

TOWN OF BERTHOUD
RESOLUTION NUMBER 19
(SERIES 2023)

THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD SETTING FORTH FINDINGS OF FACT AND DETERMINATIONS REGARDING THE ELIGIBILITY FOR ANNEXATION OF THE LUDLOW SLIVER ANNEXATION PURSUANT TO C.R.S. 31-12-110.

WHEREAS, Ludlow Farms, LLC as property owner (“the Petitioner”), filed with the Town Clerk a Petition for Annexation on June 29, 2023 (“the Petition”); and

WHEREAS, the Town Board of Trustees of the Town of Berthoud reviewed such Petition through Resolution No. 16 (Series 2023) at its meeting held on July 25, 2023; and

WHEREAS, the Town Board of Trustees have established the Petitioner has filed the Petition to annex unincorporated property to the Town that meets the eligibility requirements found in Colorado Revised Statutes Section 31-12-104; and

WHEREAS, the Town Board of Trustees have established the Petition and the territory to be annexed satisfies the limitations found in Colorado Revised Statutes Section 31-12-105.

NOW THEREFORE BE IT RESOLVED by the Town Board of Trustees of the Town of Berthoud, Colorado, this 12th day of September 2023, as follows:

Section 1. That the Board finds that there is at least one-sixth (1/6) contiguity between the Town of Berthoud and the Property; that a community of interest exists between the Property and the Town; that the Property is urban or will be urbanized in the near future; and that the Property is integrated with or is capable of being integrated with the Town of Berthoud.

Section 2. That the Board further finds that the requirements of the applicable provisions of Section 30 of Article II of the State Constitution and Sections 31-12-104 and 31-12-105 of the Colorado Revised Statutes have been met.

Section 3. That the Board further finds that an election is not required under section 30(1)(a) of Article II of the State Constitution and Sections 31-12-107(2) of the Colorado Revised Statutes.

Section 4. That the Board further determines that that there are no additional terms and conditions to be imposed upon said annexation.

Section 5. That the Board concludes that the Property is eligible for annexation to the Town of Berthoud.

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;

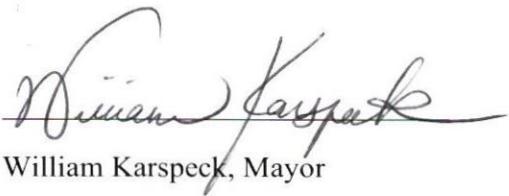
THENCE departing said South line of Lot 9, along the South line of the Southeast Quarter of said Section 22, South 89°06'41" West a distance of 1101.58 feet to the POINT OF BEGINNING.

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

MOVED, SECONDED AND ADOPTED BY THE TOWN BOARD OF TRUSTEES OF THE
TOWN OF BERTHOUD, COLORADO THIS 26th DAY OF SEPTEMBER, 2023.

TOWN OF BERTHOUD

By



William Karspeck

William Karspeck, Mayor

ATTEST:

By:



Christian Samora

Christian Samora, Town Clerk

