



## ORDINANCE NO. 1185

### AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD ANNEXING PROPERTY KNOWN AS THE M & C REAL ESTATE, LLC ANNEXATION TO THE TOWN OF BERTHOUD, COLORADO

**WHEREAS**, Resolution No. 12-14, finding substantial compliance and initiating annexation proceedings on behalf of M & C Real Estate, LLC, owner of a parcel of property, including Highway right-of-way frontage, all collectively referred to herein a "The M & C REAL ESTATE, LLC Annexation" has heretofore been adopted by the Board of Trustees of the Town of Berthoud; and;

**WHEREAS**, the Board of Trustees does hereby find and determine that it is in the best interests of the Town to annex said area to the Town.

#### **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BERTHOUD AS FOLLOWS:**

**Section 1:** That the following described property meets all legal requirements for annexation to the Town of Berthoud, and on the request of the Owner and in the interest of the Town:

A tract of land located in the W1/2 of Section 14, the E1/2 of Section 15, the NE1/4 of Section 22, and the NW1/4 of Section 23, T4N, R68W of the 6th P.M., described as follows:

**COMMENCING** at the Northeast Corner of said Section 22, from which the N1/4 Corner of said Section 22 bears S89°16'48"W (Basis of Bearing), thence N89°11'11"E, 50.00 feet along the North Line of the NW1/4 of said Section 23 to the Easterly Right-of-way Line of Interstate Highway 25 and the **POINT OF BEGINNING**;

Thence S00°12'07"E, 2630.33 feet along the Easterly Right-of-way Line of said Interstate Highway 25 to a point from which the E1/4 Corner of said Section 22 bears S89°47'53"W at right angles to the East Line of the NE1/4 of said Section 22; Thence S89°47'53"W, 50.00 feet at right angles to the East Line of the NE1/4 of said Section 22 to the E1/4 Corner of said Section 22; Thence S88°56'44"W, 2659.37 feet along the South Line of the NE1/4 of said Section 22 to the C1/4 Corner of said Section 22; Thence N00°17'25"W, 2645.28 feet along the West Line of the NE1/4 of said Section 22 to the N1/4 Corner of said Section 22; Thence N00°01'02"W, 31.90 feet along the West Line of the SE1/4 of said Section 15 to the Northerly Right-of-way Line of State Highway 56; The following courses and distances are along the Northerly Right-of-way Line of said State Highway 56:

Thence N88°14'27"E, 241.25 feet; Thence N86°31'48"E, 807.20 feet; Thence N89°16'48"E, 400.00 feet to a Northwesterly Corner along the Westerly Right-of-way Line of said Interstate Highway 25;

The following courses and distances are along the Westerly Right-of-way Line of said Interstate Highway 25:

Thence continuing N89°16'48"E, 350.00 feet; Thence N23°14'24"E, 1244.75 feet; Thence Northerly, 1171.81 feet along the arc of a curve concave to the West, said arc having a radius of 5595.00 feet, a central angle of 12°00'00", and being subtended by a chord that bears N05°51'54"E, 1169.67 feet; Thence N00°08'06"W, 271.50 feet; Thence N00°01'35"W, 2660.83 feet to the North Line of the NE1/4 of said Section 15;

Thence leaving the Westerly Right-of-way Line of said Interstate Highway 25, N89°16'58"E, 250.02 feet along the North Line of the NE1/4 of said Section 15 to the Northeast Corner of said Section 15; Thence N89°22'39"E, 225.00 feet along the North Line of the NW1/4 of said Section 14 to the Easterly Right-of-way Line of said Interstate Highway 25; The following courses and distances are along the Easterly Right-of-way Line of said Interstate Highway 25:

Thence S00°01'35"E, 28.00 feet; Thence S82°53'29"W, 176.33 feet; Thence S89°58'25"W, 10.00 feet; Thence S00°01'35"E, 277.88 feet; Thence S05°44'13"E, 100.50 feet; Thence S00°01'35"E, 2238.28 feet; Thence S00°08'06"E, 2642.64 feet to the POINT OF BEGINNING. Area = 215.069 acres, more or less be, and hereby is, annexed to the Town of Berthoud and made a part of said Town, to be known as The M & C REAL ESTATE, LLC Annexation.

**Section 2: No Obligations Assumed:** In annexing said property to the Town, the Town does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electrical service lines, streets or any other services or utilities in connection with the property hereby annexed except as may be provided by the ordinances of the Town.

**Section 3: Interpretation:** This Ordinance shall be so interpreted and construed to effectuate its general purpose.

**Section 4. Effective Date:** Passed and ordered published this 14<sup>th</sup> day of October, 2014. The Board of Trustees further finds that that the immediate annexation of this parcel is necessary for the health, safety and welfare of citizens of the Town, and this Ordinance shall therefore be effective immediately upon passage.

TOWN OF BERTHOUD

By:



David Gregg, Mayor

PASSED, ADOPTED, SIGNED AND APPROVED after final reading this the 14<sup>th</sup> day of October, 2014.

TOWN OF BERTHOUD

ATTEST:

By: 

Mary K. Cowdin, Town Clerk