

ORDINANCE NO. 1168

AN ORDINANCE APPROVING THE ANNEXATION OF LAND TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE JASKOWSKI ANNEXATION NO. 1 AND JASKOWSKI ANNEXATION NO. 2 TO THE TOWN OF BERTHOUD, COLORADO

WHEREAS, the Board of Trustees is in compliance with the statutory requirements set forth in section 30 (1) (c) of article II of the state constitution and sections 31-12-104 (1) (a) and 31-12-105 regarding the ability to annex land; and

WHEREAS, the Board of Trustees may by ordinance annex said area to the municipality without notice or hearing as provided in sections 31-12-108 and 31-12-109; and

WHEREAS, the Board of Trustees is in compliance with Chapter 30 Section 8 and Chapter 30 Section 3 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 the Town of Berthoud is the owner of one hundred percent (100%) of the property proposed to be annexed, exclusive of streets and alleys, and the property is not solely a public street or highway. 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" and depicted on Exhibit "B" attached hereto and incorporated herein by reference is hereby annexed and shall be known and described as the Jaskowski Annexation No. 1 and Jaskowski Annexation No. 2 to the Town of Berthoud:

The parcel contains approximately 87.484 acres more or less.

Section 2. Effective Date:

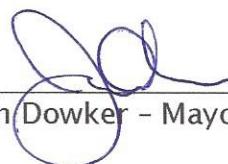
The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force 30 days after publication.

At its meeting September 10th, 2013 the Ordinance was read, passed and ordered published by the Board of Trustees.

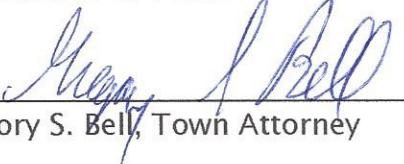
ATTEST:


Mary K. Cowdin - Town Clerk

TOWN OF BERTHOUD:


Jan Dowker - Mayor Pro-Tem

Approved as to form:



Gregory S. Bell, Town Attorney

Published: 9-19-13

EXHIBIT "A"

JASKOWSKI ANNEXATION NO. 1 AND JASKOWSKI ANNEXATION NO. 2

LEGAL DESCRIPTION – JASKOWSKI ANNEXATION NO. 1 TO THE TOWN OF BERTHOUD

A tract of land located in Sections 3 and 4, T4N, R69W of the 6th P.M. and Sections 33 and 34, T5N, R69W of the 6th P.M., County of Larimer, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast Corner of Lonetree Annexation No. 2 to the Town of Berthoud being also the Northeast Corner of the W1/2 of the NW1/4 of said Section 3 from which the Northeast Corner of said Section 4 bears S89°54'15"W, 1290.49 feet (Basis of Bearing);

Thence Westerly along the Northerly and Westerly Line of said Lonetree Annexation No. 2 to the Town of Berthoud being also contiguous with the Corporate Limit of said Town of Berthoud the following three (3) courses:

- 1) S89°54'15"W, 1290.49 feet along the North Line of said W1/2 of the NW1/4 of Section 3 to said Northeast Corner of Section 4;
- 2) N89°45'43"W, 449.99 feet along the North Line of the NE1/4 of said Section 4;
- 3) S36°05'50"W, 37.02 feet to the Southerly Right-of-Way Line of Larimer County Road 14;

Thence N89°45'43"W, 2195.02 feet along said Southerly Right-of-Way Line of Larimer County Road 14 to the East Line of the NW1/4 of said Section 4;

Thence N89°45'43"W, 1304.98 feet continuing along said Southerly Right-of-Way Line of Larimer County Road 14 to a point which lies 637.73 feet Westerly of its intersection with the East Line of the W1/2 of the NE1/4 of said NW1/4 of Section 4;

Thence N89°16'04"E, 3543.88 feet to the intersection of the Northerly Right-of-Way Line of said Larimer County Road 14 with the Northeasterly Extension of said Westerly Line of Lonetree Annexation No. 2 to the Town of Berthoud;

Thence S89°45'43"E, 428.69 feet along said Northerly Right-of-Way Line of Larimer County Road 14 to its intersection with the Northerly Extension of the West Line of said NW1/4 of Section 3;

Thence N89°54'15"E, 1290.11 feet continuing along said Northerly Right-of-Way Line of Larimer County Road 14 to the Northerly Extension of the East Line of said W1/2 of the NW1/4 of Section 3;

Thence S00°15'01"W, 30.00 feet along said Northerly Extension to the POINT OF BEGINNING;

The Perimeter of said tract being 10,570.17 feet with an Area of 156,889 square feet (3.602 acres), more or less.

LEGAL DESCRIPTION - JASKOWSKI ANNEXATION NO. 2 TO THE TOWN OF BERTHOUD

A tract of land located in Section 4, T4N, R69W of the 6th P.M. and Sections 33 and 34, T5N, R69W of the 6th P.M., County of Larimer, State of Colorado, being more particularly described as follows:

COMMENCING at the Northeast Corner of Lonetree Annexation No. 2 to the Town of Berthoud being also the Northeast Corner of the W1/2 of the NW1/4 of said Section 3 from which the Northeast Corner of said Section 4 bears S89°54'15"W, 1290.49 feet (Basis of Bearing); thence Northerly and Westerly along the Easterly and Northerly Line of Jaskowski Annexation No. 1 to the Town of Berthoud the following three (3) courses: 1) N00°15'01"E, 30.00 feet along the Northerly Extension of the East Line of said W1/2 of the NW1/4 of Section 3 to the Northerly Right-of-Way Line of Larimer County Road 14; 2) S89°54'15"W, 1290.11 feet along said Northerly Right-of-Way Line of Larimer County Road 14 to the Northerly Extension of the West Line of said NW1/4 of Section 3; 3) N89°45'43"W, 428.69 feet along said Northerly Right-of-Way Line of Larimer County Road 14 to its intersection with the Northeasterly Extension of the Westerly Line of Lonetree Annexation No. 2 to the Town of Berthoud and the POINT OF BEGINNING;

Thence Southwesterly and Easterly along the Northerly and Southerly Line of said Jaskowski Annexation No. 1 to the Town of Berthoud being also contiguous with the Corporate Limit of said Town of Berthoud the following two (2) courses:

- 1) S89°16'04"W, 3543.88 feet to the Southerly Right-of-Way Line of said Larimer County Road 14 at a point which lies 637.73 feet Westerly of its intersection with the East Line of the W1/2 of the NE1/4 of the NW1/4 of said Section 4;

2) S89°45'43"E, 637.73 feet along said Southerly Right-of-Way Line of Larimer County Road 14 to said intersection with the East Line of the W1/2 of the NE1/4 of the NW1/4 of Section 4;

Thence S00°27'39"W, 1451.77 feet along said East Line of the W1/2 of the NE1/4 of the NW1/4 of Section 4 to the Northerly Line of the Property owned by the Consolidated Home Supply Ditch and Reservoir Company;

Thence Westerly along said Northerly Line the following six (6) courses:

- 1) N89°48'00"W, 664.58 feet;
- 2) S00°21'42"W, 489.96 feet;
- 3) N83°02'13"W, 20.83 feet;
- 4) S88°10'47"W, 321.92 feet;
- 5) N69°04'13"W, 261.97 feet;
- 6) N79°13'13"W, 753.00 feet to the West Line of the NW1/4 of said Section 4;

Thence N00°09'52"E, 1800.96 feet along said West Line of the NW1/4 of Section 4 and its Northerly Extension to said Northerly Right-of-Way Line of Larimer County Road 14 as shown on the Plat of Burd M.R.D. #S-100-89, a subdivision recorded March 20, 1991 at Reception No. 91011120 of the Larimer County records;

Thence Easterly along said Northerly Right-of-Way Line of Larimer County Road 14 the following seven (7) courses:

- 1) S89°45'43"E, 255.55 feet to the East Line of said Burd M.R.D. #S-100-89;
- 2) S00°03'08"W, 20.00 feet along said East Line to a Line which is 30.00 feet Northerly of and Parallel with the South Line of said Section 33;
- 3) S89°45'43"E, 2477.53 feet along said Parallel Line to the West Line of Hopkins Minor Land Division, a subdivision recorded December 7, 2005 at Reception No. 2005-0104258 of the Larimer County records;
- 4) N00°08'52"E, 20.00 feet along said West Line;
- 5) S89°45'43"E, 1501.17 feet along the South Line of Lots 1 and 2 of said Hopkins Minor Land Division to the East Line of said Hopkins Minor Land Division;
- 6) S00°04'49"W, 20.00 feet along said East Line to a Line which is 30.00 feet Northerly of and Parallel with the South Line of said Section 34;
- 7) S89°45'43"E, 672.66 feet along said Parallel Line to the POINT OF BEGINNING;

The Perimeter of said tract being 14,913.51 feet with an Area of 3,653,911 square feet (83.882 acres), more or less.

