

ORDINANCE NO. 1287

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD ANNEXING PROPERTY KNOWN AS PK #1 PROPERTIES ANNEXATION TO THE TOWN OF BERTHOUD, COLORADO

WHEREAS, Resolution No. 2020-17 finding substantial compliance and initiating annexation proceedings on behalf of Berthoud 160, LLC, owners of the parcels of property, collectively referred to herein as "PK Berthoud #1" has heretofore been adopted by the Board of Trustees of the Town of Berthoud; and

WHEREAS, by Resolution No. 2021-03 the Board of Trustees determined that the applicable provisions of section 30 of article II of the state constitution and sections 31-12-104 and 31-12-105 have been met, and further determined that an election is not required under section 31-12-107 (2), and did not determine that additional terms and conditions are to be imposed; and

WHEREAS, the Board of Trustees may annex the proposed area by ordinance pursuant to section 31-12-111, C.R.S.; 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:

PK Berthoud # 1

A parcel of land being a portion of Lot 1, Hicks MRD S9-89 recorded July 31, 1989 as Reception No. 89033670 of the Records of Larimer County situate within the Southwest Quarter of Section Twenty-three (23) and the Northwest Quarter of Section Twenty-six (26), Township Four North, Range Sixty-nine West, Sixth Principal Meridian, County of Larimer, State of Colorado.

COMMENCING at the Northwest Corner of said Section 26 and assuming the West line of the Northwest Quarter of Section 26 as bearing South 00°08'17" East a distance of 2653.02 feet with all other bearings contained herein relative thereto: THENCE North 00°02'32" East along the West line of the Southwest Quarter of said Section 23 a distance of 28.88 feet to the Northwest corner of said Lot 1, Hicks MRD S9-89. THENCE North 89° 53' 38" East along the North line of said Lot 1 a distance of 50.00 feet to the Easterly Right of Way line of Larimer County Road 17 and to the Easterly line of the Schell-Hicks Annexation Map No. 4 recorded September 21, 2007 as Reception No. 20070072337 of the Records of Larimer County and to the POINT OF BEGINNING. THENCE North 89° 53' 38" East continuing along said North line of Lot 1, Hicks MRD S9-89 a distance of 729.04 feet to the Northeast corner of said Lot 1 and to a Northwesterly line of said Schell-Hicks Annexation Map No. 4;

The following five (5) courses are along the Northwesterly, Northerly and Easterly lines of the Schell-Hicks Annexation Map No. 4.

THENCE South 47° 39' 15" West a distance of 634.08 feet; THENCE North 61° 59' 46" West a distance of 199.76 feet; HENCE South 89° 09' 06" West a distance of 83.32 feet to the Easterly

Right of Way line of Larimer County Road 17; THENCE North 00° 08' 17" West a distance of 304.28 feet; THENCE North 00° 02' 32" East a distance of 28.93 feet to the POINT OF BEGINNING. TOTAL ANNEXED AREA for the PK Berthoud Annexation #1 is 4.47 acres, more or less (±).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. That the above 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, said property shall be annexed to the Town.


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: The provisions of this Ordinance shall take effect thirty days after publication as required by law.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 12th day of January, 2021.

TOWN OF BERTHOUD

By: 
William Karspeck, Mayor

ATTEST:

By: 
Christian Samora, Town Clerk

