

ORDINANCE NO. 334

AN ORDINANCE APPROVING THE WIDENING OF COLORADO STATE HIGHWAY NO. 1 (U.S. 287) WITHIN THE TOWN LIMITS OF THE TOWN OF BERTHOUD AND REPEALING ANY ORDINANCES IN CONFLICT WITH SUBJECT WIDENING PROJECT KNOWN AS PROJECT NO. F 004-1(51)

WHEREAS, various petitions have been submitted to the Clerk of the Town of Berthoud requesting certain actions concerning a project of the Department of Highways of the State of Colorado identified as Project No. F 004-1 (51) which project is located on Colorado State Highway No. 1 (U.S. 287) within the town limits of the Town of Berthoud and the Board of Trustees has been advised that said petitions may have resulted in the enactment of an ordinance of which the Board of Trustees does not approve.

WHEREAS, the Board of Trustees has been advised that previous Boards of Trustees have approved of said project and a resolution approving said project was passed by the Board of Trustees in November of 1966.

WHEREAS, the Board of Trustees has been advised that the Colorado Attorney General's office suggests that an ordinance be enacted approving said proposed Project No. F 004-1 (51) and repealing any and all ordinances in conflict with the approval of said project in order to clarify any and all legal questions raised by any and all petitions submitted to the Board of Trustees.

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

Section 1: The Board of Trustees hereby approves of the project of the Department of Highways of the State of Colorado identified as Project No. F 004-1 (51), said project located on Colorado State Highway No. 1 (U.S. 287) about 0.284 miles in length extending from Fifth Street to Ninth Street in the Town of Berthoud, Larimer County, Colorado.

Section 2: The Clerk of the Town of Berthoud is hereby directed to mail a copy of this ordinance after its passage to the proper officials of the Colorado Department of Highways, State of Colorado.

Section 3: The Mayor and Clerk of the Town of Berthoud be and are hereby authorized and directed to take any and all necessary action to cooperate with the Department of Highways of the State of Colorado to assist in completion of said Project No. F 004-1 (51).

Section 4: The provisions of any ordinance of the Town of Berthoud in conflict herewith is hereby repealed.

Section 5: In the opinion of the Board of Trustees of the Town of Berthoud, the completion of Department of Highways of the State of Colorado, Project No. F 004-1 (51) which incorporates the widening of Colorado State Highway No. 1 (U.S. 287) from Fifth Street to Ninth Street would be of beneficial use to the residents of the Town of Berthoud and is a necessity due to the traffic hazard that presently exists; that the Town Board has been advised that the project may lose its funding if immediate action is not taken

to clarify legal questions concerning petitions submitted to the Town Board; the Board of Trustees further finds that said project is essential for the well being of the community and for the preservation of public peace, health and safety.

It is therefore declared that an emergency exists that this ordinance shall take effect as an emergency measure and that it shall be published in the manner and shall take effect as provided by the statutes of the State of Colorado.

Passed and adopted, signed and approved this 14th day of January, 1969.

TOWN OF BERTHOUD

By

A. B. Tuckel  
Mayor

Armona Williams  
Town Clerk