

ORDINANCE NO.1027

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 TRAILS AT SUGAR CREEK 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 Trails at Sugar Creek Annexation to the Town of Berthoud:

The parcel contains approximately 155.663 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 March 14, 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: March 23, 2006

EXHIBIT "A"
ANNEXATION LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14, THE EAST HALF OF THE SOUTHWEST QUARTER AND THE EAST HALF OF THE NORTHWEST 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 RECORDED IN BOOK 2192 AT PAGE 705 IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY;
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 351.72 FEET TO THE SOUTHERLY BOUNDARY OF THE HAMMOND ANNEXATION TO THE TOWN OF BERTHOUD NO. 4, RECORDED AT RECEPTION NO. 2001098687 IN SAID OFFICE OF THE CLERK AND RECORDER AND THE SOUTHERLY RIGHT-OF-WAY OF COUNTY ROAD 10E;

THENCE ALONG SAID SOUTHERLY BOUNDARY AND SAID SOUTHERLY RIGHT-OF-WAY, NORTH 89°57'54" EAST 1323.43 FEET TO THE EASTERLY LINE 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 289.49 FEET TO THE WESTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED 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 SOUTHEAST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 11; THENCE ALONG THE EASTERLY LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 14 THE FOLLOWING 3 COURSES:

1) SOUTH 00°02'55" EAST 158.60 FEET TO THE NORTHEAST CORNER OF THE NORTH PARK ADDITION TO THE TOWN OF BERTHOUD, 3RD FILING, RECORDED AT RECEPTION NO. 98054954 IN SAID OFFICE OF THE CLERK AND RECORDER;

2) ALONG THE WESTERLY BOUNDARY OF SAID NORTH PARK ADDITION TO THE TOWN OF BERTHOUD, 3RD FILING, SOUTH 00°02'55" EAST 257.10 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST ADDITION ANNEXATION TO THE TOWN OF BERTHOUD, RECORDED AT RECEPTION NO. 841592 IN SAID OFFICE OF THE CLERK AND RECORDER;

3) ALONG THE WESTERLY BOUNDARY OF SAID NORTHEAST ADDITION ANNEXATION TO THE TOWN OF BERTHOUD, SOUTH 00°02'55" EAST 1539.50 FEET TO THE NORTHERLY BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 0099081465 IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE CONTINUING ALONG THE WESTERLY BOUNDARY OF SAID NORTHEAST ADDITION ANNEXATION TO THE TOWN OF BERTHOUD AND ALONG THE NORTHERLY AND WESTERLY BOUNDARIES OF SAID PARCEL OF LAND THE FOLLOWING 2 COURSES:

- 1) NORTH 89°48'34" WEST 80.00 FEET;
- 2) SOUTH 00°02'55" EAST 704.60 FEET TO THE SOUTHERLY LINE OF SAID 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 1248.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 155.663 ACRES (6,780,683 SQ. FT.), MORE OR LESS.