

RESOLUTION NO. 7-07

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

1. At a regular meeting of the Board of Trustees on February 27, 2007, the annexation petition for Brown Farm was submitted to the Board of Trustees by the Clerk as a communication pursuant to Section 31-12-107(1)(f), C.R.S. The location of the property is described on Exhibit "A" attached hereto and incorporated herein by reference.

2. The Board of Trustees reviewed the petition and found that the requirements set forth in Section 31-12-107(1)(f), C.R.S. had been substantially complied with.

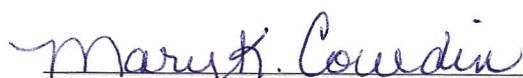
3. Pursuant to Section 31-12-108(1), C.R.S., the Board of Trustees hereby sets the date for the hearing on the annexation petition for April 10, 2007 at 7:00 P.M. in the Town of Berthoud Board Room located at 328 Massachusetts Avenue, Berthoud, Colorado. Notice of this hearing is to be published.


4. The purpose of this hearing shall be to determine whether the area proposed to be annexed meets the applicable requirements of Sections 31-12-104 and 31-12-105, C.R.S. and is eligible for annexation.

5. In the event the Board of Trustees finds that the statutory prerequisites for annexation have been met the Board will hold a public hearing on the ordinance annexing this property.

This resolution was passed by a vote of 6 in favor and 0 opposed at the regular meeting of the Board of Trustees on the 27th day of February, 2007.

TOWN OF BERTHOUD:


Mary K. Cowdin - Town Clerk


Milan Karspeck - Mayor

PUBLISH: March 8, 15, 22, 29 & April 5, 2007

EXHIBIT A

LEGAL DESCRIPTION Brown Farm Annexation

A plat of a parcel of land in the TOWN OF BERTHOUD, Colorado, located in the Southeast Quarter (SE1/4) of Section Ten (10) and the Southwest Quarter of Section Eleven (11) and the West Half (W1/2) of Section Fourteen (14) and the East Half (E1/2) of Section Fifteen (15), all in Township Four North (T.4N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.) and being more particularly described as follows:

COMMENCING at the West Quarter corner of said Section 11 and assuming the West line of said SW1/4 of Section 11 as bearing South 00°15'09" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/92, a distance of 2649.26 feet with all bearings contained herein relative thereto;

THENCE South 00°15'09" East along the West line of the SW1/4 of said Section 11 a distance of 915.81 feet to a line parallel with and 30.00 feet Southeasterly of, as measured at a right angle to, the existing centerline of the Handy Ditch and said point being the **POINT OF BEGINNING**;

The following five (5) courses and distances are along a line parallel with and 30.00 feet Southeasterly of, as measured at a right angle to, the existing centerline of the Handy Ditch:

THENCE North 67°46'24" East a distance of 351.43 feet;

THENCE North 73°53'14" East a distance of 309.07 feet;

THENCE North 67°23'50" East a distance of 246.84 feet;

THENCE North 65°00'08" East a distance of 331.36 feet;

THENCE North 70°07'22" East a distance of 192.59 feet to the Westerly line of The Trails at Sugar Creek Annexation as recorded _____, 2006 at Reception No. _____ of the records of Larimer County Clerk and Recorder (LCCR);

The following nine (9) courses and distances are along the Westerly lines of The Trails at Sugar Creek Annexation:

THENCE South 00°30'33" East a distance of 81.66 feet;

THENCE South 00°27'10" East a distance of 437.61 feet;

THENCE South 00°36'33" East a distance of 653.49 feet;

THENCE South 00°38'45" East a distance of 776.40 feet;

THENCE South 00°24'31" East a distance of 525.31 feet;

THENCE South 00°01'54" West a distance of 1590.28 feet;

THENCE South 00°06'10" West a distance of 548.76 feet;

THENCE South 89°34'21" West a distance of 3.08 feet to the East line of the West Half (W1/2) of said NW1/4 of Section 14;

THENCE South 00°25'39" East along said East line a distance of 10.53 feet (15.73 feet recorded) to the approximate centerline of the existing Loveland Lake Ditch;

The following two (2) courses and distances are along said approximate centerline of the existing Loveland Lake Ditch;

THENCE South 71°00'26" West a distance of 42.48 feet (44.14 feet recorded);

THENCE South 48°42'38" West a distance of 359.83 feet (353.26 feet recorded) to a line which is parallel with and 30.00 feet Northerly of, as measured at right angles to, the South line of said NW1/4 of Section 14;

THENCE North 89°44'18" East along said parallel line a distance of 312.41 feet to the Westerly line of The Trails at Sugar Creek Annexation;

THENCE South 00°25'39" East along the said Westerly line a distance of 30.00 feet to the Southwest corner of The Trails at Sugar Creek Annexation and said point also being the Northwest corner of Northeast Addition Annexation;

THENCE South 00°23'51" East along the West line of Northeast Addition Annexation a distance of 30.00 feet to a line which is parallel with and 30.00 feet Southerly of, as measured at right angles to, the South line of said NW1/4 of Section 14;

THENCE South 89°44'18" West along said parallel line a distance of 1298.80 feet to a line which is parallel with and 30.00 feet Easterly of, as measured at right angles to, the West line of said SW1/4 of Section 14;

THENCE South 89°41'50" West a distance of 60.00 feet to a line which is parallel with and 30.00 feet Westerly of, as measured at right angles to, the West line of said SW1/4 of Section 14;

THENCE North 00°04'14" West a distance of 29.49 feet to the South line of said NE1/4 of Section 15 and to the Westerly ROW line of County Road No. 17 (CR17) as recorded September 3, 1970 in Book 1440 at Page 935 of the Larimer County Clerk and Records office;

The following seven (7) courses and distances are along said Easterly ROW line of CR17 as recorded September 3, 1970 in Book 1440 at Page 935 of the Larimer County Clerk and Records office;

THENCE North 00°25'08" West a distance of 289.22 feet to a Point of Curvature (PC);

THENCE along the arc of a curve concave to the Southeast a distance of 514.87 feet, said curve has a Radius of 1462.50 feet, a Delta of 20°10'15" and is subtended by a Chord bearing North 09°39'59" East a distance of 512.21 feet to a Point of Tangency (PT);

THENCE North 19°45'07" East a distance of 35.94 feet to a PC;

THENCE along the arc of a curve concave to the West a distance of 779.77 feet, said curve has a Radius of 1607.10 feet, a Delta of 27°48'00" and is subtended by a Chord bearing North 05°51'07" East a distance of 772.14 feet to a PT;

THENCE North 08°02'53" West a distance of 1193.09 feet to a PC;

THENCE along the arc of a curve concave to the East a distance of 397.06 feet, said curve has a Radius of 2895.00 feet, a Delta of 07°51'30" and is subtended by a Chord bearing North 04°07'08" West a distance of 396.75 feet to a PT;

THENCE North 00°11'23" West a distance of 1205.64 feet;

THENCE North 67°46'24" East a distance of 33.44 feet to the **POINT OF BEGINNING**.

Said parcel of land contains 139.374 acres, more or less (\pm), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.