

ORDINANCE NO. 1208

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD TO REZONE A PORTION OF PROPERTY KNOWN AS "HERON LAKES"; "AG PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, AND 14," FROM PLANNED UNIT DEVELOPMENT PUD TO AGRICULTURAL; "R-1 PARCELS 1,2,3,4,5,6, 7, AND 8," FROM PLANNED UNIT DEVELOPMENT PUD TO R-1 SINGLE FAMILY; "R-2 PARCELS 1,2,AND 3," FROM PLANNED UNIT DEVELOPMENT PUD TO R-2 LIMITED MULTI-FAMILY DISTRICT; "R-3 PARCELS 1,2 AND 3," FROM PLANNED UNIT DEVELOPMENT TO R-3 MULTI-FAMILY; "R-4 PARCELS 1,2, AND 3" FROM PLANNED UNIT DEVELOPMENT PUD TO R-4 MIXED USE; "C-1 PARCEL 1," FROM PLANNED UNIT DEVELOPMENT PUD TO C-1 NEIGHBORHOOD COMMERCIAL; AND "C-2 PARCEL 1," FROM PLANNED UNIT DEVELOPMENT PUD TO C-2 GENERAL COMMERCIAL.

WHEREAS, certain property known as "HERON LAKES" has heretofore been zoned by the Town of Berthoud as Planned Unit Development (PUD); and

WHEREAS, the Planning Commission has considered the rezoning request of the current owners and, after proper notice and hearing, has recommended that such Parcels be rezoned from "AG Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14," from Planned Unit Development PUD to Agricultural; "R-1 Parcels 1,2,3,4,5,6, 7, and 8," from Planned Unit Development PUD to R-1 Single Family; "R-2 Parcels 1,2,and 3," from Planned Unit Development PUD to R-2 Limited Multi-family; R-3 Parcels 1,2, and 3," from Planned Unit Development PUD to R-3 Multi-family; "R-4 Parcels 1,2, and 3," from Planned Unit Development PUD to R-4 Mixed Use; "C-1 Parcel 1," from Planned Unit Development PUD to C-1 Neighborhood Commercial; "C-2 Parcel 1," from Planned Unit Development PUD to C-2 General Commercial.

WHEREAS, notice was properly posted in the manner required by law and a public hearing was conducted on November 12, 2015, before the Berthoud Planning Commission and a public hearing was conducted on December 8, 2015 before the Board of Trustees as required by law; and

WHEREAS, after the public hearing, the Berthoud Planning Commission, on a five to zero vote, recommended approval of the zoning change sought by the applicant to Agricultural; R-1 Single Family; R-2 Limited Multi-Family; R-3 Multi-Family; C-1 Neighborhood Commercial; and C-2 General Commercial.

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

Section 1: Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "A Portion of Property known as the Heron Lakes" AG Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14," shall be rezoned from Planned Unit Development PUD to Agricultural.

AG PARCEL 1 DESCRIPTION (PUD TO AG):

A tract of land located in the North Half of Section 9, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

Tract O, Heron Lakes PUD First Filing, containing 1,314,351 square feet or 30.173 acres more or less.

AG PARCEL 2 DESCRIPTION (PUD TO AG):

A tract of land located in the North Half of Section 9 and the Southeast Quarter of Section 4, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the North Quarter corner of Section 9; thence, North 46° 09' 08" East, 206.60 feet to the POINT OF BEGINNING; thence, South 79° 41' 23" East, 313.14 feet; thence, South 75° 22' 20" East, 168.38 feet; thence, South 58° 22' 51" East, 180.55 feet; thence, South 71° 56' 46" West, 50.43 feet; thence, North 88° 35' 21" West, 313.67 feet; thence, South 09° 39' 18" West, 101.22 feet; thence, South 55° 28' 52" East, 256.03 feet; thence, South 20° 16' 25" West, 173.99 feet; thence, South 58° 53' 28" West, 203.75 feet; thence, North 88° 05' 18" West, 333.65 feet; thence, North 83° 06' 08" West, 157.14 feet; thence, North 16° 40' 32" East, 323.94 feet; thence, North 29° 30' 07" East, 264.11 feet; thence, North 29° 30' 07" East, 27.11 feet; thence, North 14° 14' 31" East, 124.53 feet to the Point of Beginning, containing 361,123 square feet or 8.290 acres more or less.

AG PARCEL 3 DESCRIPTION (PUD TO AG):

A tract of land located in the East Half of Section 4 and the Northwest Quarter of Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

BEGINNING at the Northwest corner of Section 3; thence, North 89° 39' 59" East, 761.52 feet; thence, South 00° 33' 46" East, 50.00 feet; thence along a curve concave to the west having a central angle of 02° 34' 05" with a radius of 1320.10 feet, an arc length of 59.17 feet and the chord of which bears South 00° 41' 13" East, 59.16 feet; thence along a curve concave to the west having a central angle of 27° 24' 46" with a radius of 290.73 feet, an arc length of 139.10 feet and the chord of which bears South 12° 04' 57" West, 137.77 feet; thence along a curve concave to the northwest having a central angle of 74° 25' 49" with a radius of 17.55 feet, an arc length of 22.79 feet and the chord of which bears South 54° 17' 18" West, 21.23 feet; thence along a curve concave to the southeast having a central angle of 68° 58' 34" with a radius of 92.00 feet, an arc length of 110.76 feet and the chord of which bears South 39° 34' 53" West, 104.19 feet; thence along a curve concave to the northwest having a central angle of 59° 07' 43" with a radius of 30.00 feet, an arc length of 30.96 feet and the chord of which bears South 34° 39' 27" West, 29.60 feet; thence along a curve concave to the southeast having a central angle of 04° 16' 40" with a radius of 905.73 feet, an arc length of 67.62 feet and the chord of which bears South 64° 13' 19" West, 67.61 feet; thence along a curve concave to the southeast having a central angle of 02° 55' 25" with a radius of 617.11 feet, an arc length of 31.49 feet and the chord of which bears South 64° 41' 15" West, 31.49 feet; thence, South 51° 41' 11" West, 61.87 feet; thence, North 41° 13' 28" West, 60.00 feet; thence, South 87° 31' 50" West, 150.42 feet; thence, South 44° 01' 45" West, 178.88 feet; thence along a curve concave to the northwest having a central angle of 53° 40' 36" with a radius of 230.00 feet, an arc length of

215.47 feet and the chord of which bears South 70° 52' 03" West, 207.68 feet; thence, North 82° 17' 39" West, 229.19 feet; thence along a curve concave to the north having a central angle of 11° 41' 50" with a radius of 430.00 feet, an arc length of 87.79 feet and the chord of which bears North 76° 26' 44" West, 87.64 feet; thence, North 70° 35' 49" West, 100.43 feet; thence along a curve concave to the southwest having a central angle of 05° 20' 14" with a radius of 370.00 feet, an arc length of 34.47 feet and the chord of which bears North 73° 15' 56" West, 34.45 feet; thence, South 21° 00' 26" West, 319.12 feet; thence, South 30° 55' 22" West, 277.23 feet; thence, South 45° 51' 29" West, 197.99 feet; thence, South 11° 58' 49" West, 217.12 feet; thence, South 13° 30' 18" East, 479.09 feet; thence, South 15° 21' 19" East, 284.86 feet; thence, South 14° 59' 53" West, 167.30 feet; thence, South 43° 27' 12" West, 121.41 feet; thence, South 78° 17' 22" West, 321.01 feet; thence, South 11° 46' 52" East, 863.06 feet; thence, South 25° 30' 12" West, 379.54 feet; thence, South 65° 07' 49" East, 155.42 feet; thence, South 25° 41' 23" West, 51.56 feet; thence, North 64° 18' 37" West, 151.48 feet; thence, North 69° 50' 09" West, 317.01 feet; thence, North 65° 23' 39" West, 33.45 feet; thence, North 24° 36' 21" East, 116.24 feet; thence, North 16° 57' 48" East, 128.40 feet; thence, North 09° 06' 09" East, 349.19 feet; thence, North 09° 00' 42" West, 461.90 feet; thence, North 16° 10' 30" West, 250.58 feet; thence, North 00° 51' 40" East, 118.10 feet; thence, North 79° 58' 10" East, 292.41 feet; thence, North 46° 15' 36" East, 71.18 feet; thence, North 15° 01' 00" East, 206.97 feet; thence, North 08° 13' 53" West, 168.74 feet; thence, North 39° 39' 58" West, 163.42 feet; thence, North 67° 08' 22" West, 183.52 feet; thence, South 61° 18' 58" West, 106.08 feet; thence, South 37° 53' 31" West, 122.03 feet; thence, South 56° 02' 20" West, 187.43 feet; thence, South 31° 45' 02" West, 126.55 feet; thence, North 15° 12' 28" West, 137.14 feet; thence, North 48° 53' 31" East, 161.05 feet; thence, North 55° 10' 48" East, 110.23 feet; thence, North 42° 15' 18" East, 217.55 feet; thence, North 52° 51' 45" East, 156.45 feet; thence, North 04° 07' 23" East, 173.52 feet; thence, North 40° 44' 37" East, 506.53 feet; thence, North 35° 51' 34" East, 103.28 feet; thence, North 52° 03' 34" East, 214.06 feet; thence, North 03° 42' 26" West, 93.76 feet; thence, North 35° 51' 34" East, 540.22 feet; thence, South 89° 59' 58" East, 449.99 feet to the Point of Beginning, containing 2,019,748 square feet or 46.367 acres more or less.

AG PARCEL 4 DESCRIPTION (PUD TO AG)

A tract of land located in the West Half of Section 3 and the East Half of Section 4, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the West 14 corner of Section 3; thence, North 75° 02' 48" West, 427.82 feet to the POINT OF BEGINNING; thence, North 10° 57' 56" East, 804.67 feet; thence, North 20° 49' 38" East, 84.86 feet; thence, North 18° 51' 33" East, 120.41 feet; thence, North 31° 53' 36" East, 98.44 feet; thence, North 43° 47' 52" East, 445.64 feet; thence, South 82° 36' 23" East, 168.31 feet; thence, North 53° 07' 17" East, 77.21 feet; thence, North 04° 04' 25" East, 488.23 feet; thence, North 40° 56' 13" East, 372.44 feet; thence, North 42° 11' 26" West, 80.22 feet; thence, North 64° 10' 36" East, 86.91 feet; thence along a curve concave to the south having a central angle of 40° 17' 15" with a radius of 30.00 feet, an arc length of 21.09 feet and the chord of which bears South 78° 18' 39" East, 20.66 feet; thence along a curve concave to the north having a central angle of 94° 22' 49" with a radius of 92.20 feet, an arc length of 151.88 feet and the chord of which bears North 80° 16' 00" East, 135.28 feet; thence along a curve concave to the south having a central angle of 66° 25' 00" with a radius of 23.51 feet, an arc length of 27.26

feet and the chord of which bears North 61° 34' 18" East, 25.76 feet; thence, South 89° 57' 35" East, 9.88 feet; thence, South 32° 47' 53" East, 251.52 feet; thence, South 03° 48' 54" West, 1004.94 feet; thence, South 12° 21' 28" West, 409.73 feet; thence, South 12° 21' 28" West, 481.97 feet; thence, North 82° 54' 11" West, 174.53 feet; thence, South 08° 55' 26" West, 387.15 feet; thence, South 08° 16' 45" East, 743.79 feet; thence, North 80° 52' 08" East, 153.87 feet; thence, South 10° 33' 32" East, 154.68 feet; thence, South 45° 57' 56" West, 89.65 feet; thence along a curve concave to the northwest having a central angle of 26° 31' 15" with a radius of 300.00 feet, an arc length of 138.86 feet and the chord of which bears South 59° 13' 33" West, 137.63 feet; thence, South 72° 29' 11" West, 80.53 feet; thence along a curve concave to the southeast having a central angle of 23° 21' 59" with a radius of 414.17 feet, an arc length of 168.91 feet and the chord of which bears South 60° 20' 48" West, 167.74 feet; thence, South 48° 39' 49" West, 83.04 feet; thence, North 41° 06' 17" West, 171.32 feet; thence, North 41° 06' 20" West, 97.18 feet; thence, North 28° 43' 46" West, 337.92 feet; thence, North 79° 57' 19" West, 145.95 feet; thence, South 44° 44' 52" West, 1041.50 feet; thence, North 58° 04' 29" West, 161.38 feet; thence, North 26° 23' 10" East, 340.95 feet; thence, North 64° 18' 37" West, 151.48 feet; thence, North 25° 41' 23" East, 51.56 feet; thence, South 65° 07' 49" East, 154.06 feet; thence, North 26° 39' 54" East, 646.88 feet; thence, North 13° 38' 20" East, 508.56 feet to the Point of Beginning, containing 3,300,090 square feet or 75.760 acres more or less.

AG PARCEL 5 DESCRIPTION (PUD TO AG)

A tract of land located in the Southwest Quarter of Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows: BEGINNING at the Center-West 1/16th corner of Section 3; thence, North 89° 52' 27" East, 699.18 feet; thence, South 00° 09' 49" East, 372.27 feet; thence, South 00° 57' 04" East, 858.51 feet; thence, North 81° 30' 40" West, 117.30 feet; thence along a curve concave to the northeast having a central angle of 13° 44' 34" with a radius of 300.00 feet, an arc length of 71.96 feet and the chord of which bears North 74° 38' 23" West, 71.79 feet; thence along a curve concave to the northeast having a central angle of 24° 31' 28" with a radius of 300.00 feet, an arc length of 128.41 feet and the chord of which bears North 55° 30' 22" West, 127.43 feet; thence, North 43° 14' 38" West, 297.51 feet; thence along a curve concave to the south having a central angle of 58° 19' 23" with a radius of 330.00 feet, an arc length of 335.92 feet and the chord of which bears North 72° 24' 19" West, 321.60 feet; thence, South 78° 25' 59" West, 428.19 feet; thence, North 10° 33' 32" West, 154.68 feet; thence, North 80° 52' 08" East, 153.87 feet; thence, North 07° 38' 13" West, 165.16 feet; thence, North 01° 27' 19" East, 276.64 feet; thence, North 26° 01' 07" East, 146.19 feet; thence, North 34° 54' 05" East, 133.71 feet; thence, North 82° 16' 15" East, 258.72 feet to the Point of Beginning, containing 1,050,504 square feet or 24.116 acres more or less.

AG PARCEL 6 DESCRIPTION (PUD TO AG)

A tract of land located in the Southwest Quarter of Section 3 and the Northwest Quarter of Section 10, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center-West 1/16th corner of Section 3; thence, South 06° 05' 43" West, 811.28 feet to the POINT OF BEGINNING; thence along a curve concave to the south having a central angle of 58° 19' 23" with a radius of 330.00 feet, an arc length of 335.92 feet and the chord of which bears South 72° 24' 19" East, 321.60 feet; thence South 43° 14' 38" East, 297.51 feet; thence along a curve concave to the northeast having a central angle of 24° 31' 28" with a radius of 300.00 feet, an arc length of 128.41 feet and the chord of which bears South 55° 30' 22" East, 127.43 feet; thence, South 22° 13' 54" West, 92.22 feet; thence, South 13° 15' 34" East, 784.79 feet; thence, South 13° 15' 34" East, 348.05 feet; thence, South 07° 37' 22" East, 785.99 feet; thence, South 04° 07' 03" West, 383.62 feet; thence, South 07° 19' 21" West, 503.46 feet; thence, South 07° 57' 29" West, 540.01 feet; thence, South 07° 37' 06" West, 336.24 feet; thence, South 32° 27' 20" West, 488.13 feet; thence along a curve concave to the northeast having a central angle of 19° 11' 14" with a radius of 275.00 feet, an arc length of 92.09 feet and the chord of which bears North 25° 33' 30" West, 91.66 feet; thence, North 15° 57' 53" West, 150.00 feet; thence along a curve concave to the southwest having a central angle of 30° 43' 02" with a radius of 500.00 feet, an arc length of 268.06 feet and the chord of which bears North 31° 19' 24" West, 264.86 feet; thence, North 15° 43' 18" East, 148.75 feet; thence, North 20° 04' 14" West, 389.04 feet; thence, North 08° 09' 54" East, 197.04 feet; thence, North 30° 31' 50" East, 179.19 feet; thence, North 08° 30' 40" East, 447.38 feet; thence, North 01° 33' 55" West, 265.58 feet; thence, North 08° 06' 42" East, 313.74 feet; thence, North 11° 39' 24" West, 250.45 feet; thence, North 14° 38' 51" West, 40.87 feet; thence, North 14° 38' 51" West, 285.77 feet; thence, North 10° 37' 17" West, 198.18 feet; thence, North 10° 39' 52" West, 165.28 feet; thence, North 10° 48' 53" West, 273.57 feet; thence, North 15° 35' 14" East, 202.30 feet; thence, North 33° 18' 01" West, 189.08 feet; thence, North 46° 23' 19" West, 213.79 feet; thence, South 57° 20' 43" West, 242.06 feet; thence, South 49° 22' 34" West, 296.43 feet; thence, North 41° 06' 17" West, 584.97 feet; thence, North 48° 39' 49" East, 83.04 feet; thence along a curve concave to the southeast having a central angle of 23° 21' 59" with a radius of 414.17 feet, an arc length of 168.91 feet and the chord of which bears North 60° 20' 48" East, 167.74 feet; thence, North 72° 29' 11" East, 80.53 feet; thence along a curve concave to the northwest having a central angle of 26° 31' 15" with a radius of 300.00 feet, an arc length of 138.86 feet and the chord of which bears North 59° 13' 33" East, 137.63 feet; thence, North 45° 57' 56" East, 89.65 feet; thence, North 78° 25' 59" East, 428.19 feet to the Point of Beginning, containing 2,778,738 square feet or 63.791 acres more or less.

AG PARCEL 7 DESCRIPTION (PUD TO AG)

A tract of land located in the Northwest Quarter of Section 10, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the West Quarter corner of Section 10; thence, North 25° 14' 27" East, 917.09 feet to the POINT OF BEGINNING; thence, North 34° 07' 08" East, 24.56 feet; thence, South 79° 22' 49" East, 151.83 feet; thence, North 36° 17' 37" East, 201.39 feet; thence, North 10° 12' 54" East, 128.62 feet; thence, North 17° 18' 08" West, 91.27 feet; thence, North 45° 00' 45" West, 97.76 feet; thence, North 57° 35' 45" West, 70.48 feet; thence, North 79° 43' 42" West, 103.28 feet; thence, South 83° 52' 36" West, 204.21 feet; thence, North 68° 22' 58" East, 218.44 feet; thence, South 63° 32' 48" East, 92.33 feet; thence, South 58° 41' 02" East, 136.42 feet; thence, South 41° 15' 30" East, 78.83 feet; thence, South 17° 01' 31" East, 102.15 feet; thence, South

10°11' 49" West, 148.36 feet; thence, North 83° 11' 28" East, 284.73 feet; thence, South 85° 33' 32" East, 344.54 feet; thence, North 46° 45' 46" East, 110.88 feet; thence, South 20° 04' 14" East, 389.04 feet; thence, South 15° 43' 18" West, 148.75 feet; thence, South 15° 43' 18" West, 269.81 feet; thence, North 32° 27' 40" West, 215.10 feet; thence, North 52° 28' 27" West, 82.15 feet; thence, North 76° 17' 06" West, 516.25 feet; thence, North 83° 41' 59" West, 118.56 feet; thence, North 51° 45' 33" West, 292.33 feet to the Point of Beginning, containing 435,638 square feet or 10.001 acres more or less.

AG PARCEL 8 DESCRIPTION (PUD TO AG)

A tract of land located in the Southeast Quarter of Section 4, the Southwest Quarter of Section 3 and the Northeast Quarter of Section 9, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Northwest Quarter corner of Section 10; thence, North 80° 18' 44" West, 350.99 feet to the POINT OF BEGINNING; thence, South 02° 58' 11" East, 286.97 feet; thence, South 37° 22' 14" East, 172.78 feet; thence, South 45° 59' 27" West, 30.20 feet; thence, North 37° 22' 14" West, 185.56 feet; thence, North 02° 58' 11" West, 302.50 feet; thence, North 20° 32' 40" East, 351.63 feet; thence, North 31° 10' 212" East, 201.82 feet; thence, North 45° 12' 56" East, 248.16 feet; thence, North 15° 37' 25" East, 324.39 feet; thence, North 14° 06' 34" West, 366.44 feet; thence, North 89° 29' 15" West, 313.54 feet; thence, South 43° 00' 34" West, 453.63 feet; thence, South 05° 39' 01" East, 335.79 feet; thence, South 31° 09' 25" West, 274.08 feet; thence, South 71° 46' 32" West, 275.44 feet; thence, North 81° 39' 21" West, 201.84 feet; thence, South 58° 00' 06" West, 325.30 feet; thence, South 41° 44' 25" West, 214.23 feet; thence, South 55° 00' 21" West, 85.26 feet; thence, North 48° 15' 22" West, 30.82 feet; thence, North 55° 00' 21" East, 88.85 feet; thence, North 41° 44' 25" East, 215.03 feet; thence, North 58° 00' 06" East, 340.61 feet; thence, South 81° 39' 21" East, 205.78 feet; thence, North 71° 46' 32" East, 257.25 feet; thence, North 31° 09' 25" East, 253.00 feet; thence, North 05° 39' 01" West, 339.37 feet; thence, North 43° 00' 34" East, 480.40 feet; thence, South 89° 29' 15" East, 349.90 feet; thence, South 14° 06' 34" East, 397.59 feet; thence, South 15° 37' 25" West, 340.28 feet; thence, South 45° 12' 56" West, 252.39 feet; thence, South 31° 10' 22" West, 195.33 feet; thence, South 20° 32' 40" West, 342.60 feet to the Point of Beginning, containing 134,656 square feet or 3.091 acres more or less.

AG PARCEL 9 DESCRIPTION (PUD TO AG)

A tract of land located in the Southwest Quarter of Section 3 and the North Half of Section 10, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

BEGINNING at the North Quarter corner of Section 10; thence, North 89° 25' 18" East, 764.21 feet; thence along a curve concave to the southeast having a central angle of 20° 32' 28" with a radius of 1917.50 feet, an arc length of 687.44 feet and the chord of which bears South 26° 55' 20" West, 683.76 feet; thence, South 11° 04' 51" West, 424.77 feet; thence, North 90° 00' 00" West, 400.17 feet; thence, North 00° 42' 57" West, 364.22

feet; thence, North 00° 42' 57" West, 956.61 feet; thence, North 89° 18' 23" East, 39.96 feet; thence South 00° 42' 57" East, 302.44 feet to the Point of Beginning, containing 573,314 square feet or 13.161 acres more or less.

AG PARCEL 10 DESCRIPTION (PUD TO AG)

A tract of land located in the North Half of Section 10, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 10; thence, North 21° 26' 43" West, 134.70 feet; thence, North 12° 03' 48" West, 27.95 feet; thence, North 88° 53' 27" East, 249.48 feet; thence, North 06° 35' 33" West, 877.28 feet to the POINT OF BEGINNING; thence, North 83° 24' 27" West, 160.76 feet; thence, North 34° 18' 11" West, 91.67 feet; thence along a curve concave to the northeast having a central angle of 33° 35' 14" with a radius of 600.00 feet, an arc length of 351.72 feet and the chord of which bears North 17° 30' 34" West, 346.71 feet; thence North 00° 42' 57" West, 208.20 feet; thence, North 90° 00' 00" East, 400.17 feet; thence, South 11° 04' 51" West, 110.94 feet; thence, South 06° 35' 33" West, 527.62 feet to the Point of Beginning, containing 198,210 square feet or 4.550 acres more or less.

AG PARCEL 11 DESCRIPTION (PUD TO AG)

A tract of land located in Section 10, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 10; thence, North 21° 26' 43" West, 134.70 feet to the POINT OF BEGINNING; thence, North 12° 03' 48" West, 27.95 feet; thence, North 88° 53' 27" East, 249.48 feet; thence, South 06° 35' 33" West, 52.50 feet; thence, South 07° 46' 05" West, 331.49 feet; thence, South 75° 29' 46" West, 105.74 feet; thence along a curve concave to the west having a central angle of 00° 39' 02" with a radius of 900.00 feet, an arc length of 10.22 feet and the chord of which bears South 13° 34' 13" East, 10.22 feet; thence, South 75° 29' 46" West, 45.40 feet; thence, South 00° 05' 19" West, 2.95 feet; thence, South 74° 42' 15" West, 15.68 feet; thence, North 00° 05' 07" East, 180.12 feet; thence along a curve concave to the west having a central angle of 11° 51' 38" with a radius of 600.00 feet, an arc length of 124.20 feet and the chord of which bears North 05° 50' 43" West, 123.98 feet; thence, North 12° 03' 48" West, 102.11 feet to the Point of Beginning, containing 77,667 square feet or 1.783 acres more or less.

AG PARCEL 12 DESCRIPTION (PUD TO AG)

A tract of land located in the Northwest Quarter of Section 15, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Northwest corner of Section 10; thence, South 00° 31' 24" East, 970.49 feet; thence, North 89° 28' 36" East, 188.64 feet to the POINT OF BEGINNING; thence, South 75° 16' 36" East, 353.83 feet; thence, South 14° 43' 47" West, 25.04 feet; thence along a curve

concave to the northwest having a central angle of 34° 45' 10" with a radius of 600.00 feet, an arc length of 363.93 feet and the chord of which bears South 32° 06' 22" West, 358.38 feet; thence, South 49° 28' 58" West, 153.46 feet; thence along a curve concave to the southeast having a central angle of 45° 37' 03" with a radius of 600.00 feet, an arc length of 477.70 feet and the chord of which bears South 26° 40' 26" West, 465.19 feet; thence, North 00° 31' 24" West, 462.92 feet; thence, North 69° 08' 48" East, 29.23 feet; thence, North 63° 46' 40" East, 129.95 feet; thence, North 48° 02' 14" East, 52.48 feet; thence North 14° 31' 17" East, 76.87 feet; thence, North 03° 29' 09" West, 293.40 feet to the Point of Beginning, containing 155,064 square feet or 3.560 acres more or less.

AG PARCEL 13 DESCRIPTION (PUD TO AG)

A tract of land located in the Southwest Quarter of Section 10 and the Northwest Quarter of Section 15, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center-South 16th corner of Section 10; thence, South 89° 18' 00" West, 13.36 feet to the POINT OF BEGINNING; thence, South 13° 39' 39" West, 625.29 feet; thence South 17° 06' 20" West, 1282.13 feet; thence along a curve concave to the east having a central angle of 10° 45' 52" with a radius of 8135.00 feet, an arc length of 1528.36 feet and the chord of which bears South 11° 43' 24" West, 1526.11 feet; thence, South 88° 54' 40" West, 1775.24 feet; thence, North 00° 31' 24" West, 88.79 feet; thence along a curve concave to the southeast having a central angle of 45° 37' 03" with a radius of 600.00 feet, an arc length of 477.70 feet and the chord of which bears North 26° 40' 26" East, 465.19 feet; thence, North 49° 28' 58" East, 153.46 feet; thence along a curve concave to the northwest having a central angle of 34° 45' 10" with a radius of 600.00 feet, an arc length of 363.93 feet and the chord of which bears North 32° 06' 22" East, 358.38 feet; thence, North 14° 43' 47" East, 25.04 feet; thence, North 14° 43' 47" East, 427.95 feet; thence along a curve concave to the southeast having a central angle of 24° 31' 11" with a radius of 900.00 feet, an arc length of 385.16 feet and the chord of which bears North 26° 59' 23" East, 382.22 feet; thence along a curve concave to the southeast having a central angle of 25° 19' 16" with a radius of 900.00 feet, an arc length of 397.74 feet and the chord of which bears North 51° 54' 37" East, 394.51 feet; thence, North 64° 34' 15" East, 312.24 feet; thence, North 64° 34' 15" East, 649.82 feet; thence along a curve concave to the northwest having a central angle of 47° 01' 13" with a radius of 825.00 feet, an arc length of 677.04 feet and the chord of which bears North 41° 03' 38" East, 658.20 feet; thence, North 17° 33' 01" East, 546.92 feet; thence, North 89° 18' 00" East, 29.40 feet to the Point of Beginning, containing 3,232,625 square feet or 74.211 acres more or less.

AG PARCEL 14 DESCRIPTION (PUD TO AG)

A tract of land located in the Southwest Quarter of Section 10 and the North Half of Section 15, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

Tract 00, Heron Lakes PUD First Filing, containing 902,718 square feet or 20.724 acres more or less.

SECTION 2 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "A Portion of Property known as the Heron Lakes" R-1 Parcels 1, 2, 3, 4, 5, 6, 7, and 8," shall be rezoned from Planned Unit Development PUD to R-1 Single Family.

R-1 PARCEL 1 DESCRIPTION (PUD TO R-1)

A tract of land located in the Southeast Quarter of Section 4 and the Northeast Quarter of Section 9, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the North Quarter corner of Section 9; thence, North 46° 09' 08" East, 206.60 feet to the POINT OF BEGINNING; thence, North 14° 14' 31" East, 275.63 feet; thence, North 32° 37' 27" East, 349.55 feet; thence, North 38° 58' 15" East, 435.99 feet; thence, North 32° 51' 12" East, 720.13 feet; thence, North 24° 36' 21" East, 340.07 feet; thence, South 65° 23' 39" East, 33.45 feet; thence, South 69° 50' 09" East, 317.01 feet; thence, South 64° 18' 37" East, 151.48 feet; thence, South 64° 18' 37" East, 151.48 feet; thence, South 26° 23' 10" West, 340.95 feet; thence, South 58° 04' 29" East, 161.38 feet; thence, South 38° 38' 23" East, 322.80 feet; thence, South 05° 39' 01" East, 339.37 feet; thence, South 31° 09' 25" West, 253.00 feet; thence, South 71° 46' 32" West, 257.25 feet; thence, North 81° 39' 21" West, 205.78 feet; thence, South 58° 00' 06" West, 340.61 feet; thence, South 41° 44' 25" West, 215.03 feet; thence, South 55° 00' 21" West, 88.85 feet; thence, South 48° 15' 22" East, 30.82 feet; thence, South 55° 00' 21" West, 92.79 feet; thence, South 71° 56' 46" West, 129.09 feet; thence, North 58° 22' 51" West, 180.55 feet; thence, North 75° 22' 20" West, 168.38 feet; thence, North 79° 41' 23" West, 313.14 feet to the Point of Beginning, containing 2,002,826 square feet or 45.979 acres more or less.

R-1 PARCEL 2 DESCRIPTION (PUD TO R-1)

A tract of land located in the East Half of Section 4, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the West Quarter corner of Section 3; thence, North 75° 02' 48" West, 427.82 feet to the POINT OF BEGINNING; thence, South 13° 38' 20" West, 508.56 feet; thence, South 26° 39' 54" West, 646.88 feet; thence, North 65° 07' 49" West, 154.06 feet; thence, North 65° 07' 49" West, 155.42 feet; thence, North 25° 30' 12" East, 379.54 feet; thence, North 11° 46' 52" West, 863.06 feet; thence, North 78° 17' 22" East, 321.01 feet; thence, North 43° 27' 12" East, 121.41 feet; thence, North 14° 59' 53" East, 167.30 feet; thence, North 15° 21' 19" West, 284.86 feet; thence, North 68° 59' 57" East, 316.53 feet; thence, South 70° 42' 56" East, 239.26 feet; thence, South 20° 49' 37" West, 84.86 feet; thence, South 10° 57' 56" West, 804.67 feet to the Point of Beginning, containing 913,358 square feet or 20.968 acres more or less.

R-1 PARCEL 3 DESCRIPTION (PUD TO R-1)

Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the West Quarter corner of Section 3; thence, South 12° 47' 14" East, 1082.19 feet to the POINT OF BEGINNING; thence, South 42° 01' 40" West, 334.75 feet; thence, North 89° 29' 15" West, 349.90 feet; thence, South 43° 00' 34" West, 480.40 feet; thence, North 38° 38' 23" West, 322.80 feet; thence, North 44° 44' 52" East, 1141.50 feet; thence, South 79° 57' 19" East, 145.95 feet; thence, South 28° 43' 46" East, 337.92 feet; thence, South 41° 06' 20" East, 97.18 feet to the Point of Beginning, containing 458,903 square feet or 10.535 acres more or less.

R-1 PARCEL 4 DESCRIPTION (PUD TO R-1)

A tract of land located in the Southwest Quarter of Section 3, the Southeast Quarter of Section 4 and the Northeast Quarter of Section 9, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the West Quarter corner of Section 3; thence, South 12° 47' 14" East, 1082.19 feet to the POINT OF BEGINNING; thence, South 41° 06' 17" East, 171.32 feet; thence, South 41° 06' 17" East, 584.97 feet; thence, South 49° 22' 34" West, 126.79 feet; thence, South 29° 40' 32" West, 348.20 feet; thence, South 35° 14' 59" West, 737.55 feet; thence, South 21° 27' 24" West, 138.47 feet; thence, South 88° 38' 44" West, 25.59 feet; thence, South 04° 34' 41" West, 81.43 feet; thence, South 44° 10' 11" West, 197.10 feet; thence, South 23° 10' 45" West, 116.27 feet; thence, South 45° 59' 27" West, 50.95 feet; thence, North 37° 22' 14" West, 172.78 feet; thence, North 02° 58' 11" West, 286.97 feet; thence, North 20° 32' 40" East, 342.60 feet; thence, North 31° 10' 22" East, 195.33 feet; thence, North 45° 12' 56" East, 252.39 feet; thence, North 15° 37' 25" East, 340.28 feet; thence, North 14° 06' 34" West, 397.59 feet; thence, North 42° 01' 40" East, 334.75 feet to the Point of Beginning, containing 831,484 square feet or 19.088 acres more or less.

R-1 PARCEL 5 DESCRIPTION (PUD TO R-1)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

BEGINNING at the Center Quarter corner of Section 3; thence, South 00° 42' 57" East, 2276.43 feet; thence, South 89° 18' 23" West, 39.96 feet; thence, North 00° 42' 57" West, 446.49 feet; thence along a curve concave to the left having a central angle of 80° 47' 43" with a radius of 600.00 feet, an arc length of 846.08 feet and the chord of which bears North 41° 06' 49" West, 777.71 feet; thence, North 81° 30' 40" West, 83.41 feet; thence, North 00° 57' 04" West, 858.51 feet; thence, North 00° 09' 49" West, 372.27 feet; thence, North 89° 52' 27" East, 626.29 feet to the Point of Beginning, containing 893,423 square feet or 20.510 acres more or less.

R-1 PARCEL 6 DESCRIPTION (PUD TO R-1)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

BEGINNING at the Center Quarter corner of Section 3; thence, North 00° 41' 40" West, 331.00 feet; thence, North 89° 49' 44" East, 2571.16 feet; thence, South 00° 37' 55" East, 281.80 feet;

thence along a curve concave to the east having a central angle of 01° 08' 50" with a radius of 2541.77 feet, an arc length of 50.90 feet and the chord of which bears South 01° 12' 15.5" East, 50.90 feet; thence, South 89° 52' 00" West, 1075.41 feet; thence, South 19° 37' 36" West, 110.43 feet; thence along a curve concave to the east having a central angle of 19° 25' 01" with a radius of 200.00 feet, an arc length of 67.78 feet and the chord of which bears South 09° 55' 05" West, 67.45 feet; thence, South 00° 12' 34.5" West, 655.11 feet; thence, South 00° 12' 34.5" West, 1312.11 feet; thence along a curve concave to the southeast having a central angle of 25° 18' 52" with a radius of 1917.50 feet, an arc length of 847.19 feet and the chord of which bears South 49° 50' 57" West, 840.32 feet; thence, South 89° 25' 18" West, 764.21 feet; thence, North 00° 42' 57" West, 302.44 feet; thence, North 00° 42' 57" West, 105.00 feet; thence, North 00° 42' 57" West, 2276.43 feet to the Point of Beginning, containing 4,478,746 square feet or 102.818 acres more or less.

R-1 PARCEL 7 DESCRIPTION (PUD TO R-1)

A tract of land located in Section 10, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 10; thence, North 21° 26' 43" West, 134.70 feet to the POINT OF BEGINNING; thence, South 12° 03' 48" East, 102.11 feet; thence along a curve concave to the west having a central angle of 11° 51' 38" with a radius of 600.00 feet, an arc length of 124.2044 feet and the chord of which bears South 05° 50' 43" East, 123.98 feet; thence, South 00° 05' 07" West, 180.12 feet; thence South 74° 42' 15" West, 1233.81 feet; thence, North 30° 54' 00" West, 120.81 feet; thence, North 12° 53' 09" East, 219.53 feet; thence, North 10° 04' 29" West, 198.94 feet; thence, North 07° 03' 48" East, 204.45 feet; thence, North 15° 13' 55" West, 124.58 feet; thence, North 15° 43' 18" East, 269.81 feet; thence along a curve concave to the southwest having a central angle of 30° 43' 02" with a radius of 500.00 feet, an arc length of 268.06 feet and the chord of which bears South 31° 19' 24" East, 264.86 feet; thence, South 15° 57' 53" East, 150.00 feet; thence along a curve concave to the northeast having a central angle of 19° 11' 14" with a radius of 275.00 feet, an arc length of 92.09 feet and the chord of which bears South 25° 33' 30" East, 91.66 feet; thence along a curve concave to the north having a central angle of 75° 26' 51" with a radius of 275.00 feet, an arc length of 362.12 feet and the chord of which bears South 72° 52' 32" East, 336.52 feet; thence, North 69° 24' 03" East, 336.54 feet; thence along a curve concave to the south having a central angle of 08° 32' 10" with a radius of 500.00 feet, an arc length of 74.49 feet and the chord of which bears North 73° 40' 07" East, 74.42 feet; thence, North 77° 56' 12" East, 217.03 feet to the Point of Beginning, containing 645,545 square feet or 14.820 acres more or less.

R-1 PARCEL 8 DESCRIPTION (PUD TO R-1)

A tract of land located in Sections 10 and 15, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

BEGINNING at the South 16th corner of Sections 9/10; thence, North 00° 41' 51" West, 120.00 feet; thence, North 89° 18' 00" East, 500.00 feet; thence, South 00° 41' 51" East, 120.00 feet; thence, North 89° 18' 00" East, 2120.85 feet; thence, South 17° 33' 01" West, 546.92 feet; thence along a curve concave to the northwest having a central angle of 47° 01' 13" with a

radius of 825.00 feet, an arc length of 677.04 feet and the chord of which bears South 41° 03' 38" West, 658.20 feet; thence, South 64° 34' 15" West, 649.82 feet; thence, South 64° 34' 15" West, 312.24 feet, thence along a curve concave to the southeast having a central angle of 25° 19' 16" with a radius of 900.00 feet, an arc length of 397.74 feet and the chord of which bears South 51° 54' 37" West, 394.51 feet; thence, North 50° 45' 01" West, 272.54 feet; thence along a curve concave to the south having a central angle of 40° 11' 39" with a radius of 600.00 feet, an arc length of 420.91 feet and the chord of which bears North 70° 50' 51" West, 412.33 feet; thence, South 89° 03' 20" West, 191.44 feet; thence, North 00° 56' 40" West, 1338.22 feet; thence, South 89° 18' 00.5" West, 30.00 feet to the Point of Beginning, containing 3,126,112 square feet or 71.766 acres more or less.

SECTION 3 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "A Portion of Property known as the Heron Lakes" R-2 Parcels 1, 2, and 3," shall be rezoned from Planned Unit Development PUD to R-2 Limited Multi-family.

R-2 PARCEL 1 DESCRIPTION (PUD TO R-2)

A tract of land located in Sections 3 and 4, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Northwest corner of Section 3; thence, North 89° 39' 59" East, 761.52 feet to the POINT OF BEGINNING; thence, North 89° 39' 59" East, 103.22 feet; thence, South 00° 38' 36" West, 114.60 feet; thence, South 05° 35' 26" West, 76.00 feet; thence, South 16° 19' 58" West, 76.17 feet; thence, South 03° 16' 33" West, 59.99 feet; thence, North 89° 52' 58" East, 102.26 feet; thence, South 00° 07' 00" East, 60.25 feet; thence, North 89° 57' 35" West, 82.00 feet; thence, North 89° 57' 35" West, 9.88 feet; thence along a curve concave to the southeast having a central angle of 66° 25' 00" with a radius of 23.51 feet; an arc length of 27.26 feet and the chord of which bears South 61° 34' 18" West, 25.76 feet; thence along a curve concave to the north having a central angle of 94° 22' 49" with a radius of 92.20 feet; an arc length of 151.88 feet and the chord of which bears South 80° 16' 00" West, 135.28 feet; thence along a curve concave to the south having a central angle of 40° 17' 15" with a radius of 30.00 feet; an arc length of 21.09 feet and the chord of which bears North 78° 18' 39" West, 20.66 feet; thence, South 64° 10' 36" West, 86.91 feet; thence, South 42° 11' 26" East, 80.22 feet; thence, South 40° 56' 13" West, 372.44 feet; thence, South 04° 04' 25" West, 488.23 feet; thence, South 53° 07' 17" West, 77.21 feet; thence, North 82° 36' 23" West, 168.31 feet; thence, South 43° 47' 52" West, 445.64 feet; thence, South 31° 53' 36" West, 98.44 feet; thence, South 18° 51' 33" West, 120.41 feet; thence, North 70° 42' 56" West, 239.26 feet; thence, South 68° 59' 57" West, 316.53 feet; thence, North 13° 30' 18" West, 479.09 feet; thence, North 11° 58' 49" East, 217.12 feet; thence, North 45° 51' 29" East, 197.99 feet; thence, North 30° 55' 22" East, 277.23 feet; thence, North 21° 00' 26" East, 319.12 feet; thence along a curve concave to the south having a central angle of 05° 20' 14" with a radius of 370.00 feet; an arc length of 34.47 feet and the chord of which bears South 73° 15' 56" East, 34.45 feet; thence, South 70° 35' 49" East, 100.43 feet; thence along a curve concave to the north having a central angle of 11° 41' 50" with a radius of 430.00 feet; an arc length of 87.79 feet and the chord of which bears South 76° 26' 44" East, 87.64 feet; thence, South 82° 17' 39" East, 229.19 feet; thence along a curve concave to the northwest having a central angle of 53° 40' 36" with a radius of 230.00 feet; an

arc length of 215.47 feet and the chord of which bears North 70° 52' 03" East, 207.68 feet; thence, North 44° 01' 45" East, 178.88 feet; thence, North 87° 31' 50" East, 150.42 feet; thence, South 41° 13' 28" East, 60.00 feet; thence, North 51° 41' 11" East, 61.87 feet; thence along a curve concave to the southeast having a central angle of 02° 55' 25" with a radius of 617.11 feet; an arc length of 31.49 feet and the chord of which bears North 64° 41' 15" East, 31.49 feet; thence along a curve concave to the southeast having a central angle of 04° 16' 40" with a radius of 905.73 feet; an arc length of 67.62 feet and the chord of which bears North 64° 13' 19" East, 67.61 feet; thence along a curve concave to the northwest having a central angle of 59° 07' 43" with a radius of 30.00 feet; an arc length of 30.96 feet and the chord of which bears North 34° 39' 27" East, 29.60 feet; thence along a curve concave to the southeast having a central angle of 68° 58' 34" with a radius of 92.00 feet; an arc length of 110.76 feet and the chord of which bears North 39° 34' 53" East, 104.19 feet; thence along a curve concave to the northwest having a central angle of 74° 25' 49" with a radius of 17.55 feet; an arc length of 22.79 feet and the chord of which bears North 54° 17' 18" East, 21.23 feet; thence along a curve concave to the west having a central angle of 27° 24' 46" with a radius of 290.73 feet; an arc length of 139.10 feet and the chord of which bears North 12° 04' 57" East, 137.77 feet; thence along a curve concave to the west having a central angle of 02° 34' 05" with a radius of 1320.10 feet; an arc length of 59.17 feet and the chord of which bears North 00° 41' 13" West, 59.16 feet to the Point of Beginning, containing 1,301,275 square feet or 29.873 acres more or less.

R-2 PARCEL 2 DESCRIPTION (PUD TO R-2)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows: COMMENCING at the Northwest corner of Section 3; thence, North 89° 39' 59" East, 761.52 feet; thence, North 89° 39' 59" East, 103.22 feet to the POINT OF BEGINNING; thence, North 89° 39' 59" East, 425.76 feet; thence, South 00° 00' 45" West, 2057.30 feet; thence, South 89° 31' 22" West, 221.07 feet; thence, North 75° 55' 46" West, 243.01 feet; thence, North 12° 21' 28" East, 409.73 feet; thence, North 03° 48' 54" East, 1004.94 feet; thence, North 32° 47' 53" West, 251.52 feet; thence, South 89° 57' 35" East, 82.00 feet; thence, North 00° 07' 00" West, 60.25 feet; thence, South 89° 52' 58" West, 102.26 feet; thence, North 03° 16' 33" East, 59.99 feet; thence, North 16° 19' 58" East, 76.17 feet; thence, North 05° 35' 26" East, 76.00 feet; thence, North 00° 38' 36" East, 114.60 feet to the Point of Beginning, containing 763,551 square feet or 17.529 acres more or less.

R-2 PARCEL 3 DESCRIPTION (PUD TO R-2)

A tract of land located in Section 10, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 10; thence, North 21° 26' 43" West, 134.70 feet to the POINT OF BEGINNING; thence, South 77° 56' 12" West, 217.03 feet; thence along a curve concave to the south having a central angle of 08° 32' 10" with a radius of 500.00 feet; an arc length of 74.49 feet and the chord of which bears South 73° 40' 07" West, 74.42 feet; thence, South 69° 24' 03" West, 336.54 feet; thence along a curve concave to the north having a central angle of 75° 26' 51" with a radius of 275.00 feet; an arc length of 362.12 feet and the chord of which bears North 72° 52' 32" West, 336.52 feet; thence, North 32° 27' 20" East, 488.13 feet; thence, North 07° 37' 06" East, 336.24 feet; thence, North 07° 57' 29" East,

540.01 feet; thence, North 07° 19' 21" East, 503.46 feet; thence North 52° 06' 35" East, 338.12 feet; thence, South 89° 51' 56" East, 229.47 feet; thence, South 00° 42' 57" East, 364.22 feet; thence, South 00° 42' 57" East, 208.20 feet; thence along a curve concave to the northeast having a central angle of 33° 35' 14" with a radius of 600.00 feet; an arc length of 351.72 feet and the chord of which bears South 17° 30' 34" East, 346.71 feet; thence, South 34° 18' 11" East, 91.67 feet; thence, South 37° 11' 41" West, 140.77 feet; thence along a curve concave to the east having a central angle of 34° 21' 55" with a radius of 600.00 feet; an arc length of 359.87 feet and the chord of which bears South 20° 00' 44" West, 354.50 feet; thence, South 02° 49' 46" West, 226.40 feet; thence along a curve concave to the east having a central angle of 14° 53' 34" with a radius of 600.00 feet; an arc length of 155.96 feet and the chord of which bears South 04° 37' 01" East, 155.52 feet; thence, South 12° 03' 48" East, 69.94 feet; thence, South 12° 03' 48" East, 27.95 feet to the Point of Beginning, containing 1,253,255 square feet or 28.771 acres more or less.

SECTION 4 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "A Portion of Property known as the Heron Lakes" R-3 Parcels 1, 2, and 3," shall be rezoned from Planned Unit Development PUD to R-3 Multi-family.

R-3PARCEL 1 DESCRIPTION (PUD TO R-3)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows: BEGINNING at the Center-West 16th corner of Section 3; thence, South 82° 16' 15" West, 258.72 feet; thence, South 34° 54' 05" West, 133.71 feet; thence, South 26° 01' 07" West, 146.19 feet; thence, South 01° 27' 19" West, 276.64 feet; thence, South 07° 38' 13" East, 165.15 feet; thence, South 80° 52' 08" West, 153.87 feet; thence, South 80° 52' 08" West, 153.87 feet; thence, North 08° 16' 45.5" West, 743.79 feet; thence, North 08° 55' 26" East, 387.15 feet; thence, South 82° 54' 11" East, 174.53 feet; thence, North 12° 21' 28" East, 481.97 feet; thence, South 75° 55' 46" East, 243.01 feet; thence, North 89° 31' 22" East, 221.07 feet; thence, South 00° 00' 45" West, 745.60 feet to the Point of Beginning, containing 755,763 square feet or 17.350 acres more or less.

R-3PARCEL 2 DESCRIPTION (PUD TO R-3)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the North Quarter corner of Section 10; thence, North 00° 42' 57" West, 407.44; thence, South 89° 18' 23" West, 39.96 feet to the POINT OF BEGINNING; thence, South 89° 18' 23" West, 119.98 feet; thence, North 00° 41' 37" West, 220.00 feet; thence, North 68° 04' 25" West, 194.46 feet; thence, South 21° 55' 35" West, 136.90 feet; thence, North 68° 02' 58" West, 219.97 feet; thence, South 79° 54' 14" West, 82.66 feet; thence, North 13° 15' 34" West, 784.79 feet; thence, North 22° 13' 54" East, 92.22 feet; thence along a curve concave to the north having a central angle of 13° 44' 34" with a radius of 300.00 feet, an arc length of 71.96 feet and the chord of which bears South 74° 38' 23" East, 71.79 feet; thence, South 81° 30' 40" East, 117.30 feet; thence, South 81° 30' 40" East, 83.41 feet; thence along a curve concave to the southwest having a central angle of 80° 47' 43" with a radius of 600.00 feet, an

arc length of 846.08 feet and the chord of which bears South 41° 06' 49" East, 777.71 feet; thence, South 00° 42' 57" East, 446.49 feet to the Point of Beginning, containing 544,097 square feet or 12.491 acres more or less.

R-3 PARCEL 3 DESCRIPTION (PUD TO R-3)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 3; thence, North 89° 51' 42" East, 1495.94 to the POINT OF BEGINNING; thence, North 89° 52' 00" East, 1075.41 feet; thence along a curve concave to the east having a central angle of 03° 57' 56" with a radius of 2541.77 feet, an arc length of 175.92 feet and the chord of which bears South 03° 45' 39" East, 175.88 feet; thence, South 05° 44' 32" East, 249.38 feet; thence, South 00° 47' 37" East, 388.39 feet; thence, South 89° 12' 40" West, 1168.49 feet; thence, North 00° 12' 34.5" East, 655.11 feet; thence along a curve concave to the east having a central angle of 19° 25' 01" with a radius of 200.00 feet, an arc length of 67.78 feet and the chord of which bears North 09° 55' 05" East, 67.45 feet; thence North 19° 37' 36" East, 110.43 feet to the Point of Beginning, containing 940,048 square feet or 21.581 acres more or less.

SECTION 5 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "A Portion of Property known as the Heron Lakes" R-4 Parcels 1, 2, and 3," shall be rezoned from Planned Unit Development PUD to R-4 Mixed Use.

R-4 PARCEL 1 DESCRIPTION (PUD TO R-4)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the North Quarter corner of Section 10; thence, North 00° 42' 57" West, 302.44; thence, South 89° 18' 23" West, 39.96 feet to the POINT OF BEGINNING; thence, South 00° 42' 57" East, 956.61 feet; thence, North 89° 51' 56" West, 229.47 feet; thence, South 52° 06' 35" West, 338.12 feet; thence, North 04° 07' 03" East, 383.62 feet; thence, North 07° 37' 22" West, 785.99 feet; thence, North 13° 15' 34" West, 348.05 feet; thence, North 79° 54' 14" East, 82.66 feet; thence, South 68° 02' 58" East, 219.97 feet; thence, South 21° 55' 35" West, 108.70 feet; thence, South 00° 41' 37" East, 173.00 feet; thence, North 89° 18' 23" East, 394.02 feet to the Point of Beginning, containing 578,829 square feet or 13.288 acres more or less.

R-4 PARCEL 2 DESCRIPTION (PUD TO R-4)

A tract of land located in Section 10, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 10; thence, North 21° 26' 43" West, 134.70 feet; thence, North 12° 03' 49" West, 27.95 feet to the POINT OF BEGINNING; thence, North 12° 03' 48" West, 69.94 feet; thence along a curve concave to the east having a central angle of 14° 53' 34" with a radius of 600.00 feet, an arc length of 155.96 feet and the chord of

which bears North 04° 37' 01" West, 155.52 feet; thence, North 02° 49' 46" East, 226.40 feet; thence along a curve concave to the east having a central angle of 34° 21' 55" with a radius of 600.00 feet, an arc length of 359.87 feet and the chord of which bears North 20° 00' 44" East, 354.50 feet; thence, North 37° 11' 41" East, 140.77 feet; thence, South 83° 24' 27" East, 160.76 feet; thence, South 06° 35' 33" West, 877.28 feet; thence, South 88° 53' 27" West, 249.48 feet to the Point of Beginning, containing 250,873 square feet or 5.759 acres more or less.

R-4 PARCEL 3 DESCRIPTION (PUD TO R-4)

A tract of land located in the Northwest corner of Section 15, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Northwest corner of Section 15; thence, South 89° 15' 58" West, 30.00 feet to the POINT OF BEGINNING; thence, North 89° 03' 20" East, 191.44 feet; thence along a curve concave to the south having a central angle of 40° 11' 39" with a radius of 600.00 feet, an arc length of 420.91 feet and the chord of which bears South 70° 50' 51" East, 412.33 feet; thence, South 50° 45' 01" East, 272.54 feet; thence along a curve concave to the east having a central angle of 24° 31' 11" with a radius of 900.00 feet, an arc length of 385.16 feet and the chord of which bears South 26° 59' 23" West, 382.22 feet; thence, South 14° 43' 47" West, 427.95 feet; thence, North 75° 16' 36" West, 353.83 feet; thence, North 20° 13' 26" West, 306.94 feet; thence, North 26° 39' 03" West, 125.27 feet; thence, North 00° 31' 24" West, 569.16 feet to the Point of Beginning, containing 580,235 square feet or 13.320 acres more or less.

SECTION 6 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "A Portion of Property known as the Heron Lakes" C-1 Parcel 1," shall be rezoned from Planned Unit Development PUD to C-1 Neighborhood Commercial.

C-1 PARCEL 1 DESCRIPTION (PUD TO C-1)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 3; thence, South 60° 21' 53" East, 1662.27 feet to the POINT OF BEGINNING; thence, North 89° 12' 40" East, 1168.49 feet; thence, South 00° 47' 37" East, 86.45 feet; thence, South 05° 08' 30" West, 148.87 feet; thence, South 00° 04' 28" West, 325.61 feet; thence, South 89° 21' 11" West, 339.37 feet; thence along a curve concave to the north having a central angle of 24° 17' 00" with a radius of 600.00 feet; an arc length of 254.30 feet and the chord of which bears North 78° 25' 05" West, 252.40 feet; thence, North 66° 16' 35" West, 193.05 feet; thence along a curve concave to the south having a central angle of 24° 17' 11" with a radius of 599.00 feet; an arc length of 253.90 feet and the chord of which bears North 78° 25' 11" West, 252.00 feet; thence, South 89° 26' 14.1" West, 146.95 feet; thence, North 00° 12' 34" East, 370.58 feet to the Point of Beginning, containing 558,567 square feet or 12.823 acres more or less.

SECTION 7 Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as "A Portion of Property known as the Heron Lakes" C-2 Parcel 1," shall be rezoned from Planned Unit Development PUD to C-2 General Commercial.

C-2 PARCEL 1 DESCRIPTION (PUD TO C-2)

A tract of land located in Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 3; thence, South 60° 21' 53" East, 1662.27 feet; South 00° 12' 34" West, 370.58 feet to the POINT OF BEGINNING; thence, North 89° 26' 14" East, 146.95 feet; thence along a curve concave to the south having a central angle of 24° 17' 11" with a radius of 599.00 feet; an arc length of 253.90 feet and the chord of which bears South 78° 25' 11" East, 252.00 feet; thence, South 66° 16' 35" East, 193.05 feet; thence along a curve concave to the north having a central angle of 24° 17' 00" with a radius of 600.00 feet; an arc length of 254.30 feet and the chord of which bears South 78° 25' 05" East, 252.40 feet; thence, North 89° 21' 11" East, 339.37 feet; thence South 00° 04' 28" West, 56.54 feet; thence, South 00° 07' 16" West, 300.09 feet; thence along a curve concave to the northwest having a central angle of 94° 29' 31" with a radius of 255.00 feet; an arc length of 420.54 feet and the chord of which bears South 48° 31' 07" West, 374.48 feet; thence, North 86° 52' 59" West, 354.61 feet; thence along a curve concave to the southeast having a central angle of 16° 40' 27" with a radius of 1917.50 feet; an arc length of 558.03 feet and the chord of which bears South 70° 50' 36" West, 556.06 feet; thence, North 00° 12' 34" East, 941.53 feet to the Point of Beginning, containing 796,161 square feet or 18.277 acres more or less.

Section 8: Rezoning: AG Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14," is hereby rezoned from Planned Unit Development PUD to Agricultural; "R-1 Parcels 1,2,3,4,5,6, 7, and 8," is hereby rezoned from Planned Unit Development PUD to R-1 Single Family; "R-2 Parcels 1,2,and 3," is hereby rezoned from Planned Unit Development PUD to R-2 Limited Multi-Family; R-3 Parcels 1,2, and 3," is hereby rezoned from Planned Unit Development to R-3 Multi-family; "R-4 Parcels 1,2, and 3," is hereby rezoned from Planned Unit Development PUD to R-4 Mixed Use; "C-1 Parcel 1," is hereby rezoned from Planned Unit Development PUD to C-1 Neighborhood Commercial; "C-2 Parcel 1," is hereby rezoned from Planned Unit Development PUD to C-2 General Commercial.

Section 9: Interpretation: This Ordinance shall be so interpreted and construed to effectuate its general purpose.

Section 10: Publication: The Town Clerk shall certify to the passage of this Ordinance, and cause its contents to be published and shall cause the appropriate change to be made to the official Berthoud Zoning District Map.

Section 11: Effective Date: This Ordinance shall take effect and be in force thirty (30) days after its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED on this the 8th day of December, 2015.

TOWN OF BERTHOUD

By  _____

David Gregg, Mayor

ATTEST:

By:  _____
Mary Cowdin, Town Clerk