

ORDINANCE NO. 1028

AN ORDINANCE REZONING REAL PROPERTY KNOWN AS THE TRAILS AT SUGAR CREEK 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 Trails at Sugar Creek 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:

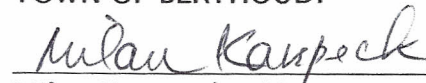
The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force 30 days after publication.

At its meeting December 13, 2005, a public hearing was set by the Board of Trustees of the Town of Berthoud. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 14th day of March, 2006.

ATTEST:


Mary K. Cowdin - Town Clerk

TOWN OF BERTHOUD:


Milan Karspeck - Mayor

Published: March 23, 2006

RECEPTION#: 20070010660, 02/09/2007 at
05:03:09 PM,
1 OF 5, R \$26.00
Scott Doyle, Larimer County, CO

✓ TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

EXHIBIT "A"

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, BEING THE OWNERS OF THE TRAILS AT SUGAR CREEK, TOWNSHIP 4 NORTH, RANGE 69 WEST OF 6th PRINCIPAL MERIDIAN, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING WITHIN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14 AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14;

THENCE ALONG THE WESTERLY LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14, NORTH 00°01'59" EAST 290.37 FEET TO THE SOUTHERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN THE QUIT CLAIM DEED TO MARGARET T. GOULD, TRUSTEE, RECORDED NOVEMBER 4, 1982, IN BOOK 2192 AT PAGE 705 IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG THE SOUTHERLY, EASTERLY, AND NORTHERLY BOUNDARIES OF SAID PARCEL OF LAND THE FOLLOWING 9 COURSES:

- 1) SOUTH 89°58'01" EAST 3.08 FEET;
- 2) NORTH 00°33'48" EAST 548.76 FEET;
- 3) NORTH 00°29'32" EAST 1590.28 FEET;
- 4) NORTH 00°03'07" EAST 525.31 FEET;
- 5) NORTH 00°11'07" WEST 776.40 FEET;
- 6) NORTH 00°08'55" WEST 653.49 FEET;
- 7) NORTH 00°00'28" EAST 437.61 FEET;
- 8) NORTH 00°02'55" WEST 108.19 FEET;
- 9) SOUTH 89°57'05" WEST 10.06 FEET TO THE WESTERLY LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11;

THENCE ALONG SAID EASTERLY LINE, NORTH 00°10'31" EAST 381.73 FEET TO THE THE NORTHERN LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11 AND THE NORTHWEST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11;

THENCE ALONG SAID NORTHERLY LINE NORTH 89°57'54" EAST 1323.44 FEET TO THE EASTERLY LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, ALSO BEING THE NORTHEAST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11;

THENCE ALONG THE EASTERLY LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, SOUTH 00°08'30" WEST 319.50 FEET TO THE WESTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN THE DEED

RECORDED OCTOBER 22, 1901 IN BOOK 160 AT PAGE 341 IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING 5 COURSES:

- 1) SOUTH 19°38'30" WEST 186.30 FEET;
 - 2) SOUTH 43°51'30" WEST 221.90 FEET;
 - 3) SOUTH 12°19'30" WEST 137.00 FEET;
 - 4) SOUTH 28°12'30" EAST 94.00 FEET;
 - 5) SOUTH 38°11'30" EAST 322.17 FEET TO SAID EASTERLY LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11;
- THENCE ALONG SAID EASTERLY LINE, SOUTH 00°08'30" WEST 1532.77 FEET TO THE NORTHEAST CORNER OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14;
- THENCE ALONG THE EASTERLY LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14, SOUTH 00°02'55" EAST 2659.82 FEET TO THE SOUTHERLY LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14 AND THE SOUTHEAST CORNER OF SAID EAST HALF;
- THENCE ALONG SAID SOUTHERLY LINE, NORTH 89°48'10" WEST 1328.71 FEET TO THE POINT OF BEGINNING.

CONTAINING 157.869 ACRES (6,876,767 SQ. FT.), MORE OR LESS.

EXHIBIT "A"

REZONING LEGAL DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14;

THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14, NORTH 00°01'59" EAST 290.37 FEET TO THE SOUTHERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN THE QUIT CLAIM DEED TO MARGARET T. GOULD, TRUSTEE, RECORDED NOVEMBER 4, 1982, IN BOOK 2192 AT PAGE 705 IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG THE SOUTHERLY, EASTERLY, AND NORTHERLY BOUNDARIES OF SAID PARCEL OF LAND THE FOLLOWING 9 COURSES:

- 1) SOUTH 89°58'01" EAST 3.08 FEET;
- 2) NORTH 00°33'48" EAST 548.76 FEET;
- 3) NORTH 00°29'32" EAST 1590.28 FEET;
- 4) NORTH 00°03'07" EAST 525.31 FEET;
- 5) NORTH 00°11'07" WEST 776.40 FEET;
- 6) NORTH 00°08'55" WEST 653.49 FEET;
- 7) NORTH 00°00'28" EAST 437.61 FEET;
- 8) NORTH 00°02'55" WEST 108.19 FEET;
- 9) SOUTH 89°57'05" WEST 10.06 FEET TO THE WESTERLY LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11;

THENCE ALONG SAID WESTERLY LINE, NORTH 00°10'31" EAST 381.73 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11;

THENCE ALONG THE NORTHERLY LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 11 NORTH 89°57'54" EAST 1323.42 FEET TO THE NORTHEAST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11;

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THENCE ALONG THE EASTERLY LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, SOUTH 00°08'30" WEST 319.50 FEET TO THE WESTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN THE DEED RECORDED OCTOBER 22, 1901 IN BOOK 160 AT PAGE 341 IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING 5 COURSES:

- 1) SOUTH 19°38'30" WEST 186.30 FEET;
- 2) SOUTH 43°51'30" WEST 221.90 FEET;
- 3) SOUTH 12°19'30" WEST 137.00 FEET;
- 4) SOUTH 28°12'30" EAST 94.00 FEET;
- 5) SOUTH 38°11'30" EAST 322.17 FEET TO SAID EASTERLY LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11;

THENCE ALONG SAID EASTERLY LINE, SOUTH 00°08'30" WEST 1532.77 FEET TO THE NORTHEAST CORNER OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14;

THENCE ALONG THE EASTERLY LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14, SOUTH 00°02'55" EAST 2659.81 FEET TO THE NORTHERLY BOUNDARY OF THE NORTHEAST ADDITION ANNEXATION TO THE TOWN OF BERTHOUD AND THE SOUTHERLY LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID NORTHEAST ADDITION ANNEXATION TO THE TOWN OF BERTHOUD AND ALONG SAID SOUTHERLY LINE, NORTH 89°48'10" WEST 1328.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 157.8688 ACRES (6,876,767.962 SQ. FT.), MORE OR LESS.