

ORDINANCE NO. 1164

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 CARTER FIRST ANNEXATION 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 Carter First Annexation to the Town of Berthoud:

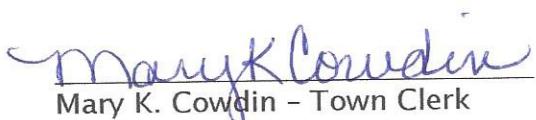
The parcel contains approximately 2.995 acres more or less.

Section 2. Effective Date:

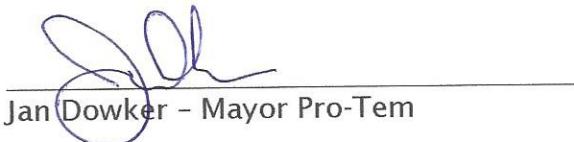
The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force 30 days after publication.

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

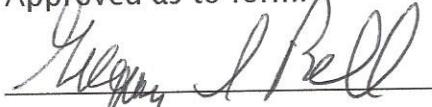
ATTEST:


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"
CARTER FIRST ANNEXATION

That portion of the North half of Section 11, Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado being more particularly described as follows:

Considering the South line of the North Half of said Section 11 as bearing North 90°00'00" West and with all bearings contained herein relative thereto:

Beginning at the East One-Quarter corner of said Section 11: thence along the South line of the North Half of said Section 11 as bearing North 90°00'00" West 3,262.70 feet, more or less, to a point on the West line of that certain tract of land as described in Deed recorded in Book 1411 at Page 364, records of said County; thence departing said South line of the North Half of said Section 11 and along said West line of that certain tract of land as described in Deed recorded in Book 1411 at Page 364 North 00°02'06" East 461.82 feet; thence North 90°00'00" East 179.61 feet to the TRUE POINT OF BEGINNING; thence North 00°01'16" East 530.49 feet, more or less, to a point on the Southerly line of 4TH STREET THIRD ANNEXATION to the Town of Berthoud, County of Larimer, State of Colorado; thence along said Southerly line of 4TH STREET THIRD ANNEXATION South 59°37'02" East 387.45 feet and again South 01°42'00" East 149.60 feet, more or less, to a point on the approximate centerline of the Handy Ditch; said point also being a point on the Westerly line of Lot 2, AMENDED PLAT PARCELS B & C, TAYLOR EXEMPTION, County of Larimer, State of Colorado; thence departing said Southerly line of 4TH STREET THIRD ANNEXATION and along said approximate centerline of the Handy Ditch and said Westerly line of Lot 2, AMENDED PLAT PARCELS B & C, TAYLOR EXEMPTION the following three (3) courses and distances: 1) South 61°54'00" West 28.25 feet; 2) South 39°20'00" West 106.35 feet; 3) South 25°56'00" West 99.44 feet; thence departing said approximate centerline of the Handy Ditch and said Westerly line of Lot 2, AMENDED PLAT PARCELS B & C, TAYLOR EXEMPTION South 90°00'00" West 202.67 feet, more or less, to the TRUE POINT OF BEGINNING.

The above-described parcel contains 2.995 acres, more or less, and is subject to any existing easements and/or rights of way of record.

EXHIBIT "B"
CARTER FIRST ANNEXATION MAP

