

ORDINANCE NO. 1036

AN ORDINANCE REZONING REAL PROPERTY KNOWN AS THE DAVIS/SCHLEIGER 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 Davis/Schleiger 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 September 12, 2006, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 26th day of September, 2006. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 26th day of September, 2006.

ATTEST:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

Published: 2-22-07

TOWN OF BERTHOUD:

Milan Karspeck
Milan Karspeck - Mayor

TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

RECEPTION#: 20070021513, 03/23/2007 at
09:05:45 AM,
1 OF 3, R \$16.00
Scott Doyle, Larimer County, CO

EXHIBIT "A"

A tract of land located in the SE1/4, the SW1/4, and the NE1/4 of Section 23, T.4N., R.69W. of the 6th P.M., County of Larimer, State of Colorado, described as follows:

Beginning at the C1/4 corner of said Section 23, from which the S1/4 corner of said Section 23 bears S00°08'19"W, 2650.56 feet (Basis of Bearing), thence N00°08'09"E, 25.00 feet along the West line of the NE1/4 of said Section 23 to the Southwest corner of the Bein PUD & Final Plat, a Subdivision located in the NE1/4 of said Section 23 in the Town of Berthoud, County of Larimer, State of Colorado, according to the plat recorded March 27, 1986, as reception No. 86015342 of the records of Larimer County, Colorado;

Thence S89°57'43"E, 757.50 feet along the South line of said the Bein PUD & Final Plat, along the South line of Berthoud Heights, a Subdivision located in the NE1/4 of said Section 23 in the Town of Berthoud, County of Larimer, State of Colorado, according to the plat recorded October 25, 1984, as reception no. 593943 of the records of Larimer County, Colorado, and along the South line extended easterly of said Berthoud Heights, to a point on a line that is 30.00 feet Easterly of, as measured at right angles to and parallel with, the East line of said Berthoud Heights;

Thence S00°08'09"W, 25.00 feet along a line that is 30.00 feet Easterly of, as measured at right angles to and parallel with, the East line of said Berthoud Heights to the North line of the SE1/4 of said Section 23;

Thence S89°57'43"E, 980.09 feet along the North line of the SE1/4 of said Section 23 to the Southwesterly line of Nall, Outhier & Albert Suburban Lots, a Subdivision located in the NE1/4 and the SE1/4 of said Section 23 in the Town of Berthoud, County of Larimer, State of Colorado, according to the recorded plat thereof;

Thence S64°19'16"E, 177.65 feet along the Southwesterly line of said Nall, Outhier & Albert Suburban Lots to the Westerly right-of-way line of the Burlington Northern & Santa Fe Railroad, being 50.00 feet Westerly of, as measured radial or right angles to and concentric or parallel with, the centerline of the main line track;

Thence Southeasterly, 486.03 feet along the arc of a curve concave to the Northeast and along the Westerly right-of-way line of said Burlington Northern & Santa Fe Railroad to a point tangent, said arc having a radius of 2654.51 feet, a central angle of 10°29'26", and being subtended by a chord that bears S25°37'16"E, 485.35 feet;

Thence S30°51'59"E, 255.12 feet along the Westerly right-of-way line of said Burlington Northern & Santa Fe Railroad to a point of curve to the right;

Thence Southeasterly, 772.89 feet along the arc of said curve and along the Westerly right-of-way line of said Burlington Northern & Santa Fe Railroad to a point of tangent, said arc having a radius of 2635.89 feet, a central angle of 16°48'01", and being subtended by a chord that bears S22°27'59"E, 770.13 feet;

Thence S14°03'58"E, 220.70 feet along the Westerly right-of-way line of said Burlington Northern & Santa Fe Railroad to a point of curve to the right;

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Thence Southerly, 286.35 feet along the arc of said curve and along the Westerly right-of-way line of said Burlington Northern & Santa Fe Railroad to the East line of the SE1/4 of said Section 23, said arc having a radius of 6088.82 feet, a central angle of 02°41'40", and being subtended by a chord that bears S12°43'08"E, 286.32 feet;

Thence S00°05'10"W, 715.06 feet along the East line of the SE1/4 of said Section 23 to the Southeast corner of said Section 23;

Thence N89°54'25"W, 2654.77 feet along the South line of the SE1/4 of said Section 23 to the S1/4 corner of said Section 23;

Thence S90°00'00"W, 6.00 feet along the South line of the SW1/4 of said Section 23 to the Southeast corner of Hillsdale 4th Sundivision, a Subdivision in the SW1/4 of said Section 23 in the Town of Berthoud, County of Larimer, State of Colorado, according to the plat recorded April 13, 1994, as reception No. 94032407 of the records of Larimer County, Colorado;

Thence N00°08'19"E, 1611.20 feet along the Easterly line of said Hillsdale 4th Sundivision, along the Easterly line of Hillsdale 3rd Sundivision, a Subdivision in the SW1/4 of said Section 23 in the Town of Berthoud, County of Larimer, State of Colorado, according to the plat recorded October 14, 1992, as reception No. 92064427 of the records of Larimer County, Colorado, and along the Easterly line of Hillsdale 2nd Sundivision, a Subdivision in the SW1/4 of said Section 23 in the Town of Berthoud, County of Larimer, State of Colorado, according to the plat recorded March 27, 1986, as reception no. 86015339 of the records Larimer County, Colorado to an angle point thereof;

Thence S86°16'22"E, 6.01 feet along a Southerly line of said Hillsdale 2nd Sundivision to the West line of the SE1/4 of said Section 23;

Thence N00°08'19"E, 1039.75 feet along the West line of the SE1/4 of said Section 23 to the C1/4 corner of said Section 23 and the POINT OF BEGINNING.

Said parcel contains 147.082 acres more or less (±).