

TOWN OF BERTHOUD
RESOLUTION NO. 2020-17

**A RESOLUTION FINDING PETITION FOR ANNEXATION SUBMITTED BY
PK BERTHOUD #1 AND PK BERTHOUD #2 TO BE IN SUBSTANTIAL
COMPLIANCE WITH COLORADO REVISED STATUTES 31-12-107 AND
SETTING A HEARING PURSUANT TO COLORADO REVISED STATUTES
31-12-108**

WHEREAS the owners of the property, Berthoud 160, LLC, submitted a petition for annexation,

WHEREAS, in response to the petition, the Board of Trustees for the Town of Berthoud desires to initiate annexation proceedings in accordance with law; and

WHEREAS, the petition as submitted has been reviewed by staff and approved as alleging all requirements for annexation set forth in the Colorado Statutes, and should be set for a legislative public hearing to establish such assertions as required by statute;

IT IS THEREFORE RESOLVED by the Board of Trustees of the Town of Berthoud Colorado, this 8th day of December 2020, as follows:

1. That the Board hereby accepts the annexation petition for PK Berthoud #1 and PK Berthoud #2, more particularly described in Exhibit A.
2. That the Board hereby finds and determines that the annexation petition and accompanying map contains all allegations required for such a petition under the Municipal Annexation Act of 1965, which is referred to herein as the "Act", and that if such allegations are determined to be well founded, such property would be eligible for annexation to the Town of Berthoud.
3. That the Notice attached as Exhibit B be adopted as a part of this Resolution. Said Notice establishes the date, time, and place when a public hearing will be held to determine if the proposed annexation complies with Section 30 of article II of the Colorado Constitution and Sections 31-12-104 and 31-12-105 of the Colorado Revised Statutes or such provisions thereof as may be required to establish eligibility under the terms of the Act. The Town Clerk is directed to publish a copy of this Resolution and said Notice as provided in the Act.

DULY PASSED by the Board of Trustees this 8th day of December, 2020.

ATTEST:

Christian Samora, Town Clerk



TOWN OF BERTHOUD



William Karspeck, Mayor

Exhibit A

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 $00^{\circ}08'17''$ East a distance of 2653.02 feet with all other bearings contained herein relative thereto: THENCE North $00^{\circ}02'32''$ 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 $89^{\circ} 53' 38''$ 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 $89^{\circ} 53' 38''$ 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 $47^{\circ} 39' 15''$ West a distance of 634.08 feet; THENCE North $61^{\circ} 59' 46''$ West a distance of 199.76 feet; HENCE South $89^{\circ} 09' 06''$ West a distance of 83.32 feet to the Easterly Right of Way line of Larimer County Road 17; THENCE North $00^{\circ} 08' 17''$ West a distance of 304.28 feet; THENCE North $00^{\circ} 02' 32''$ 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 (\pm).

PK Berthoud #2

A parcel of land being a portion of the West Half of Section Twenty-six (26), Township Four North (T.4N.), Range Sixty-nine West (R.69W.), Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado:

BEGINNING at the Center Quarter Corner of said Section 26 and assuming the South line of the Northwest Quarter of Section 26 as bearing South $89^{\circ}35'30''$ West a distance of 2648.51 feet with all other bearings contained herein relative thereto: THENCE South $00^{\circ} 10' 09''$ East a distance of 30.00 feet to the Southerly Right of Way Line of Larimer County Road 4E; THENCE South $89^{\circ} 35' 30''$ West along said Southerly Right of Way line a distance of 1153.76 feet 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;

The following two (2) courses are along the Easterly and Southerly lines of the Schell-Hicks Annexation Map No. 4.

THENCE North 00° 10' 02" West along the Southerly prolongation of an Easterly line of Lot 2, Hicks MRD S9-89 recorded July 31, 1989 as Reception No. 89033670 of the Records of Larimer County a distance of 1353.65 feet; THENCE North 89° 42' 05" East along a Southerly line of said Lot 2, Hicks MRD S9-89 a distance of 1153.75 feet to the East line of the Northwest Quarter of said Section 26;

THENCE South 00° 10' 02" East along said East line of the Northwest Quarter of Section 26 a distance of 1321.44 feet to the POINT OF BEGINNING. TOTAL ANNEXED AREA for the PK Berthoud Annexation #2 is 35.82 acres, more or less (±).

