

RESOLUTION NUMBER 11

(SERIES 2023)

A RESOLUTION OF THE TOWN OF BERTHOUD BOARD OF TRUSTEES APPROVING A
PRELIMINARY PLAT FOR A DEVELOPMENT KNOWN AS THE “HARVEST 47
DEVELOPMENT” IN THE TOWN OF BERTHOUD

WHEREAS, Larry Bebo, as property owner (“the Applicant”), submitted an application for a Preliminary Plat on December 8, 2022 (“the Application”); and

WHEREAS, the property under consideration is known as the “Harvest 47” development, and more particularly described in Exhibit A attached hereto; and

WHEREAS, the Town of Berthoud (“Town”) approved Ordinance 1305 on July 26, 2022 to zone the property to Urban Residential (UR); and

WHEREAS, notice was properly posted in the manner required by law and a public hearing was conducted on April 27, 2023, before the Berthoud Planning Commission; and

WHEREAS, after the public hearing, the Berthoud Planning Commission made a unanimous recommendation to the Town Board of Trustees to approve the Preliminary Plat as presented; and

WHEREAS, notice was properly posted in a manner required by law and a public hearing was conducted on May 9, 2023 before the Board of Trustees; and

WHEREAS, based on the testimony and evidence presented at the public hearing on May 9, 2023, the Board of Trustees determines and finds that compliance with Preliminary Plat review criteria as provided in Section 30-6-107.B [second B] of the Berthoud Municipal Code has been demonstrated.

NOW THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COORADO, AS FOLLOWS:

Section 1. Preliminary Plat Approval. The Preliminary Plat is hereby approved.

Section 2. Interpretation: This Resolution shall be interpreted and construed to effectuate its general purpose.

Section 3. Effective Date: The provisions of this Resolution shall take effect upon adoption.

APPROVED AND ADOPTED this 9th day of May, 2023.

TOWN OF BERTHOUD

By


William Karspeck, Mayor

ATTEST:

By:


Christian Samora, Town Clerk



Exhibit A: Legal Description

BEING A SUBDIVISION OF LOT 2, O'MALLEY GLEN MINOR SUBDIVISION, SITUATE IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO.

That portion of O'MALLEY GLEN ANNEXATION, Town of Berthoud, County of Larimer, State of Colorado; and Tract 6, THE FARMSTEAD, Town of Berthoud, County of Larimer, State of Colorado situate in the Northwest Quarter of the Northeast Quarter of Section 24, Township 4 North, Range 69 West of the 6th Principal Meridian, Town of Berthoud, County of Larimer, State of Colorado being more particularly described as follows:

Considering the North line of the Northeast Quarter of Section 24, Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado as bearing North 89°42'45" East and with all bearings contained herein relative thereto:

Beginning at the North One-Quarter corner of said Section 24; thence along the West line of the Northwest Quarter of the Northeast Quarter of said Section 24, South 00°03'24" East 48.46 feet, more or less, to the Northwest corner of the O'MALLEY GLEN SECOND ANNEXATION to the said Town of Berthoud; said point also being a point on the Southerly Right-of-Way line for Colorado State Highway No. 56; thence departing said West line of the Northwest Quarter of the Northeast Quarter of said Section 24 and along the North line of said O'MALLEY GLEN SECOND ANNEXATION and along the North line of the O'MALLEY GLEN ANNEXATION, to the Town of Berthoud, Colorado and along the North line of THE FARMSTEAD to the Town of Berthoud, Colorado and along said Southerly Right-of-Way line for Colorado State Highway No. 56, South 86°35'48" East 749.34 feet; thence continuing along said North line of said O'MALLEY GLEN ANNEXATION and continuing along said Southerly Right-of-Way line for Colorado State Highway No. 56, North 89°38'35" East 285.56 feet, more or less, to the Northwest corner of Lot 3, AMENDED PLAT OF BEBO M.R.D. NO. S-76-87 to Larimer County, Colorado; thence departing said North line of said O'MALLEY GLEN ANNEXATION and departing said Southerly Right-of-Way line for Colorado State Highway No. 56 and along West line of said Lot 3, AMENDED PLAT OF BEBO M.R.D. NO S-76-87, South 00°05'41" East 442.95 feet, more or less, to the Southwest corner of said Lot 3, AMENDED PLAT OF BEBO M.R.D. NO. S-76-87; thence along the South line of said Lot 3, AMENDED PLAT OF BEBO M.R.D. NO. S-76-87 North 89°38'35" East 295.01 feet, more or less, to the Southeast corner of said Lot 3, AMENDED PLAT OF BEBO M.R.D. NO. S-76-87; said point also being a point on the East line of the West Half of the Northeast Quarter of said Section 24; thence along said East line of the West Half of the Northeast Quarter of said Section 24, South 00°05'41" East 141.43 feet to the TRUE POINT OF BEGINNING; thence continuing along said East line of the West Half of the Northeast Quarter of said Section 24, South 00°05'41" East 362.00 feet, more or less, to the Northeast corner of Tract 5, of said THE FARMSTEAD; thence along the North line of said Tract 5, of said THE FARMSTEAD, North 89°50'08" West 720.43 feet, more or less, to the Southwest corner of Tract 6, of said THE FARMSTEAD said point also being on the East Right-of-Way line of Dorothy Drive; thence along the West line of said Tract 6, of said THE FARMSTEAD and along the East Right-of-Way line of said Dorothy Drive, North 00°10'08" East 362.00 feet; thence departing the West line of said Tract 6, of said THE FARMSTEAD and departing the East Right-of-Way line of said Dorothy Drive, South

89°50'08" East 718.76 feet, more or less, to a point on the East line of the West Half of the Northeast Quarter of said Section 24 and the TRUE POINT OF BEGINNING. The above described parcel will be known as Lot 2, O'Malley Glen Minor Subdivision to the Town of Berthoud, Colorado upon recordation of the plat of said O'Malley Glen Minor Subdivision.