

ORDINANCE NO. 1032

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 THE KNIEVEL 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 Knievel Annexation to the Town of Berthoud:

The parcel contains approximately 221.25 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.

✓ TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

At its meeting May 23, 2006 the Ordinance was read, passed and ordered published by the Board of Trustees.

TOWN OF BERTHOUD:

Milan Karspeck
Milan Karspeck - Mayor

ATTEST:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

Published: 6-15-06

EXHIBIT "A"

PROPERTY DESCRIPTION

Knievel Annexation
to the Town of Berthoud

A parcel of land being a portion of the Southeast Quarter (SE1/4) of Section Nine (9), South Half (S1/2) of Section Ten (10), Northwest Quarter (NW1/4) and Northeast Quarter (NE1/4) of Section Fifteen (15), and the Northeast Quarter (NE1/4) of Section Sixteen (16), Township Four North (T.4N.), Range Sixty-nine West (R.69W.), Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter Corner of said Section 15 and assuming the East line of the NW1/4 of said Section 15 as bearing South 00°35'26" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2608.50 feet with all other bearings contained herein relative thereto:

THENCE South 00°35'26" East along the East line of the NW1/4 of said Section 15 a distance of 1956.74 feet to the North line of the Eagle Ranch 1st Annexation and the **POINT OF BEGINNING**;
THENCE South 88°54'40" West along the North line of the Eagle Ranch 1st Annexation a distance of 500.00 feet to the Northeast corner of the Eagle Ranch 2nd Annexation;
THENCE South 88°54'40" West along the North line of said Eagle Ranch 2nd Annexation a distance of 2171.63 feet to a line which is parallel with and 30.00 feet Westerly of, as measured at a right angle to the West line of the NW1/4 of Section 15;
THENCE North 00°31'24" West along a line which is parallel with and 30.00 feet Westerly of, as measured at a right angle to the West line of the NW1/4 of Section 15 a distance of 552.01 feet;

THENCE North $89^{\circ}28'32''$ East a distance of 30.00 feet to the intersection of the West line of the NW1/4 of Section 15 and the Southerly line of that parcel of land described in Reception No. 20030113711 of the Records of Larimer County;

THENCE North $69^{\circ}08'48''$ East along said Southerly line a distance of 29.23 feet;

THENCE North $63^{\circ}46'40''$ East continuing along said Southerly line a distance of 2.88 feet to a line being parallel with and 30.00 feet Easterly of, as measured at a right angle to the West line of the NW1/4 of said Section 15;

THENCE North $00^{\circ}31'24''$ West along a line parallel with and 30.00 feet Easterly of, as measured at a right angle to the West line of the NW1/4 of said Section 15 a distance of 1427.69 feet

THENCE North $00^{\circ}56'40''$ West along a line parallel with and 30.00 feet Easterly of, as measured at a right angle to the West line of the S1/2SW1/4 of said Section 10 a distance of 1338.22 feet to the North line of the S1/2SW1/4 of Section 10;

THENCE South $89^{\circ}18'00''$ West along the North line of the S1/2SW1/4 of said Section 10 a distance of 30.00 feet to the West line of the N1/2SW1/4 of said Section 10;

THENCE North $00^{\circ}41'51''$ West along the West line of the N1/2SW1/4 of said Section 10 a distance of 120.00 feet;

THENCE North $89^{\circ}18'00''$ East along a line parallel with and 120.00 feet Northerly of, as measured at a right angle to the North line of the S1/2SW1/4 of said Section 10 a distance of 500.00 feet;

THENCE South $00^{\circ}41'51''$ East along a line parallel with the West line of the N1/2SW1/4 of said Section 10 a distance of 120.00 feet to the North line of the S1/2SW1/4 of Section 10;

THENCE North $89^{\circ}18'00''$ East along the North line of the S1/2SW1/4 of Section 10 a distance of 2050.22 feet;

THENCE North $45^{\circ}05'02''$ East a distance of 89.63 feet;

THENCE North $00^{\circ}05'02''$ East along a line parallel with and 50.00 feet Westerly of, as measured at a right angle to the East line of the N1/2SW1/4 of said Section 10 a distance of 399.50 feet to the South line of Tract 2 as depicted in Exemption plat 148-79-EX recorded September 7, 1979 as Reception No. 325954 of the Records of Larimer County;

THENCE North $89^{\circ}51'33''$ West along the South line of said Tract 2 a distance of 9.96 feet to the West ROW line of LCR 10 per said Exemption plat 148-79-EX;

THENCE North $00^{\circ}05'19''$ East along the West ROW line of LCR 10 a distance of 602.34 feet to the South line of the Lonetree Annexation No. 2;

THENCE North $74^{\circ}42'36''$ East along the South line of the Lonetree Annexation No. 2 a distance of 62.23 feet to the West line of the Hammond Annexation No. 4;

THENCE South $00^{\circ}05'19''$ West along the West line of the Hammond Annexation No. 4 a distance of 48.45 feet to the South line of the Hammond Annexation No. 4;

The next Three (3) courses and distances are along the Southerly line of the Hammond Annexation No. 4;

THENCE North $75^{\circ}29'28''$ East a distance of 218.65 feet to a Point of Curvature;

THENCE Southeasterly along the arc of a curve concave to the South a distance of 129.11 feet, said curve has a Radius of 210.00 feet, a Delta of $35^{\circ}13'30''$ and is subtended by a Chord bearing South $86^{\circ}53'47''$ East a distance of 127.08 feet to a Point of Tangency;

THENCE South $69^{\circ}17'02''$ East a distance of 171.94 feet to the Easterly ROW line of the U.S. Highway 287;

THENCE South $08^{\circ}08'45''$ West along the Easterly ROW line of U.S. Highway 287 a distance of 966.87 feet;

THENCE South $17^{\circ}06'20''$ West continuing along the Easterly ROW line of U.S. Highway 287 a distance of 1243.72 feet to the East line of the S1/2SW1/4 of said Section 10;

THENCE South 00°05'34" West along the East line of the S1/2SW1/4 of said Section 10 a distance of 227.33 feet to the North line of the NE1/4 of said Section 15;
THENCE North 87°37'44" East along the North line of the NE1/4 of said Section 15 a distance of 240.00 feet to the Easterly line of a piece of land described in a deed recorded July 7, 1899 as Book 131, Page 568;

The next Three (3) courses and distances are along the Easterly lines of said piece of land described in a deed recorded July 7, 1899 as Book 131, Page 568

THENCE South 17°24'34" West a distance of 533.57 feet;
THENCE South 14°37'37" East a distance of 412.31 feet;
THENCE South 18°41'58" West a distance of 529.74 feet to the East line of the NW1/4 of said Section 15;
THENCE South 00°35'26" East along the East line of the NW1/4 of said Section 15 a distance of 150.00 feet to the Northwesterly line of a triangular piece of land described in a deed recorded July 7, 1899 as Book 131, Page 568;
THENCE South 48°48'29" West along said Northwesterly line a distance of 230.49 feet to the Southwesterly line of said triangular piece of land;
THENCE South 49°59'22" East along said Southwesterly line a distance of 230.49 feet to the East line of the NW1/4 of said Section 15;
THENCE South 00°35'26" East along the East line of the NW1/4 of said Section 15 a distance of 71.52 feet to the Northerly ROW line of Meadowlark Drive as dedicated in the Knox M.R.D. #S-69-90, recorded March 21, 1994 as Reception No. 94024605 of the Records of Larimer County;
THENCE South 60°35'48" East along the Northerly ROW line of Meadowlark Drive a distance of 35.22 feet to the East ROW line of said Meadowlark Drive;
THENCE South 00°35'26" East along the East ROW line of said Meadowlark Drive and along the Southerly prolongation thereof, a distance of 275.12 feet to the South ROW line of Knox Avenue as dedicated in the said Knox M.R.D. #S-69-90;
THENCE South 88°50'27" West along the South ROW line of said Knox Avenue a distance of 10.50 feet to the East line of the Eagle Ranch 1st Annexation;
THENCE North 00°35'26" West along the East line of the Eagle Ranch 1st Annexation a distance of 257.78 feet to the Northeast corner of said Eagle Ranch 1st Annexation;
THENCE South 88°54'40" West along the North line of said Eagle Ranch 1st Annexation a distance of 20.00 feet to the East line of the NW1/4 of said Section 15 and the **POINT OF BEGINNING**.

Said parcel contains 221.250 acres more or less (±).