

ORDINANCE NO. 756

AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF LAND TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE GREEN ACRES ANNEXATION TO THE TOWN OF BERTHOUD, COLORADO.

WHEREAS, a Petition for Annexation together with seven copies of a Plat of said land as required by ordinance were filed with the Town of Berthoud by the owners of one hundred percent (100%) of the area of the land hereinafter described; and,

WHEREAS, the Board of Trustees by motion at its regular meeting accepted said Petition and found that the Petition substantially complied with the statutory requirements set forth in Sections 31-12-104, 31-12-105 and 31-12-107, C.R.S.; and,

WHEREAS, the Board of Trustees has determined that an election is not required under Section 31-12-107(2), C.R.S. as provided in Section 31-12-111, C.R.S.; and,

WHEREAS, the Board of Trustees has determined that additional terms and conditions were not to be imposed and that the Petition was signed by owners of one hundred percent (100%) of the property proposed to be annexed, exclusive of streets and alleys. Therefore, in accordance with Section 31-12-107, C.R.S., the Board of Trustees of the Town of Berthoud has determined that an ordinance to annex such land to the municipality should be considered.

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

Section 1.

That the land described on Exhibit "A" shall be known and described as the Green Acres Annexation to the Town of Berthoud and is hereby annexed.

The parcel described on Exhibit "A" contains 78.4 acres and is zoned Agricultural.

Section 2. Emergency Clause:

The Board of Trustees finds that an emergency exists and this annexation is necessary to preserve the fiscal integrity of the Town; to prevent urban sprawl; to ensure sewer and water services are available in the area; and, to minimize the health, safety and welfare concerns through the provision of police

services. This ordinance is to take effect immediately upon passage this 30th day of December, 1996 by a vote of 6 for and 0 opposed.

TOWN OF BERTHOUD:



Richard Strachan - Mayor

ATTEST:



Mary K. Cowdin
Mary K. Cowdin - Town Clerk

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EXHIBIT "A"
LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NE1/4 OF SECTION 24, T4N, R69W OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, AND IN THE SW1/2 OF SECTION 18 AND THE NW1/4 OF SECTION 19, IN T4N, R68W OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 19, FROM WHICH THE NE1/4 CORNER OF SAID SECTION 24 BEARS N89°38'31"W, 2657.13 FEET, THENCE N00°05'15"W, 30.00 FEET ALONG THE WEST LINE OF THE SW1/4 OF SAID SECTION 18 TO A LINE 30.00 FEET NORTHERLY AS MEASURED AT RIGHT ANGLES FROM AND PARALLEL WITH THE NORTH LINE OF THE NW1/4 OF SAID SECTION 19;

THENCE N88°59'00"E, 2557.32 FEET ALONG A LINE 30.00 FEET NORTHERLY AS MEASURED AT RIGHT ANGLES FROM AND PARALLEL WITH THE NORTH LINE OF THE NW1/4 OF SAID SECTION 19 TO A POINT FROM WHICH THE NE1/4 CORNER OF SAID SECTION 19 BEARS S01°01'00"E, 30.00 FEET;

THENCE S01°01'00"E, 30.00 FEET TO THE NE1/4 CORNER OF SAID SECTION 19;

THENCE S01°18'36"W, 1322.92 FEET ALONG THE EAST LINE OF THE NW1/4 OF SAID SECTION 19 TO THE SOUTHEAST CORNER OF THE NE1/2 OF THE NW1/4 OF SAID SECTION 19;

THENCE S89°18'35"W, 2510.14 FEET ALONG THE SOUTH LINE OF THE NE1/2 OF THE NW1/4 OF SAID SECTION 19 TO A LINE 30.00 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM AND PARALLEL WITH THE WEST LINE OF THE NW1/4 OF SAID SECTION 19;

THENCE N00°33'39"E, 1165.77 FEET ALONG A LINE 30.00 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM AND PARALLEL WITH THE WEST LINE OF THE NW1/4 OF SAID SECTION 19 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 56;

THE FOLLOWING FIVE (5) COURSES AND DISTANCES ARE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COLORADO STATE HIGHWAY NO. 56:

THENCE N89°10'45"W, 61.30 FEET;

THENCE N43°42'31"W, 64.50 FEET;

THENCE N89°42'01"W, 1252.63 FEET TO THE NORTHEAST CORNER OF LOT 3, OF THE AMENDED PLAT OF BEBO M.R.D. #S-76-87, AS SHOWN ON THE AMENDED PLAT OF SAID BEBO M.R.D. AS RECORDED AT RECEPTION NO. 93090124 OF THE RECORDS OF LARIMER COUNTY, COLORADO;

THENCE CONTINUING N89°42'01"W, 579.93 FEET TO AN ANGLE POINT IN THE NORTH LINE OF SAID AMENDED PLAT OF BEBO M.R.D.;

THENCE N85°58'01"W, 749.64 FEET ALONG THE NORTHERLY LINE OF SAID AMENDED PLAT OF BEBO M.R.D. TO THE WEST LINE OF THE NE1/4 OF SAID SECTION 24;

THENCE N00°35'09"E, 48.50 FEET ALONG THE WEST LINE OF THE NE1/4 OF SAID SECTION 24 TO THE NE1/4 CORNER OF SAID SECTION 24;

THENCE S89°38'31"E, 2657.13 FEET ALONG THE NORTH LINE OF THE NE1/4 OF SAID SECTION 24 TO THE NORTHWEST CORNER OF SAID SECTION 19 AND THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM LOT 1, RECORDED EXEMPTION NO. RE-1472, AS RECORDED IN BOOK 1369 AS RECEPTION NO. 2321003 OF THE RECORDS OF WELD COUNTY, COLORADO.