

ORDINANCE NO. 1113

AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF LAND TO THE TOWN OF BERTHOUD, COUNTIES OF LARIMER AND WELD, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE JONES 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 Jones Annexation to the Town of Berthoud:

The parcel contains approximately 11.04 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.

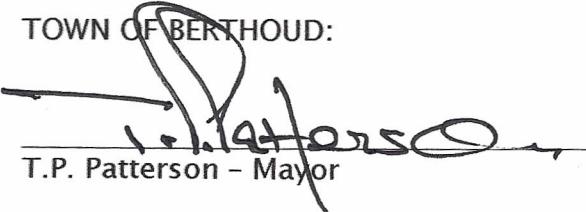
At its meeting December 8, 2009 the Ordinance was read, passed and ordered published by the Board of Trustees.

ATTEST:


Mary K. Cowdin

Mary K. Cowdin - Town Clerk

TOWN OF BERTHOUD:


T.P. Patterson

Approved as to form:

R.B. Fickel

R.B. Fickel, Attorney

Published: 12-16-09

EXHIBIT "A"
JONES ANNEXATION

LOT 1 OF THE JONES MLD 02-S1958 also described by metes and bounds as a portion of the Northeast Quarter of Section 11, Township 4 North, Range 69 West of the Sixth Principal Meridian, Larimer County, Colorado more particularly described as follows:

Commencing at the Northeast Corner of said Section 11; thence North $89^{\circ}13'45''$ West, along the Northerly line of said Section 11, a distance of 1,651.63 feet to the intersection of said northerly line of said Section 11 and the westerly right-of-way line of the C&S railroad; thence along said westerly right-of-way line South $01^{\circ}52'10''$ East, a distance of 52.53 feet to the POINT OF BEGINNING.

thence South $28^{\circ}38'00''$ West, a distance of 471.00 feet;
thence South $18^{\circ}12'00''$ West, a distance of 226.90 feet;
thence South $04^{\circ}10'00''$ East, a distance of 217.14 feet;
thence South $17^{\circ}33'00''$ East, a distance of 115.44 feet;
thence South $42^{\circ}31'00''$ East, a distance of 27.88 feet;
thence South $15^{\circ}46'00''$ East, a distance of 255.10 feet;
thence South $13^{\circ}03'00''$ West, a distance of 226.20 feet;
thence South $39^{\circ}32'00''$ West, a distance of 256.00 feet;
thence South $49^{\circ}33'00''$ East, a distance of 200.80 feet;
thence South $52^{\circ}28'00''$ East, a distance of 225.80 feet;
thence South $00^{\circ}42'00''$ West, a distance of 143.60 feet;
thence South $08^{\circ}57'05''$ East, a distance of 56.90 feet;
thence South $89^{\circ}12'$ East, a distance of 101.72 feet to said westerly right-of-way line of the C&S Railroad;
thence along said westerly line North $01^{\circ}52'10''$ West, a distance of 2,109.62 feet to the POINT OF BEGINNING.

Containing 481,107 square feet or 11.04 acres, more or less.