

ORDINANCE NO. 755

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 CEMETERY SECOND 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 Cemetery Second Annexation to the Town of Berthoud and is hereby annexed.

The parcel described on Exhibit "A" contains 18.963 acres and is zoned T Transitional.

Section 2. Emergency Clause:

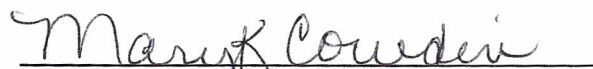
The Board of Trustees finds that an emergency exists and this annexation is necessary to preserve the fiscal integrity of the Town; to prevent urban sprawl; and, to minimize the health, safety and welfare concerns through the provision of police

2
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 - Town Clerk

Published: 1-9-97

44
3

EXHIBIT "A"

LAND DESCRIPTION:

That portion of Section 13, Township 4 North, Range 69 West of the 6th P.M., Larimer County, Colorado, described as follows:

Considering the South line of the Southwest Quarter of Section 13 as bearing South 89°45'05" East and with all bearings contained herein relative thereto.

Beginning at the South Quarter corner of said Section 13; thence along said South line of the Southwest Quarter of Section 13 and along the North line of Cemetery First Annexation to the Town of Berthoud; North 89°45'05" West 1320.36 feet; thence leaving said South line and continuing along said North line of Cemetery First Annexation North 00°14'55" East 10.00 feet and again North 89°45'05" West 1112.49 feet to the East line of Marsh Addition to the City of Berthoud; thence along said East line of Marsh Addition North 00°33'55" West 20.00 feet to the North right-of-way line of State Highway #56 said right-of-way line being parallel to and 30 feet North, measured at right angles, from the South line of said Section 13; thence along said right-of-way line South 89°45'05" East 2433.01 feet and again South 89°38'31" East 1991.45 feet to the West line of the Town of Berthoud Cemetery as mapped by the boundary line adjustment plat prepared by Intermill Land Surveying Project P-88-1336, date July 28, 1988; thence along said West line and the North line and the East line of said Cemetery the following 4 courses and distances: North 00°04'03" East 1029.03 feet, South 89°47'01" East 225.82 feet, North 89°57'59" East 437.00 feet, South 00°15'15" East 1062.60 feet, to the Southeast corner of said Section 13; thence along the South line of the Southeast quarter of Section 13, North 89°38'28" West 2657.13 feet to the point of beginning.