

ORDINANCE NO. 1058

AN ORDINANCE REZONING REAL PROPERTY KNOWN AS THE BROWN FARM 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 paid the attendant fee 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 the Brown Farm Annexation, being a portion of the Town of Berthoud, Larimer County, Colorado, is rezoned from T-Transitional to P.U.D.

Section 4. 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 February 27, 2007, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 10th day of April, 2007. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 10th day of April, 2007.

ATTEST:

Mary K. Cowdin
Mary K. Cowdin – Town Clerk

Published: 4-19-07

TOWN OF BERTHOUD:

Milan Karspeck
Milan Karspeck – Mayor

RECEPTION#: 20070055543, 07/20/2007 at
08:19:45 AM,
1 OF 3, R \$16.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

✓ TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

EXHIBIT A
LEGAL DESCRIPTION
Brown Farm Rezone

A parcel of land being a part of the Southwest Quarter (SW1/4) of Section Eleven (11) and the Northwest Quarter (NW1/4) of Section Fourteen (14), all in Township Four North (T.4N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the West Quarter corner of said Section 11 and assuming the West line of said SW1/4 of Section 11 as bearing North 00°15'09" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2649.26 feet with all bearings contained herein relative thereto;

THENCE South 00°15'09" East along the West line of the SW1/4 of said Section 11 a distance of 915.81 feet to a line parallel with and 30.00 feet Southeasterly of, as measured at a right angle to, the existing centerline of the Handy Ditch and to the **POINT OF BEGINNING**;

The following Five (5) courses and distances are along a line parallel with and 30.00 feet Southeasterly of, as measured at a right angle to, the existing centerline of the Handy Ditch:
THENCE North 67°46'24" East a distance of 351.43 feet;
THENCE North 73°53'14" East a distance of 309.07 feet;
THENCE North 67°23'50" East a distance of 246.84 feet;
THENCE North 65°00'08" East a distance of 331.36 feet;
THENCE North 70°07'22" East a distance of 192.59 feet to the Westerly line of The Trails at Sugar Creek Annexation as recorded _____, 2006 at Reception No. _____ of the records of Larimer County Clerk and Recorder (LCCR);

The following Nine (9) courses and distances are along the Westerly lines of The Trails at Sugar Creek Annexation:
THENCE South 00°30'33" East a distance of 81.67 feet;
THENCE South 00°27'10" East a distance of 437.61 feet;
THENCE South 00°36'33" East a distance of 653.49 feet;
THENCE South 00°38'45" East a distance of 776.40 feet;
THENCE South 00°24'31" East a distance of 525.31 feet;
THENCE South 00°01'54" West a distance of 1590.28 feet;
THENCE South 00°06'10" West a distance of 548.76 feet;
THENCE South 89°34'21" West a distance of 3.08 feet to the East line of the West Half (W1/2) of said NW1/4 of Section 14;
THENCE South 00°25'39" East along said East line a distance of 10.53 feet (15.73 feet recorded) to the approximate centerline of the existing Loveland Lake Ditch;

The following Two (2) courses and distances are along the approximate centerline of the existing Loveland Lake Ditch:
THENCE South 71°00'26" West a distance of 42.48 feet (44.14 feet recorded);
THENCE South 48°42'38" West a distance of 405.54 feet to a point on the South line of said NW1/4 of Section 14;
THENCE South 89°44'18" West along said South line a distance of 981.78 feet to the West Quarter Corner of said Section 14 and to the centerline of County Road No. 17 (CR17) as recorded September 3, 1970 in Book 1440 at Page 935 of the Larimer County Clerk and Recorders office;

The following Seven (7) courses and distances are along said centerline of CR17 as recorded September 3, 1970 in Book 1440 at Page 935 of the Larimer County Clerk and Recorders office:
THENCE North 00°25'08" West along the West line of NW1/4 of said Section 14 a distance of 317.35 feet (287.8 feet recorded) to a Point of Curvature (PC);

THENCE along the arc of a curve concave to the Southeast a distance of 475.70 feet (504.4 feet recorded), said curve has a Radius of 1432.50 feet, a Delta of 19°01'35" and is subtended by a Chord bearing North 10°14'19" East a distance of 473.51 feet (501.81 feet recorded) to a Point of Tangency (PT); THENCE North 19°45'07" East a distance of 35.94 feet (33.1 feet recorded) to a PC; THENCE along the arc of a curve concave to the West a distance of 794.34 feet (794.3 feet recorded), said curve has a Radius of 1637.10 feet, a Delta of 27°48'02" and is subtended by a Chord bearing North 05°51'06" East a distance of 786.57 feet (786.55 feet recorded) to a PT; THENCE North 08°02'53" West a distance of 1193.08 feet (1193.0 feet recorded) to a PC; THENCE along the arc of a curve concave to the East a distance of 274.12 feet (392.91 feet recorded), said curve has a Radius of 2865.00 feet, a Delta of 05°28'55" and is subtended by a Chord bearing North 05°18'26" West a distance of 274.01 feet (392.64 feet recorded) to a PT and to a point on the West line of the SW1/4 of said Section 11; THENCE North 00°15'09" West along the said West line a distance of 1336.99 feet to the **POINT OF BEGINNING**.

Said parcel of land contains 135.114 acres, more or less (\pm), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.