

ORDINANCE NO. 1016

AN ORDINANCE REZONING REAL PROPERTY KNOWN AS THE TOLLGATE 2ND 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 Tollgate 2nd Annexation being a portion of the Town of Berthoud, Weld 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 13, 2005, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 27th day of September, 2005. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 27th day of September, 2005.

ATTEST:


Mary K. Cowdin - Town Clerk

TOWN OF BERTHOUD:


Milan Karspeck - Mayor

Published: 10-6-05



3352604 01/05/2006 02:16P Weld County, CO
2 of 3 R 16.00 D 0.00 Steve Moreno Clerk & Recorder

"EXHIBIT A"

Lot B of Weld County Recorded Exemption no. 1061-15-4-RE 1529, being a portion of the West one-half of the Southeast Quarter of Section 15, together with a portion of the East one-half of the Southeast Quarter, and a portion of the Northeast Quarter of said Section 15, Township 4 North, Range 68 West of the Sixth Principal Meridian, County of Weld, State of Colorado, more particularly described by metes and bounds as follows;

Considering the South line of said Southeast Quarter as bearing South 89°19'42" West between the monuments shown and described hereon, with all bearings contained herein relative thereto;

Commencing at the Southwest corner of the Southeast Quarter of said Section 15, from which the Southeast corner of said Southeast Quarter bears North 89°19'42" East a distance of 2,663.33 feet, thence North 00°01'57" East, along the West line of said Southeast Quarter, a distance 31.93 feet to a point on the North line of Colorado State Highway 56 said point being the POINT OF BEGINNING;

thence continuing North 00°01'57" East, along the West line of said Southeast Quarter, a distance of 2,617.16 feet to the Northwest corner of said Southeast Quarter, according to a survey performed in May of 2005 by CDS Engineering;

thence continuing North 00°01'57" East along the West line of the Northeast Quarter of said Section 15, a distance of 20.59 feet;

thence departing said West line, South 89°52'42" East, a distance of 1,330.05 feet to the Northeast corner of the West One-half of the Southeast Quarter of said Section 15 according to a survey performed in May of 2005 by CDS Engineering;

thence North 89°14'05" East, along said North line, a distance of 9.62 feet to the base of a wood post marking the division line between of two fields;

thence along the Easterly line of an existing field the following four (4) courses and distances;

1.) South 00°21'49" East, a distance of 577.04 feet;

2.) South 01°29'05" East, a distance of 469.95 feet;

3.) South 00°47'42" West, a distance of 560.15 feet;

4.) South 00°16'10" West, a distance of 969.32 feet to a point on North right-of-way line of Colorado State Highway 56;

thence South 89°19'42" West, along said North right-of-way line, a distance of 296.39 feet;

thence continuing along said North right-of-way line, South 86°34'42" West, a distance of 190.76 feet to the Southeast corner of Lot A of Weld County Recorded Exemption No. 1061-15-4-RE 1529;

thence along the boundaries of said Lot A the following three (3) courses and distances;

1.) North 02°49'35" West, a distance of 201.80 feet;

2.) North 88°12'37" West, a distance of 225.84 feet;



3352604 01/05/2006 02:16P Weld County, CO
3 of 3 R 16.00 D 0.00 Steve Moreno Clerk & Recorder

3.) South $01^{\circ}38'10''$ West, a distance of 223.17 feet to a point on the North right-of-way line of *Colorado State Highway 56*;
thence South $86^{\circ}34'42''$ West, along said North right-of-way line, a distance of 373.96 feet;
thence continuing along said North right-of-way line, South $88^{\circ}18'12''$ West, a distance of 242.66 feet to the POINT OF BEGINNING.

Containing 3,459,275 square feet or 79.4140 acres, more or less.