an angle point of said Parcel 230;

Thence S01°50'18"E, 656.01 feet along the Westerly Right-of-way Line of said Larimer County Road No. 17 and along the Westerly Lines of said Parcel 230 and Parcel 231 of Colorado Department of Transportation Project NH 2873-068 Unit 2 to a Northerly Line of HAMMOND ANNEXATION NO. 4, an annexation to the Town of Berthoud, County of Larimer, State of Colorado, according to the recorded map thereof;

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Thence N89°34'44"E, 90.97 feet along a Northerly Line of said HAMMOND ANNEXATION NO. 4 to an angle point thereof;

Thence S00°08'32"E, 2311.01 feet along the Easterly Line of said HAMMOND ANNEXATION NO. 4 to the Northerly Right-of-way Line of Larimer County Road No. 10-E;

Thence N89°39'02"E, 55.09 feet along the Northerly Right-of-way Line of said Larimer County Road No. 10-E to the Easterly Right-of-way Line of said Larimer County Road No. 17;

Thence Northwesterly, 39.36 feet along the arc of a curve concave to the Northeast and along the Easterly Right-of-way Line of said Larimer County Road No. 17 to a point tangent, said arc having a radius of 25.00 feet, a central angle of 90°12'26", and being subtended by a chord that bears N45°14'45"W, 35.42 feet;

Thence N00°08'32"W, 2581.08 feet along the Easterly Right-of-way Line of said Larimer County Road No. 17 to the TRUE POINT OF BEGINNING.

Area = 225.413 acres, more or less.