

RESOLUTION NO. 16-00

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

1. At the regular meeting of the Board of Trustees on September 12, 2000, the annexation petition for DAVIS/SCHLEIGER ANNEXATION 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 has reviewed the petition and finds that the requirements set forth in Section 31-12-107(1)(f), C.R.S. have 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 October 10, 2000 at 7:30 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 7 in favor and 0 opposed at the meeting of the Board of Trustees on the 12th day of September, 2000.

TOWN OF BERTHOUD:

Mary K Cowdin
Mary K. Cowdin, Town Clerk

Milan Karspeck
Milan Karspeck, Mayor

Published: Sept. 14, 21, 28 & Oct. 5, 2000

Legal Description

A TRACT OF LAND LOCATED IN THE SE1/4, THE SW1/4, AND THE NE1/4 OF SECTION 23, T4N, R69W OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE C1/4 CORNER OF SAID SECTION 23, FROM WHICH THE S1/4 CORNER OF SAID SECTION 23 BEARS S00°08'19"W, 2650.56 FEET (BASIS OF BEARING), THENCE N00°08'09"E, 25.00 FEET ALONG THE WEST LINE OF THE NE1/4 OF SAID SECTION 23 TO THE SOUTHWEST CORNER OF THE BEIN PUD & FINAL PLAT, A SUBDIVISION LOCATED IN THE NE1/4 OF SAID SECTION 23 IN THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, ACCORDING TO THE PLAT RECORDED MARCH 27, 1986, AS RECEPTION NO. 86015342 OF THE RECORDS OF LARIMER COUNTY, COLORADO;

THENCE S89°57'43"E, 757.50 FEET ALONG THE SOUTH LINE OF SAID THE BEIN PUD & FINAL PLAT, ALONG THE SOUTH LINE OF BERTHOUD HEIGHTS, A SUBDIVISION LOCATED IN THE NE1/4 OF SAID SECTION 23 IN THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, ACCORDING TO THE PLAT RECORDED OCTOBER 25, 1984, AS RECEPTION NO. 593943 OF THE RECORDS OF LARIMER COUNTY, COLORADO, AND ALONG THE SOUTH LINE EXTENDED EASTERLY OF SAID BERTHOUD HEIGHTS, TO A POINT ON A LINE THAT IS 30.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH, THE EAST LINE OF SAID BERTHOUD HEIGHTS;

THENCE S00°08'09"W, 25.00 FEET ALONG A LINE THAT IS 30.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH, THE EAST LINE OF SAID BERTHOUD HEIGHTS TO THE NORTH LINE OF THE SE1/4 OF SAID SECTION 23;

THENCE S89°57'43"E, 980.09 FEET ALONG THE NORTH LINE OF THE SE1/4 OF SAID SECTION 23 TO THE SOUTHWESTERLY LINE OF NALL, OUTHIER & ALBERT SUBURBAN LOTS, A SUBDIVISION LOCATED IN THE NE1/4 AND THE SE1/4 OF SAID SECTION 23 IN THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, ACCORDING TO THE RECORDED PLAT THEREOF;

THENCE S64°19'16"E, 177.65 FEET ALONG THE SOUTHWESTERLY LINE OF SAID NALL, OUTHIER & ALBERT SUBURBAN LOTS TO THE WESTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN & SANTA FE RAILROAD, BEING 50.00 FEET WESTERLY OF, AS MEASURED RADIAL OR RIGHT ANGLES TO AND CONCENTRIC OR PARALLEL WITH, THE CENTERLINE OF THE MAIN LINE TRACK;

THENCE SOUTHEASTERLY, 486.03 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN & SANTA FE RAILROAD TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 2654.51 FEET, A CENTRAL ANGLE OF 10°29'26", AND BEING SUBTENDED BY A CHORD THAT BEARS S25°37'16"E, 485.35 FEET;

THENCE S30°51'59"E, 255.12 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN & SANTA FE RAILROAD TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHEASTERLY, 772.89 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN & SANTA FE RAILROAD TO A POINT OF TANGENT, SAID ARC HAVING A RADIUS OF 2635.89 FEET, A CENTRAL ANGLE OF 16°48'01", AND BEING SUBTENDED BY A CHORD THAT BEARS S22°27'59"E, 770.13 FEET;

THENCE S14°03'58"E, 220.70 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN & SANTA FE RAILROAD TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHERLY, 286.35 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN & SANTA FE RAILROAD TO THE EAST LINE OF THE SE1/4 OF SAID SECTION 23, SAID ARC HAVING A RADIUS OF 6088.82 FEET, A CENTRAL ANGLE OF 02°41'40", AND BEING SUBTENDED BY A CHORD THAT BEARS S12°43'08"E, 286.32 FEET;

THENCE S00°05'10"W, 715.06 FEET ALONG THE EAST LINE OF THE SE1/4 OF SAID SECTION 23 TO THE SOUTHEAST CORNER OF SAID SECTION 23;

THENCE N89°54'25"W, 2654.77 FEET ALONG THE SOUTH LINE OF THE SE1/4 OF SAID SECTION 23 TO THE S1/4 CORNER OF SAID SECTION 23;

THENCE S90°00'00"W, 6.00 FEET ALONG THE SOUTH LINE OF THE SW1/4 OF SAID SECTION 23 TO THE SOUTHEAST CORNER OF HILLSDALE 4TH SUBDIVISION, A SUBDIVISION IN THE SW1/4 OF SAID SECTION 23 IN THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, ACCORDING TO THE PLAT RECORDED APRIL 13, 1994, AS RECEPTION NO. 94032407 OF THE RECORDS OF LARIMER COUNTY, COLORADO;

THENCE N00°08'19"E, 1611.20 FEET ALONG THE EASTERLY LINE OF SAID HILLSDALE 4TH SUBDIVISION, ALONG THE EASTERLY LINE OF HILLSDALE 3RD SUBDIVISION, A SUBDIVISION IN THE SW1/4 OF SAID SECTION 23 IN THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, ACCORDING TO THE PLAT RECORDED OCTOBER 14, 1992, AS RECEPTION NO. 92064427 OF THE RECORDS OF LARIMER COUNTY, COLORADO, AND ALONG THE EASTERLY LINE OF HILLSDALE 2ND SUBDIVISION, A SUBDIVISION IN THE SW1/4 OF SAID SECTION 23 IN THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, ACCORDING TO THE PLAT RECORDED MARCH 27, 1986, AS RECEPTION NO. 86015339 OF THE RECORDS OF LARIMER COUNTY, COLORADO TO AN ANGLE POINT THEREOF;

THENCE S86°16'22"E, 6.01 FEET ALONG A SOUTHERLY LINE OF SAID HILLSDALE 2ND SUBDIVISION TO THE WEST LINE OF THE SE1/4 OF SAID SECTION 23;

THENCE N00°08'19"E, 1039.75 FEET ALONG THE WEST LINE OF THE SE1/4 OF SAID SECTION 23 TO THE C1/4 CORNER OF SAID SECTION 23 AND THE POINT OF BEGINNING.

AREA = 147.082 ACRES, MORE OR LESS.

SEEK TO HAVE SAID DESCRIBED PARCEL OF LAND ANNEXED TO THE TOWN OF BERTHOUD, COLORADO, AND DO HEREBY SET ASIDE THE PARCEL OF LAND AND DESIGNATE THE SAME "SCHLEIGER/DAVIS ANNEXATION" AS SHOWN HEREON.

OWNER: EDWARD MICHAEL DAVIS

OWNER: VIRGINIA RAE SCHLEIGER

Exhibit A