

RESOLUTION NUMBER 17

(SERIES 2023)

A RESOLUTION OF THE TOWN OF BERTHOUD BOARD OF TRUSTEES APPROVING A
PRELIMINARY PLAT FOR WESTSIDE CROSSING REPLAT NO. 2 FOR A
COMMERCIAL DEVELOPMENT IN THE TOWN OF BERTHOUD.

WHEREAS, the property under consideration is known as the “Westside Commercial” development; and

WHEREAS, the Town of Berthoud (“Town”) approved a Neighborhood Master Plan and Zoning change to Commercial; and

WHEREAS, the Preliminary Plat attached herein as Exhibit A has been reviewed by referral agencies to ensure the proposed development does not present a burden on service provision; and

WHEREAS, notice was properly posted in the manner required by law and a public hearing was conducted on August 3, 2023; a legal ad was published on August 3, 2023 and affected property owners within 500 feet of the site were notified by first-class mail before the Berthoud Planning Commission hearing on August 10, 2023; 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 with conditions; and

WHEREAS, based on the testimony and evidence presented at the public hearing, the Board of Trustees determines and finds that compliance with the Neighborhood Master Plan review criteria as provided in Section 30-6-107(B) of the Berthoud Municipal Code has been demonstrated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. Preliminary Plat Approval. The Preliminary Plat is hereby approved with the following Condition of Approval. This condition shall be met prior to submittal of the Final Plat application.

1. The preliminary plat materials shall be revised to address all outstanding staff comments attached to the Staff Report.


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 22nd day of August, 2023.

TOWN OF BERTHOUD

By


William Karspeck, Mayor

ATTEST:

By:


Christian Samora, Town Clerk



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PRELIMINARY PLAT
WESTSIDE CROSSING REPLAT #2

Being a Replat of Tract A, Westside Crossing,
Situate in the South Half of the Southwest Quarter of Section 15, Township 4 North, Range 69 West of the 6th P.M.,
Town of Berthoud, County of Larimer, State of Colorado

LEGAL DESCRIPTION:

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being the owners of a portion of the Southwest Quarter Section Fifteen (15), Township Four North (T.4N.), Range Sixty-nine West (R.69W.) of the 6th Principal Meridian, Town of Berthoud, County of Larimer, State of Colorado, more particularly described as follows:

Tract A, Westside Crossing, recorded July 5, 2022 as Reception No. 20220042194 of the Records of Larimer County.

Said described parcel of land contains 11.901 Acres, more or less (±).

Have laid out, platted, and subdivided the above described land, under the name and style of WESTSIDE CROSSING REPLAT #2, and by these presents do dedicate to the Town of Berthoud in fee simple the street and public "rights-of-way" as shown on the plats, and grants to the Town of Berthoud such easements as are created hereby and depicted or, by note, referenced hereon, along with the right to install, maintain, and operate mains, transmission lines, service lines, and appurtenances, either directly or through the various public utilities, as may be necessary to provide such utility, cable television, and sanitary services within this subdivision or property contiguous thereto, through, over, under, and across streets, utility and other easements, and other public places as shown on the plat.

OWNER: Berthoud Gateway LLC, a Colorado limited liability company

By: _____ As: _____

NOTARIAL CERTIFICATE

STATE OF _____)
ss
COUNTY OF _____)

The foregoing dedication was acknowledged before me this _____ day of _____, 20 ____
by _____ as _____

Witness my hand and official seal. (SEAL)

My commission expires _____

Notary Public

LEINHOLDER: Westland Holdings, Inc.

By: _____ As: _____

NOTARIAL CERTIFICATE

STATE OF _____)
ss
COUNTY OF _____)

The foregoing dedication was acknowledged before me this _____ day of _____, 20 ____
by _____ as _____

Witness my hand and official seal. (SEAL)

My commission expires _____

Notary Public

LEINHOLDER: Camco LLC

By: _____ As: _____

NOTARIAL CERTIFICATE

STATE OF _____)
ss
COUNTY OF _____)

The foregoing dedication was acknowledged before me this _____ day of _____, 20 ____
by _____ as _____

Witness my hand and official seal. (SEAL)

My commission expires _____

Notary Public

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the East line of the South Half of the Southwest Quarter of Section 15, T.4N., R.69W, being monumentalized by a #6 rebar with a 2" Aluminum Cap stamped "LS 27936" on the North end and by a #6 rebar with a 3 1/4" aluminum cap stamped "LS 16415" on the South end, as bearing South 00°34'48" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 1330.11 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Commitment Number FC25193574.1-6, dated June 22, 2023 as prepared by Land Title Guarantee Company to delineate the aforesaid information.

SURVEYOR'S CERTIFICATE:

I, Paul B. Groves, a Registered Land Surveyor in the State of Colorado, do hereby certify that the survey of WESTSIDE CROSSING REPLAT #2 was made under my supervision and the accompanying plat accurately and properly shows said subdivision and is in compliance with the Subdivision Regulations of the Town of Berthoud.

PRELIMINARY

Paul B. Groves — On Behalf Of King Surveyors
Colorado Licensed Professional
Land Surveyor #38209

RIGHT TO FARM STATEMENT:

The Town of Berthoud has adopted a "Right to Farm" policy. All new and existing residents are expected to read and understand the policy. For a copy of the policy, please contact the Town of Berthoud.

APPROVAL CERTIFICATES:

Approved by the Town of Berthoud, Colorado,

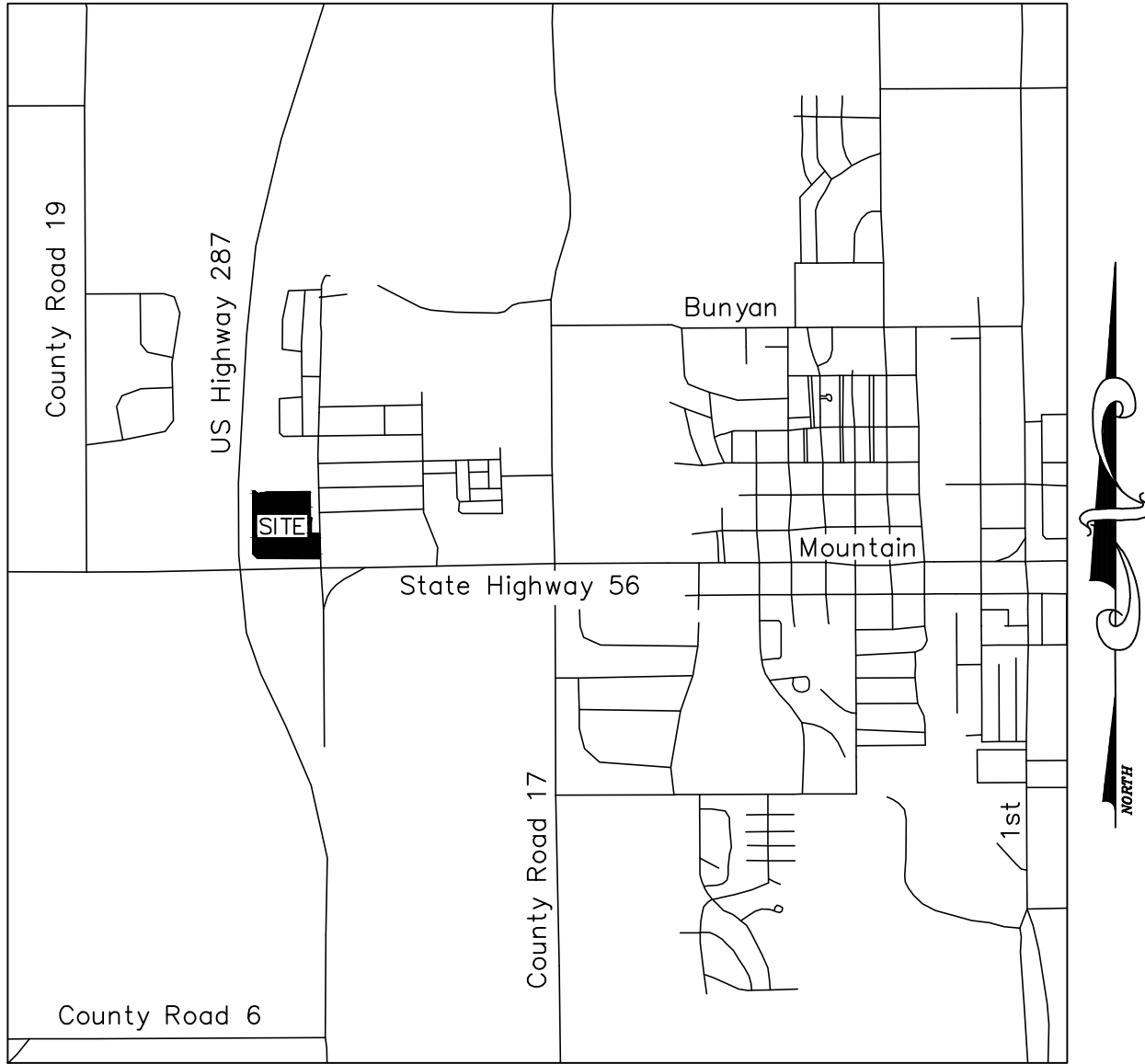
this _____ day of _____, A.D., 20 ____.

Mayor

The foregoing plat is approved for filing and accepted by the Town of Berthoud, Colorado,

this _____ day of _____, A.D., 20 ____.

ATTEST: _____
Town Clerk



VICINITY MAP

SCALE: 1"=2000'

DATE:	12/13/2022
FILE NAME:	20220491A-SUB
SCALE:	1"=30'
DRAWN BY:	CSK
CHECKED BY:	PG

KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | email: contact@KingSurveyors.com



REVISIONS:	DATE:
REVISED ESMIS & LOTS	CSK 5/1/23
REVISED ESMIS & LOTS	CSK 7/6/23

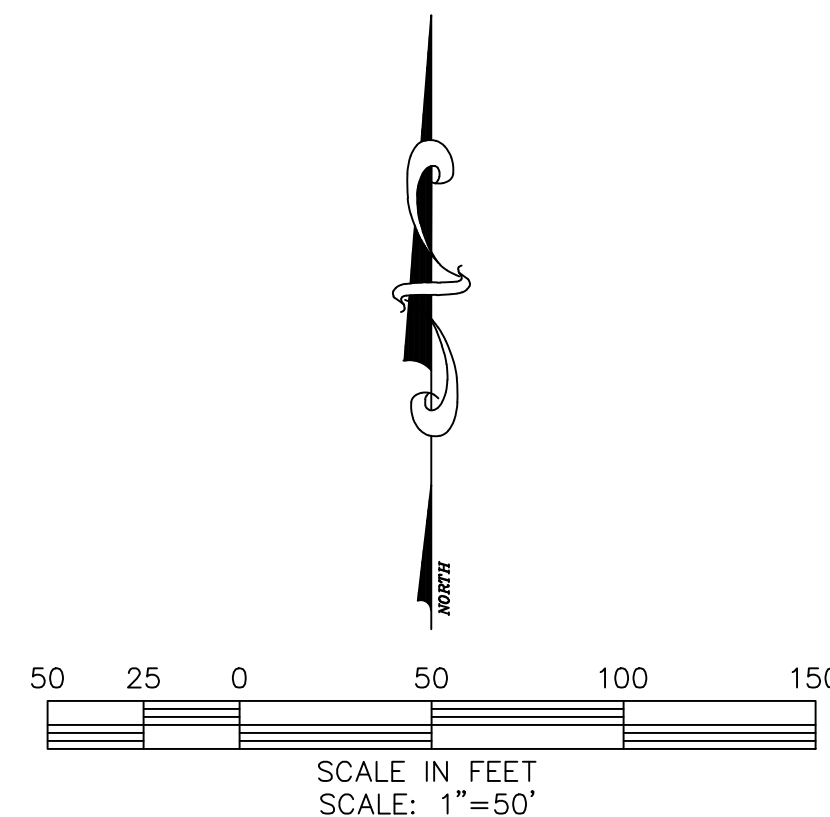
WESTSIDE CROSSING REPLAT #2
FOR
BERTHOUD GATEWAY LLC
8340 LOUDEN CIRCLE
WINDSOR, CO 80528

PROJECT #:
20220491-A






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SHEET 1 OF 2

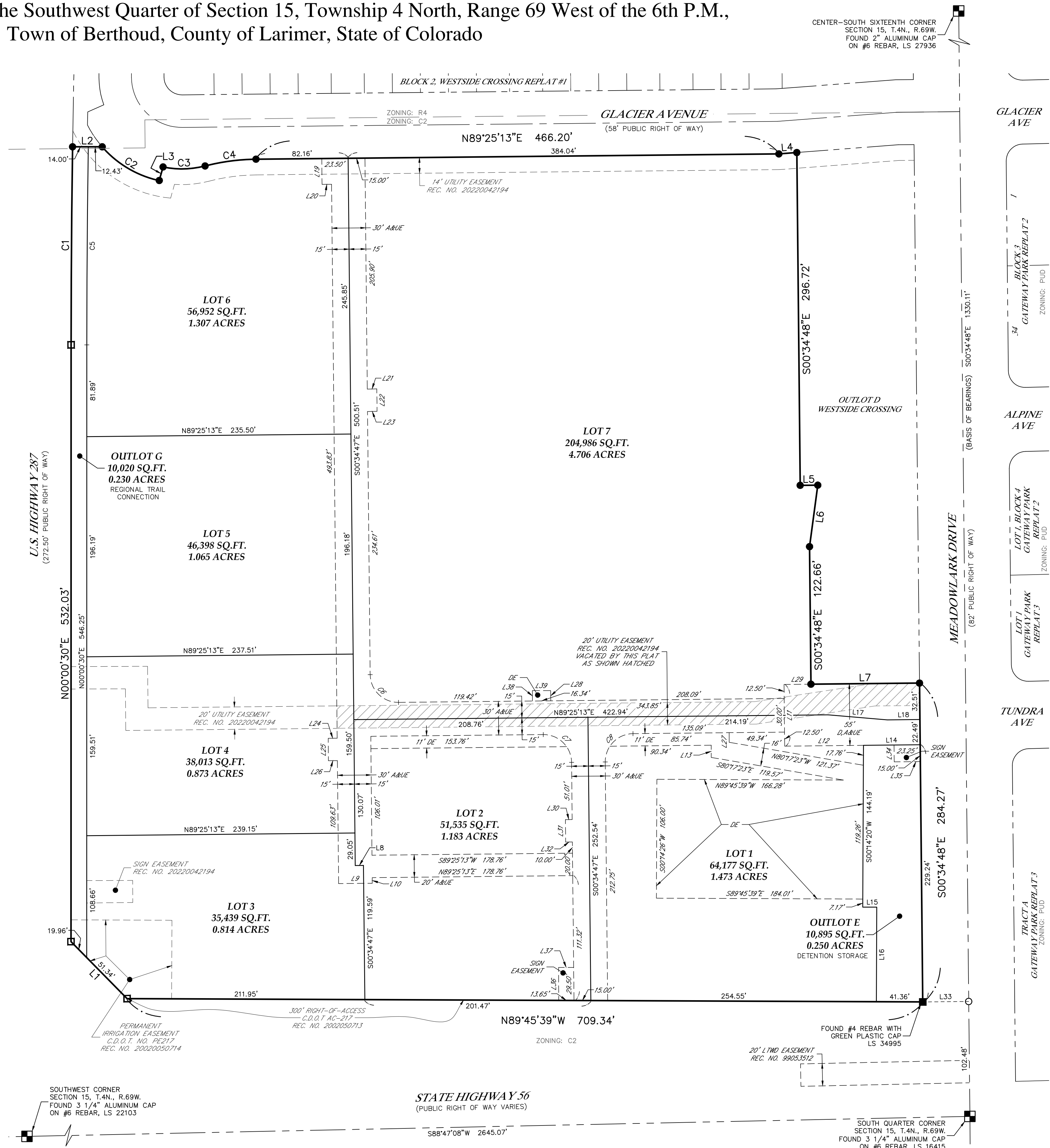
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LINE TABLE		
LINE	BEARING	LENGTH
L21	N89°25'13"E	8.50'
L22	S00°34'47"W	20.00'
L23	S89°25'13"W	8.50'
L24	N89°25'13"E	8.00'
L25	N00°34'47"W	20.00'
L26	S89°25'13"W	8.00'
L27	N00°00'00"E	8.58'
L28	S00°34'58"E	9.06'
L29	N89°25'13"E	24.00'
L30	N89°25'13"E	6.00'
L31	S00°34'47"W	20.00'
L32	N89°25'13"W	6.00'
L33	N89°25'12"E	41.00'
L34	S00°34'47"W	15.00'
L35	N89°25'13"W	23.25'
L36	N00°06'27"W	29.41'
L37	N89°33'36"E	13.44'
L38	N00°34'47"W	9.22'
L39	N90°00'00"E	16.34'



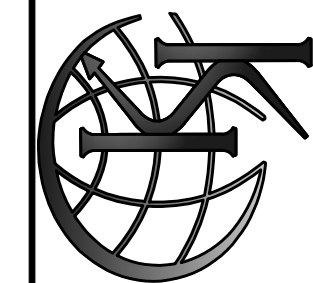
LEGEND

----	EASEMENT LINE
-----	CENTERLINE
-----	SECTION LINE
-----	RIGHT OF WAY LINE
=====	BOUNDARY LINE
	FOUND ALIQUOT CORNER AS DESCRIBED
	FOUND MONUMENT AS DESCRIBED
	FOUND #6 REBAR WITH 3 1/4" ALUMINUM CAP LS 22103
	SET 24" OF #4 REBAR WITH A BLUE PLASTIC CAP STAMPED KS, LS 38209
	CALCULATED POSITION
A,&UE	ACCESS & UTILITY EASEMENT
DE	DRAINAGE EASEMENT
D,A,&UE	DRAINAGE, ACCESS & UTILITY EASEMENT



DATE:	12/13/2022
FILE NAME:	20220491A-SUB
SCALE:	1"=30'
DRAWN BY:	CSK
CHECKED BY:	PG

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phone: (970) 686-5011 | email: contact@KingSurveyors.com



REVISIONS:	DATE:
REVISED ESMTS & LOTS	CSK 5/1/23
REVISED ESMT & LOTS	CSK 7/6/23

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SHEET 2 OF 2