

RESOLUTION NO: 11-13

A RESOLUTION FINDING AN ANNEXATION PETITION FOR THE PRO SWING FIRST ANNEXATION – SERIALS 1, 2, AND 3 SUBMITTED BY LARRY MCVAY TO ANNEX APPROXIMATELY 9.32 ACRES SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF SECTION 31-12-107(1), C.R.S. AND SETTING A PUBLIC HEARING ON THE PETITION TO CONSIDER ANNEXATION OF THE PROPERTY.

WHEREAS, C.R.S. § 31-12-101 *et seq.*, the Municipal Annexation Act of 1965 ("the Act") provides that a municipality may accept petitions for annexation of property upon finding substantial compliance of the petitions with the Act and annex such properties separately or in a series considered together; and

WHEREAS, the Town of Berthoud has received a Petition for Annexation to annex the property described in said Petition to the Town of Berthoud; and

WHEREAS, the Board of Trustees of the Town of Berthoud finds the Petition to be in substantial compliance with the requirements of C.R.S. § 31-12-107(1); and

WHEREAS, the Board of Trustees of the Town of Berthoud must set a public hearing to determine if the proposed annexation complies with the Act and the Berthoud Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO THAT:

Section 1. The Board of Trustees of the Town of Berthoud finds that the Petition for Annexation of the Pro Swing First Annexation – Serials 1, 2, and 3 as described in **Exhibit A** and depicted in **Exhibit B**, is in substantial compliance with the requirements of Section 31-12-107(1), C.R.S. and Chapter 30-8 of the Town's Development Code and the annexation proceedings to consider the annexation of the properties described therein to the Town of Berthoud have been initiated.

Section 2. A public hearing is set for a regular meeting of the Board of Trustees of the Town of Berthoud on October 22, 2013 at 7:00 p.m. at the Berthoud Town Hall, 328 Massachusetts Avenue, Berthoud, Colorado to determine if the proposed annexation complies with the Municipal Annexation Act of 1965 and the Berthoud Municipal Code, and determine whether the property will be annexed to the Town of Berthoud.

Section 3. The Town Clerk shall give such notice as required by law and the Town staff shall develop and deliver any annexation impact report as required by law.

PASSED, ADOPTED AND APPROVED THIS 10th DAY OF SEPTEMBER, 2013.

TOWN OF BERTHOUD:



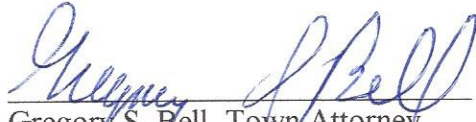
Jan Dowker, Mayor Pro-Tem

ATTEST:



Mary K. Cowdin, Town Clerk

APPROVED AS TO FORM:



Gregory S. Bell, Town Attorney

Publish: September 19, 26, October 3, 10, 2013

EXHIBIT A

PRO SWING FIRST ANNEXATION – SERIALS 1, 2, AND 3 LEGAL DESCRIPTION

PRO SWING FIRST ANNEXATION SERIAL 1:

Those portions of the Southwest Quarter of Section 1 and the Southeast Quarter of Section 2, All in Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado being more particularly described as follows:

Considering the East line of the Southeast Quarter of said Section 2 as bearing North 00°18'00" West and with all bearings contained herein relative thereto:

BEGINNING at the Southeast corner of said Section 2; thence along the South line of the Southeast Quarter of said Section 2 South 89°36'00" West 30.00 feet, more or less, to a point on the Westerly right-of-way line for First Street (U.S. Highway No. 287); thence departing said Westerly right-of-way line for First Street (U.S. Highway No. 287) North 11°14'13" East 150.00 feet, more or less, to a point on the East line of the Southeast Quarter of said Section 2; thence departing said East line of the Southeast Quarter of said Section 2 South 11°50'36" East 149.92 feet, more or less, to a point on the Easterly right-of-way line for First Street (U.S. Highway No. 287); said point also being on the South line of the Southwest Quarter of said Section 1; thence departing said Easterly right-of-way line for First Street (U.S. Highway No. 287) and along said South line of the Southwest Quarter of said Section 1 South 89°38'50" West 30.00 feet, more or less, to the Southeast corner of said Section 2 and the POINT OF BEGINNING.

Containing 4,407.51 Square Feet (0.10 Acres), more or less.

PRO SWING FIRST ANNEXATION SERIAL 2:

Those portions of the Southwest Quarter of Section 1 and the Southeast Quarter of Section 2, All in Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado being more particularly described as follows:

Considering the East line of the Southeast Quarter of said Section 2 as bearing North 00°18'00" West and with all bearings contained herein relative thereto:

Beginning at the Southeast corner of said Section 2; thence along the South line of the Southeast Quarter of said Section 2 South 89°36'00" West 30.00 feet, more or less, to a point on the Westerly right-of-way line for First Street (U.S. Highway No. 287) and the TRUE POINT OF BEGINNING; thence departing said Westerly right-of-way line for First Street (U.S. Highway No. 287) North 11°14'13" East 150.00 feet, more or less, to a point on the East line of the Southeast Quarter of said Section 2; thence departing said East line of the Southeast Quarter of said Section 2 South 11°50'36" East 149.92 feet, more or less, to a point on the Easterly right-of-way line for First Street (U.S. Highway No. 287); said point also being on the South line of the Southwest Quarter of said Section 1; thence departing said Easterly right-of-way line for First Street (U.S. Highway No. 287) and departing said South line of the Southwest Quarter of said Section 1 North 04°58'43" West 367.82 feet, more or less, to a point on the East line of the Southeast Quarter of said Section 2; thence departing said East line of the Southeast Quarter of said Section 2 South 04°22'38" West 367.90 feet, more or less, to a point on the Westerly right-of-way line for First Street (U.S. Highway No. 287); said point also being on the South line of the Southeast Quarter of said Section 2 and the TRUE POINT OF BEGINNING.

Containing 6,591.14 Square Feet (0.15 Acres), more or less.

PRO SWING FIRST ANNEXATION SERIAL 3

Those portions of the Southwest Quarter of Section 1 and the Southeast Quarter of Section 2, All in Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado being more particularly described as follows:

Considering the East line of the Southeast Quarter of said Section 2 as bearing North 00°18'00" West and with all bearings contained herein relative thereto:

Beginning at the Southeast corner of said Section 2; thence along the South line of the Southeast Quarter of said Section 2 South 89°36'00" West 30.00 feet, more or less, to a point on the Westerly right-of-way line for First Street (U.S. Highway No. 287) and the TRUE POINT OF BEGINNING; thence departing said Westerly right-of-way line for First Street (U.S. Highway No. 287) North 04°22'38" East 367.90 feet, more or less, to a point on the East line of the Southeast Quarter of said Section 2; thence departing said East line of the Southeast Quarter of said Section 2 South 04°58'43" East 367.82 feet, more or less, to a point on the Easterly right-of-way line for First Street (U.S. Highway No. 287); said point also being on the South line of the Southwest Quarter of said Section 1; thence departing said South line of the Southwest Quarter of said Section 1 and along said Easterly right-of-way line for First Street (U.S. Highway No. 287) North 00°18'00" West 391.59 feet; thence departing said Easterly right-of-way line for First Street (U.S. Highway No. 287) South 89°42'00" West 60.00 feet, more or less, to a point on the Westerly right-of-way line for First Street (U.S. Highway No. 287); said point also being a point on the Southerly right-of-way line for U.S. Highway No. 287 Bypass; said Southerly right-of-way line for U.S. Highway No. 287 Bypass as described in Deed recorded at Reception No. 2002005600, records of said County; thence departing said Westerly right-of-way line for First Street (U.S. Highway No. 287) and along said Southerly right-of-way line for U.S. Highway No. 287 Bypass as described in Deed recorded at Reception No. 2002005600 the following six courses and distances: 1) North 65°31'31" West 49.43 feet; 2) North 07°01'14" West 140.39 feet; 3) North 66°54'55" West 102.87 feet; 4) South 48°51'58" West 376.49 feet; 5) South 77°17'05" West 664.51 feet; 6) North 89°10'13" West 343.08 feet, more or less, to a point on the Easterly right-of-way line for the Colorado and Southern Railroad; thence departing said Southerly right-of-way line for U.S. Highway No. 287 Bypass as described in Deed recorded at Reception No. 2002005600 and along said Easterly right-of-way line for the Colorado and Southern Railroad South 03°09'19" East 213.12 feet, more or less, to a point on the South line of the Southeast Quarter of said Section 2; thence departing said Easterly right-of-way line for the Colorado and Southern Railroad and along said South line of the Southeast Quarter of said Section 2 North 89°36'00" East 1152.82 feet, more or less, to the Southwest corner of that certain parcel of land as described in Deed recorded at Reception No. 2003011109, records of said County; thence departing said South line of the Southeast Quarter of said Section 2 and along the Westerly and Northerly lines of said certain parcel of land as described in Deed recorded at Reception No. 2003011109 North 00°11'15" West 302.74 feet and again North 89°40'26" East 268.54 feet, more or less, to a point on the Westerly right-of-way line for First Street (U.S. Highway No. 287); thence departing said Northerly line of said certain parcel of land as described in Deed recorded at Reception No. 2003011109 and along said Westerly right-of-way line for First Street (U.S. Highway No. 287) South 00°18'00" East 302.39 feet, more or less, to a point on the South line of the Southeast Quarter of said Section 2 and the TRUE POINT OF BEGINNING.

Containing 395,067.33 Square Feet (9.07 Acres), more or less.

PRO SWING FIRST ANNEXATION - SERIALS 1, 2, AND 3

BEING AN ADDITION OF AND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 1 AND THE SOUTHWEST QUARTER OF SECTION 2, ALL IN TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M. TO THE TOWN OF BERTHCOLE, COUNTY OF LARIMER, STATE OF COLORADO.

RED BRIDGE FIRST ANNEXATION - SERIALS 1, 2, AND 3

BEING AN APPROXIMATION OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 1 AND THE SOUTHEAST QUARTER OF SECTION 2,
ALL IN TOWNSHIP 4 NORTH, RANGE 98 WEST OF THE 6TH P.M., TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

INTERSTATE INDUSTRIAL, INC.
1501 North Central Expressway
Tomball, California 94567
Phone: 415-463-3249
Fax: 415-475-8773
Circle 16 on Reader Service



MED BIRTH DATE AND BIRTH - SERIAL NO. 1
 1. Birth Date: 01/01/1980
 2. Birth Date: 01/01/1980
 3. Birth Date: 01/01/1980
 4. Birth Date: 01/01/1980



PRO SWING FIRST ANNEXATION - SERIALS 1, 2, AND 3

DATE	TIME	NAME	ADDRESS	CITY	STATE	ZIP	PHONE	TELETYPE	TELEX	FAX	EMAIL	WWW	OTHER
1999	10:00	JOHN DOE	12345 MAIN ST	NEW YORK	NY	10001	212 555 1234						
1999	10:00	JANE SMITH	67890 AVENUE	LOS ANGELES	CA	90001	213 555 5678						
1999	10:00	BOB JONES	11111 BOULEVARD	CHICAGO	IL	60601	312 555 9012						
1999	10:00	ALICE BROWN	22222 STREET	HOUSTON	TX	77001	281 555 3456						
1999	10:00	CHARLIE WHITE	33333 DRIVE	PHOENIX	AZ	85001	602 555 7890						
1999	10:00	DAVID GREEN	44444 COURT	ATLANTA	GA	30301	404 555 2345						
1999	10:00	EMILY BLACK	55555 PLACE	DALLAS	TX	75201	214 555 6789						
1999	10:00	FRED BROWN	66666 LANE	SEATTLE	WA	98101	206 555 0123						
1999	10:00	GRACE WHITE	77777 TERRACE	PORTLAND	OR	97201	503 555 4567						
1999	10:00	HELEN BLACK	88888 BLVD	SAN FRANCISCO	CA	94101	415 555 8901						
1999	10:00	IRVING GREEN	99999 ST	OAKLAND	CA	94601	415 555 2345						
1999	10:00	JACK WHITE	10101 AVE	BOSTON	MA	02101	617 555 6789						
1999	10:00	JILL BLACK	11111 ST	NEWARK	NJ	07101	973 555 0123						
1999	10:00	JOHN GREEN	12121 BLVD	PHILADELPHIA	PA	19101	215 555 4567						
1999	10:00	JANE WHITE	13131 COURT	PITTSBURGH	PA	15201	412 555 8901						
1999	10:00	JOE BLACK	14141 DRIVE	RICHMOND	VA	23201	804 555 2345						
1999	10:00	JUDY GREEN	15151 PLACE	ROCKFORD	IL	61101	815 555 6789						
1999	10:00	KEN WHITE	16161 LANE	SPRINGFIELD	MA	01101	417 555 0123						
1999	10:00	KIM BLACK	17171 TERRACE	TEMPLE	TX	76701	817 555 4567						
1999	10:00	LEO GREEN	18181 BLVD	TOLEDO	OH	43601	419 555 8901						
1999	10:00	LUCY WHITE	19191 ST	TORONTO	ON	M5H 1A1	416 555 2345						
1999	10:00	MARY BLACK	20201 AVE	VANCOUVER	BC	V6B 1A1	604 555 6789						
1999	10:00	MIKE GREEN	21211 ST	WASHINGTON	DC	20001	202 555 0123						
1999	10:00	NANCY WHITE	22221 BLVD	WICHITA	KS	67201	316 555 4567						
1999	10:00	NED BLACK	23231 COURT	WINNIPEG	MB	R3S 1A1	204 555 8901						
1999	10:00	OLIVIA GREEN	24241 DRIVE	YONKERS	NY	10701	914 555 2345						
1999	10:00	PETER WHITE	25251 PLACE	ZIP CODE	STATE	CITY	PHONE						

INTERMILL LAND SURVEYING, INC. 365, 917-881-0101 / FAX 917-881-0102
 H. S. M. LAND COMPANY, LLC 2, 876

DESIGN NO.: 096
 VENDOR'S NO.:
 APPROVED BY:
 DATE: 11-18-2012
 SCALE: 1"=6'-0"
 PROJECT NO.:
 P-13-7585
 SHEET: 01

PRO SWING FIRST ANNEXATION - SERIALS 1, 2, AND 3

BEGINS AN ANNEXATION OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 1 AND THE SOUTHEAST QUARTER OF SECTION 2, ALL IN TOWNSHIP 4 NORTH, RANGE 89 WEST OF THE 5TH P.M., TO THE TOWN OF BERTHOUD, COUNTY OF LINCOLN, STATE OF COLORADO

