

**TOWN OF BERTHOUD**

**ORDINANCE NO. 1324**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD  
TO ESTABLISH THE ZONING OF PROPERTY KNOWN AS THE “LUDLOW SLIVER  
ANNEXATION” NEWLY ANNEXED TO THE TOWN OF BERTHOUD**

WHEREAS, an ordinance approving the annexation of certain property known as the “Ludlow Sliver Annexation,” as more particularly described in Exhibit A attached hereto (the “Property”), to the Town of Berthoud by Ordinance No. 1321 was passed by the Board of Trustees of the Town of Berthoud on September 12, 2023; and,

WHEREAS, Section 31-12-115, Colorado Revised Statutes, requires that newly annexed property be zoned within 90 days of the effective date of the annexation ordinance; and,

WHEREAS, the Planning Commission previously has considered the zoning request related to Resolution No. 2023-19 and pending Annexation Ordinance 1323, and has recommended that the Property be zoned “Suburban Residential (SR)” upon its annexation into the Town; and,

WHEREAS, notice previously was been posted and published as required by law and a public hearing was conducted before the Board of Trustees on September 12, 2023, at which time the zoning of the Property to “Suburban Residential (SR)” was approved by the Board, to become effective upon the completion of the annexation of the Property into the Town more particularly described in Exhibit A and found in Exhibit B; and

WHEREAS, the Board desires the zoning approval for the Property to become effective concurrent with the legal effectiveness of Annexation Ordinance 1323.

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

Section 1. Upon the legal effectiveness of the annexation of the Property to the Town of Berthoud in accordance with Section 31-12-113(2)( b), Colorado Revised Statutes, the official zoning map of the Town of Berthoud shall be amended by the inclusion of the Property zoned as “Suburban Residential (SR).”

Section 2. The Property known as the “Ludlow Sliver Annexation” is hereby zoned “Suburban Residential (SR),” subject to the terms and conditions approved by the Town.

Section 3. Interpretation. This Ordinance shall be so interpreted and construed to effectuate its general purpose.

Section 4. Publication. The Town Clerk shall certify to the passage of this Ordinance, cause its contents to be published, and, when the annexation of the Property becomes effective in accordance with section 31-12-113(2) (b), Colorado Revised Statutes, shall cause the appropriate change to be made to the official Berthoud Zoning District Map.

## **EXHIBIT A: LEGAL DESCRIPTION**

A parcel of land being a part of the Southeast Quarter of Section 22, Township 4 North, Range 69 West of the 6th P.M., Town of Berthoud, County of Larimer, State of Colorado, being more particularly described as follows:

Considering the South line of the Southeast Quarter of said Section 22, as bearing South 89°06'41" West, with the South Quarter corner of Section 22 being monumented by a 3-1/4" aluminum cap and the Southeast corner of Section 22 being monumented by a 2-1/2" aluminum cap stamped LS 12374, and with all bearings contained herein relative thereto:

COMMENCING at the South Quarter corner of said Section 22, thence along the South line of the Southeast Quarter of Section 22, North 89°06'41" East, a distance of 223.67 feet to a point on the Easterly right-of-way line U.S. Highway 287, said point being the POINT OF BEGINNING;

THENCE North 07°21'53" West, a distance of 25.76 feet to the Southwest corner of Lot 9, Ludlow Farms - Conveyance Plat, recorded at Reception No. 2011008205, Larimer County Clerk and Recorder;

THENCE along the Southerly line of Lot 9 the following seven (7) courses and distances:

South 88°00'48" East, a distance of 107.18 feet;

THENCE North 89°17'36" East, a distance of 232.13 feet;

THENCE North 89°35'38" East, a distance of 219.93 feet;

THENCE North 89°49'13" East, a distance of 204.24 feet;

THENCE South 89°36'42" East, a distance of 152.83 feet;

THENCE North 88°06'10" East, a distance of 188.67 feet;

THENCE South 00°08'00" West, a distance of 15.02 feet to said South line of the Southeast Quarter of Section 22;

THENCE departing said South line of Lot 9, along the South line of the Southeast Quarter of said Section 22, South 89°06'41" West a distance of 1101.58 feet to the POINT OF BEGINNING.

The above-described parcel of land contains 19,011 square feet or 0.436 acres, more or less ( $\pm$ ), and may be subject to easements and rights-of-way now on record or existing.



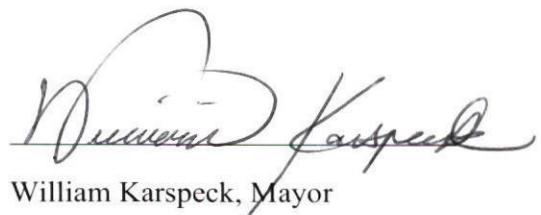


Section 5. Effective Date: The effective date of this ordinance shall be the later of the effective date of the Annexation of “Ludlow Sliver Annexation” and thirty (30) days after publication of this ordinance.

PASSED, ADOPTED, SIGNED, AND APPROVED this the 26<sup>th</sup> day of September 2023.

TOWN OF BERTHOUD

By

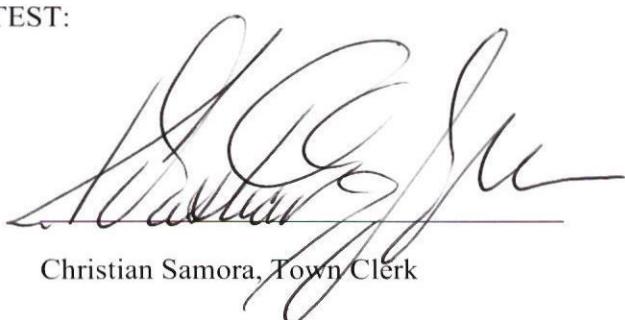


William Karspeck

William Karspeck, Mayor

ATTEST:

By:



Christian Samora

Christian Samora, Town Clerk

