

**TOWN OF BERTHOUD,
COLORADO RESOLUTION NO. 9
(Series 2022)**

**A RESOLUTION OF THE TOWN OF BERTHOUD,
COLORADO, SUBMITTING TO THE REGISTERED
ELECTORS VOTING IN THE COORDINATED MAIL
ELECTION TO BE HELD NOVEMBER 8, 2022, A BALLOT
QUESTION CONCERNING WHETHER THE TOWN OF
BERTHOUD SHALL BE AUTHORIZED TO ANNEX WELCH
RESERVOIR, MCNEIL RESERVOIR, AND ADJACENT
PROPERTIES OWNED BY THE HANDY DITCH COMPANY,
WHICH PROPERTIES AND PARCELS LIE OUTSIDE THE
2012 GROWTH MANAGEMENT AREA OF THE TOWN**

WHEREAS, the Town of Berthoud Colorado ("Town"), is a statutory town; and

WHEREAS, in April 2014 the Voters of the Town passed a voter initiative requiring that any annexation to the Town outside the Town's Growth Management Area as it existed on December 31, 2012, shall require approval of the voters of the Town; and

WHEREAS, the Handy Ditch Company, owns the Welch and McNeil Reservoirs and associated property ("Handy Reservoirs and Properties") which lies adjacent to existing approved development, which property the owners desire to annex for the purpose of developing commercial recreational opportunities; and

WHEREAS, said properties and parcels lie outside the December 31, 2012 Growth Management Area, and therefore annexation requires approval of the voters of the Town of Berthoud, and is more particularly described as:

*HANDY DITCH COMPANY RESERVOIRS AND PROPERTY:
Reservoirs at their high-water mark located in Sections 3,4,9 and 10 of Township
4 North, Range 69 West of the 6th Principal Meridian, commonly referred to as
Welch Reservoir and McNeil Reservoir, and adjacent lands owned by the Handy
Ditch Company.*

WHEREAS, presentation of the question to the public requires a resolution establishing the question to be placed on the Ballot; and

WHEREAS, the Board finds and determines that it is necessary and desirable to submit to the electors of the Town voting at the November Coordinated Election to be held on November 8, 2022, the question of authorizing the Town Board of Trustees to consider the annexation of the Handy Reservoirs and Properties to the Town of Berthoud.

THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO, AS FOLLOWS:

Section 1. All actions heretofore taken (not inconsistent with the provisions of this resolution) by the Town and the officers thereof, directed toward the election in relation to the objects and purposes herein stated are hereby ratified, approved and confirmed.

Section 2. The following Ballot Question shall be submitted to the qualified electors of the Town voting at the Coordinated Election to be held on November 8, 2022:

Annexation of Handy Reservoirs and Properties

Shall the Town of Berthoud be authorized to annex property, more particularly described as:

HANDY DITCH COMPANY RESERVOIRS AND PROPERTY:

Reservoirs at their high-water mark located in Sections 3,4,9 and 10 of Township 4 North, Range 69 West of the 6th Principal Meridian, commonly referred to as Welch Reservoir and McNeil Reservoir, and adjacent lands owned by the Handy Ditch Company.

Provided that the Board of Trustees, after considering the annexation application and holding a public hearing, as required by law, determines that such annexation is in the best interests of the Town?

YES

NO

Section 3. This Resolution shall serve to set the ballot title for the ballot question set forth above, and the ballot title for the ballot question shall be the text of such ballot question.

Section 4. The officers and employees of the Town are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 5. Upon approval of the above Ballot Question by the majority of the registered electors voting thereon, the Board shall undertake such actions appropriate to considering the proposed annexation described in the above Ballot Question.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 23rd DAY OF AUGUST, 2022

APPROVED:


Will Karspeck, Mayor

ATTEST:


Christian Samora, Town Clerk

