

TOWN OF BERTHOUD

ORDINANCE NO. 1361

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD TO ESTABLISH THE ZONING OF PROPERTY KNOWN AS THE “RIVER TRAILS ANNEXATION” NEWLY ANNEXED TO THE TOWN OF BERTHOUD

WHEREAS, an ordinance approving the annexation of certain property known as the River Trails Annexation as more particularly described in Exhibit A attached hereto (the “Property”), to the Town of Berthoud by Ordinance No.1360 was passed by the Board of Trustees of the Town of Berthoud on August 26, 2025; 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 Ordinance 1361 and Annexation Ordinance 1360, and has recommended that the Property be zoned “Suburban Residential (SR) and Agricultural (A)” 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 May 24, May 31, June 7, June 14, 2025, at which time the zoning of the Property to “Suburban Residential (SR) and Agricultural (A)” 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 1360.

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) and Agricultural (A).”

Section 2. The Property known as the “River Trails Annexation” is hereby zoned “Suburban Residential (SR) and Agricultural (A)” 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.

Section 5. Effective Date: The effective date of this ordinance shall be the later of the effective date of the Annexation of "River Trails Annexation" and thirty (30) days after publication of this ordinance.

PASSED, ADOPTED, SIGNED, AND APPROVED this the 26th day of August, 2025.

TOWN OF BERTHOUD



By



William Karspeck, Mayor

ATTEST:

By:



~~Christian Samora, Town Clerk~~

~~Lexi Dovel, Deputy Town Clerk~~

EXHIBIT A: LEGAL DESCRIPTION

RIVER TRAILS ANNEXATION NO. 1

A parcel of land situate in the Southwest Quarter (SW1/4) of Section Twenty-four (24), Township Four North (T.4N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), Town of Berthoud, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the South Sixteenth corner of said SW1/4 of Section 24 and assuming the North line of the South half of said SW1/4 as bearing North 89°02'27" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2657.78 feet Monumented by a #5 rebar with 2" aluminum cap stamped LS 13446 on the West end, and a #5 rebar with 3.25" aluminum cap stamped LS 38348 on the East end, and with all other bearings contained herein relative thereto;

THENCE North 89°02'27" East, along said North line, a distance of 30.00 feet to the POINT OF BEGINNING, also being a point on the boundary of the South First Street Annexation to the Town of Berthoud, recorded April 3, 1997, as Reception Number 19970020418 of the Records of the Larimer County Clerk and Recorder;

THENCE North 89°02'27" East, continuing along said North line and said annexation boundary, a distance of 20.00 feet;

THENCE North 00°21'20" West, continuing along said annexation boundary, a distance of 35.00 feet to a point on the North right of way of East County Road 6C, as shown on the plat of Mary V. Moore M.R.D., recorded November 2, 1993 as Reception Number 19930082235 of the Records of the Larimer County Clerk and Recorder;

THENCE North 89°02'27" East, along said North right of way, a distance of 314.64 feet;

THENCE South 82°30'22" West a distance of 307.55 feet to a point on the North line of the South half of said SW1/4;

THENCE South 00°06'53" West a distance of 185.29 feet to a point on the East line of that parcel recorded January 7, 1878 as Book G Page 580 of the Records of the Larimer County Clerk and Recorder;

THENCE South 08°56'36" East, along said East line, a distance of 178.75 feet;

THENCE South 77°12'38" West a distance of 27.92 feet to a point on the assumed West right of way line of County Road 15, lying 30' Westerly and parallel to the surveyed centerline of said road.

THENCE North 12°47'22" West, along said assumed West right of way line, a distance of 127.08 feet;

THENCE North 00°21'21" West a distance of 58.65 feet to a point on the boundary of said South First Street Annexation to the Town of Berthoud;

THENCE North 00°21'21" West, continuing along said South First Street Annexation, a distance of 184.98 feet to the POINT OF BEGINNING.

Said described parcel of land contains 16,828 Square Feet or 0.386 Acres, more or less (±).

RIVER TRAILS ANNEXATION NO. 2

A parcel of land, situate in the Southwest Quarter (SW1/4) of Section Twenty-four (24), Township Four North (T.4N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), Town of Berthoud, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the South Sixteenth corner of said SW1/4 of Section 24 and assuming the North line of the South half of said SW1/4 as bearing North 89°02'27" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2657.78 feet Monumented by a #5 rebar with 2" aluminum cap stamped LS 13446 on the West end, and a #5 rebar with 3.25" aluminum cap stamped LS 38348 on the East end, and with all other bearings contained herein relative thereto;

THENCE North 89°02'27" East, along said North line, a distance of 59.46 feet to the POINT OF BEGINNING;

THENCE North 82°30'22" East a distance of 307.55 feet to a point on the North right of way of East County Road 6C, as shown on the plat of Mary V. Moore M.R.D., recorded November 2, 1993 as Reception Number 19930082235 of the Records of the Larimer County Clerk and Recorder;

THENCE North 89°02'27" East, along said North right of way, a distance of 896.05 feet;

THENCE South 81°12'51" West a distance of 1096.36 feet;

THENCE South 00°32'05" East a distance of 872.85 feet to a point on the East line of that parcel recorded January 7, 1878 as Book G Page 580 of the Records of the Larimer County Clerk and Recorder;

THENCE North 27°05'13" West a distance of 56.42 feet to a point on the assumed West right of way line of County Road 15, lying 30' Westerly and parallel to the surveyed centerline of said road, said point also being the beginning point of a curve, non-tangent to the aforesaid line;

THENCE along the arc of a curve concave to the Southwest a distance of 527.01 feet, having a Radius of 4800.49 feet, a Delta of 06°17'24" and is subtended by a Chord that bears North 09°42'19" West a distance of 526.74 feet;

THENCE North 12°47'22" West, continuing along said assumed West right of way, a distance of 48.88 feet;

THENCE North 77°12'38" East a distance of 27.92 feet to a point on said East line of the parcel recorded as Book G Page 580.

THENCE North 08°56'36" West, along said East line, a distance of 178.75 feet;

THENCE North 00°06'53" East a distance of 185.29 feet to the POINT OF BEGINNING.

Said described parcel of land contains 159,273 Square Feet or 3.656 Acres, more or less (±).

RIVER TRAILS ANNEXATION NO. 3

A parcel of land, situate in the South half (S1/2) of Section Twenty-four (24) and the Northwest Quarter (NW1/4) of Section Twenty-five (25), Township Four North (T.4N.), Range Sixty-nine West (R.69.W.) of the Sixth Principal Meridian (6th P.M.), Town of Berthoud, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the South Sixteenth corner of said SW1/4 of Section 24 and assuming the North line of the South Half of said SW1/4 as bearing North 89°02'27" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2657.78 feet Monumented by a #5 rebar with 2" aluminum cap stamped LS 13446 on the West end, and a #5 rebar with 3.25" aluminum cap stamped LS 38348 on the East end, and with all other bearings contained herein relative thereto;

THENCE North 89°02'27" East, along said North line, a distance of 50.37 feet;

THENCE North 00°57'33" West a distance of 35.00 feet to a point on the North right of way of East County Road 6C, as shown on the plat of Mary V. Moore M.R.D., recorded November 2, 1993 as Reception Number 19930082235 of the Records of the Larimer County Clerk and Recorder;

THENCE North 89°02'27" East, along said North right of way, a distance of 1210.69 feet to the POINT OF BEGINNING;

THENCE North 89°02'27" East, continuing along said North right of way, a distance of 732.68 feet;

THENCE South 00°19'57" East a distance of 5.00 feet to a point on the North right of way of East County Road 6C, as shown on the plat of Golden Acres Minor Land Division 02-S1964, recorded August 22, 2003 as Reception Number 20030107937 of the Records of the Larimer County Clerk and Recorder;

THENCE South 00°19'57" East a distance of 60.00 feet to the South Right of way of said East County Road 6C;

THENCE North 89°02'27" East, along said South right of way, a distance of 664.41 feet to a point on the East line of the South half of said SW1/4, from which the Center-South Sixteenth Corner of said Section 24 bears North 00°19'12" West a distance of 30.00 feet;

THENCE South 00°19'12" East, along said West line, a distance of 1293.84 feet to the South Quarter Corner of said Section 24;

THENCE South 88°58'50" West, along the North line of the NW1/4 of Section 25, a distance of 1328.47 feet;

THENCE South 19°17'04" West a distance of 455.71 feet;

THENCE North 89°16'21" West a distance of 971.00 feet;

THENCE North 00°58'39" East a distance of 51.41 feet to a point on the assumed West right of way line of County Road 15, lying 30' Westerly and parallel to the surveyed centerline of said road, said point also being the beginning point of a curve, non-tangent to the aforesaid line;

THENCE along the arc of a curve concave to the West a distance of 43.61 feet, having a Radius of 5720.87 feet, a Delta of 00°26'12" and is subtended by a Chord that bears North 00°25'32" West a distance of 43.61 feet to the beginning point of a curve, non-tangent to the aforesaid curve;

THENCE along the arc of a curve concave to the West a distance of 413.55 feet, having a Radius of 6302.52 feet, a Delta of 03°45'35" and is subtended by a Chord that bears North 03°54'16" West a distance of 413.48 feet;

THENCE North 05°46'33" West, continuing along said assumed West right of way, a distance of 280.74 feet;

THENCE South 27°05'13" East a distance of 56.42 feet to a point on the East line of that parcel recorded January 7, 1878 as Book G Page 580 of the Records of the Larimer County Clerk and Recorder;

THENCE North 00°32'05" West a distance of 872.85 feet;

THENCE North 81°12'51" East a distance of 1096.36 feet to the POINT OF BEGINNING.

Said described parcel of land contains 3,685,439 Square Feet or 84.606 Acres, more or less (±).

RIVER TRAILS ANNEXATION NO. 4

A parcel of land, situate in the South half (S1/2) of Section Twenty-four (24) Township Four North (T.4N.), Range Sixty-nine West (R.69.W.) of the Sixth Principal Meridian (6th P.M.), Town of Berthoud, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the South Sixteenth corner of said SW1/4 of Section 24 and assuming the North line of the South Half of said SW1/4 as bearing North 89°02'27" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2657.78 feet Monumented by a #5 rebar with 2" aluminum cap stamped LS 13446 on the West end, and a #5 rebar with 3.25" aluminum cap stamped LS 38348 on the East end, and with all other bearings contained herein relative thereto;

THENCE North 89°02'27" East, along said North line, a distance of 50.37 feet;

THENCE North 00°57'33" West a distance of 35.00 feet to a point on the North right of way of East County Road 6C, as shown on the plat of Mary V. Moore M.R.D., recorded November 2, 1993 as Reception Number 19930082235 of the Records of the Larimer County Clerk and Recorder;

THENCE North 89°02'27" East, along said North right of way, a distance of 1943.37 feet;

THENCE South 00°19'57" East a distance of 5.00 feet to a point on the North right of way of East County Road 6C, as shown on the plat of Golden Acres Minor Land Division 02-S1964, recorded August 22, 2003 as Reception Number 20030107937 of the Records of the Larimer County Clerk and Recorder, said point being the POINT OF BEGINNING;

THENCE North 89°02'27" East, along said North right of way a distance of 664.43 feet to a point on the East line of said SW1/4 from which the Center-South Sixteenth Corner of said Section 24 bears South 00°19'12" East a distance of 30.00 feet;

THENCE North 89°02'42" East, continuing along said North right of way, a distance of 2627.70 feet;

THENCE South 00°17'41" East a distance of 60.00 feet to the South right of way of said East County Road 6C;

THENCE South 89°02'42" West, along said South right of way, a distance of 1435.31 feet to a point on the approximate centerline of Rockwell Ditch;

THENCE South 61°08'42" West, along said approximate centerline, a distance of 358.09 feet;

THENCE South 23°25'42" West a distance of 142.60 feet to the approximate confluence of Rockwell Ditch and the Little Thompson River;

The following 8 courses are along the approximate centerline of said Little Thompson River.

THENCE North 75°15'42" West a distance of 89.83 feet;

THENCE South 38°48'59" West a distance of 75.80 feet;

THENCE South 30°41'09" West a distance of 150.28 feet;

THENCE South 12°10'45" West a distance of 120.83 feet;

THENCE South 40°45'06" West a distance of 110.06 feet;

THENCE South 62°50'06" West a distance of 144.57 feet;

THENCE South 67°38'42" West a distance of 325.77 feet;

THENCE South 52°17'46" West a distance of 99.24 feet to a point on the West line of the South half of the Southeast Quarter of said Section 24;

THENCE North 00°19'12" West, along said West line, a distance of 901.32 feet to a point on said South right of way of East County Road 6C, from which the Center-South Sixteenth Corner of said Section 24 bears North 00°19'12" West a distance of 30.00 feet;

THENCE South 89°02'27" West, along said South right of way, a distance of 664.41 feet;

THENCE North 00°19'57" West a distance of 60.00 feet to the POINT OF BEGINNING.

Said described parcel of land contains 759,478 Square Feet or 17.435 Acres, more or less (±).

EXHIBIT B: CHANGE OF ZONE MAP

The River Trails Zoning Map was recorded by Larimer County Clerk and Recorder at Reception Number _____.