

ORDINANCE NO. 1051

AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF LAND OWNED BY THE TOWN OF BERTHOUD TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE WAGGENER FARM ANNEXATION TO THE TOWN OF BERTHOUD, COLORADO

WHEREAS, the Town of Berthoud owns 100% of the area to be annexed, exclusive of streets and rights-of-ways owned by other parties, and the property is not solely a public street or right-of-way; and seven copies of a Plat of said land as required by ordinance are on file with the Town of Berthoud; and,

WHEREAS, the Board of Trustees has determined that neither a notice nor a hearing are required under Sections 31-12-108 and 31-12-109, C.R.S., as provided in Section 31-12-106(3), C.R.S.; and,

WHEREAS, the Board of Trustees has determined that additional terms and conditions are not to be imposed. 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 which, except for streets and rights-of-ways, is owned by the Town of Berthoud and is hereby annexed and shall be known and described as the WAGGENER FARM ANNEXATION to the Town of Berthoud:

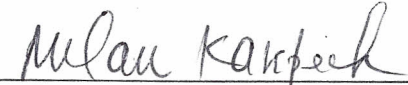
The parcel contains approximately 78.34 acres more or less. This annexation shall be zoned T-Transitional.

Section 2. Effective Date:

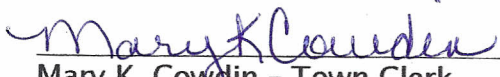
The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force 30 days after publication.

At its meeting January 23, 2007 this Ordinance was read, passed and ordered published by the Board of Trustees.

TOWN OF BERTHOUD:


Milan Karspeck - Mayor

ATTEST:


Mary K. Cowdin - Town Clerk
Published: 2-1-07

✓ TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

RECEPTION#: 20070021506, 03/23/2007 at
09:05:38 AM,
1 OF 2, R \$11.00
Scott Doyle, Larimer County, CO

EXHIBIT "A"
WAGGENER FARM ANNEXATION

LEGAL DESCRIPTION:

A TRACT OF LAND BEING PORTIONS OF THE WEST HALF OF SECTION 14 AND THE EAST HALF OF SECTION 15, BOTH IN TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14 AS BEARING SOUTH 89°06'00" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 14; THENCE NORTH 00°23'17" WEST 30.00 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED RECORDED IN BOOK 1852, PAGE 315, RECORDS OF SAID COUNTY; THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID PARCEL FOR THE FOLLOWING FIVE (5) COURSES AND DISTANCES: SOUTH 89°56'05" WEST 1358.62 FEET; THENCE SOUTH 00°06'16" EAST 85.57 FEET; THENCE SOUTH 88°51'56" WEST 25.00 FEET; THENCE SOUTH 00°06'16" EAST 609.43 FEET; THENCE NORTH 88°50'58" EAST 25.00 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 17; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 00°06'16" EAST 664.58 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY LINE OF GATEWAY PARK, BERTHOUD, COLORADO; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE AND ALONG SAID NORTHERLY LINE AND THE EASTERLY PROLONGATION OF SAID NORTHERLY LINE NORTH 88°49'53" EAST 60.01 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 17; THENCE DEPARTING SAID EASTERLY PROLONGATION AND ALONG SAID EASTERLY RIGHT OF WAY LINE SOUTH 00°06'16" EAST 1300.07 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 287 (MOUNTAIN AVENUE); THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE AND ALONG SAID NORTHERLY RIGHT OF WAY LINE SOUTH 89°06'00" EAST 1101.13 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED RECORDED AT RECEPTION NO. 2005-0110575, RECORDS OF SAID COUNTY; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE EASTERLY LINE OF SAID CERTAIN PARCEL OF LAND NORTH 00°12'37" EAST 646.85 FEET; AND AGAIN SOUTH 88°42'26" EAST 187.07 FEET; THENCE CONTINUING ALONG SAID EASTERLY LINE AND ALONG THE NORTHERLY PROLONGATION OF SAID EAST LINE NORTH 00°23'17" WEST 2004.66 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 14; THENCE ALONG SAID NORTH LINE NORTH 89°56'05" EAST 17.17 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 14, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING.

AREA = 78.34 +/- ACRES