

ORDINANCE NO. 1133

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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 BYERS 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 Byers Annexation to the Town of Berthoud:

The parcel contains approximately .62 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.

At its meeting June 28, 2011 the Ordinance was read, passed and ordered published by the Board of Trustees.

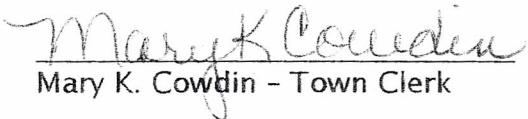
EXHIBIT "A"
BYERS ANNEXATION

Beginning at the Northeast corner of the NW $\frac{1}{4}$ of said Section 24, thence along the Northerly Line of said Section S. $89^{\circ}33'30''$ West 111.00 feet to the True Point of Beginning, thence continuing along said Northerly line South $89^{\circ}33'30''$ West 216.50 feet to the Westerly line of the land described in deed recorded January 16, 1935 in Book 555, Page 203, Larimer County records: thence along said Westerly line South $0^{\circ}02'00''$ East 160.00 feet to a 2 inch pipe with concrete plug and Brass Seal inscribed R.L.S., 4845; thence parallel with the Northerly line of said Section North $89^{\circ}33'30''$ East 216.50 feet to a 2 inch iron pipe with concrete plug and brass seal inscriber R.L.S. 4845; thence North $0^{\circ}02'00''$ West 160.00 feet to the True Point of Beginning; being a portion of the NW1/4 of said Section 24, Township 4 North, Range 69 West of the 6th P.M., EXCEPT PORTION CONVEYED IN Book 1182, Page 506, County of Larimer, State of Colorado.

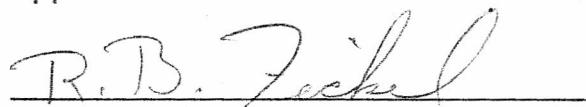
TOWN OF BERTHOUD:


T.P. Patterson - Mayor

ATTEST:


Mary K. Cowdin - Town Clerk

Approved as to form:


R.B. Fickel, Attorney

Published: July 7, 2011