

**TOWN OF BERTHOUD**  
**RESOLUTION NO. 11**  
**Series of 2018**

THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD SETTING FORTH FINDINGS OF  
FACT AND DETERMINATIONS REGARDING THE ELIGIBILITY FOR ANNEXATION OF THE  
JOHNSON FARM PURSUANT TO C.R.S. 31-12-114 (10)

WHEREAS annexation proceedings were heretofore initiated by the Board of Trustees of the Town of Berthoud for property to be known as the Johnson Farm Annexation, as such property was more particularly described in Resolution No.17-2017, adopted by the Board of Trustees on November 28, 2017; and,

WHEREAS following Notice given as required by section 31-12-108 (2) of the Colorado Revised Statutes and applicable Town of Berthoud ordinances, the Board of Trustees of the Town of Berthoud, which is referred to herein as the "Board," held a hearing on the eligibility of the Property for annexation to the Town of Berthoud pursuant to Section 30 of Article II of the state constitution and sections 31-12-104 and 105 of the Colorado Revised Statutes; and

WHEREAS, after a public hearing held on February 13, 2018, the Board of Trustees of the Town of Berthoud determined, after consideration of all evidence and testimony, that the Property was eligible for annexation to the Town of Berthoud in accordance with Section 30 of Article II of the State Constitution and Sections 31-12-104 and 105 of the Colorado Revised Statutes; and

IT IS THEREFORE RESOLVED by the Board of Trustees of the Town of Berthoud, Colorado, this 13<sup>th</sup> day of February 2018, as follows:

Section 1. That the Board finds that there is at least one-sixth (1/6) contiguity between the Town of Berthoud and the Property; that a community of interest exists between the Property and the Town; that the Property is urban or will be urbanized in the near future; and that the Property is integrated with or is capable of being integrated with the Town of Berthoud.

Section 2. That the Board further finds that the requirements of the applicable provisions of Section 30 of Article II of the State Constitution and Sections 31-12-104 and 31-12-105 of the Colorado Revised Statutes have been met.

Section 3. That the Board further finds that an election is not required under section 30(1)(a) of Article II of the State Constitution or Section 31-12-107(2) of the Colorado Revised Statutes.

Section 4. That the Board further determines that that there are no additional terms and conditions to be imposed upon said annexation.

Section 5. That the Board concludes that the Property is eligible for annexation to the Town of Berthoud.

Passed and adopted at a regular meeting of the Board of Trustees of the Town of Berthoud held this 13<sup>th</sup> day of February 2018.

**TOWN OF BERTHOUD**

  
Steve Mulvihill, Mayor

**ATTEST:**

  
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Christian Samora, Town Clerk

