

ORDINANCE NO. 754

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 FIRST 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 First Annexation to the Town of Berthoud and is hereby annexed.

The parcel described on Exhibit "A" contains 1.355 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


✓ Town of Berthoud  
PO Rec 1129

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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

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EXHIBIT "A"

That portion of the Northwest Quarter of Section 24 and the Southwest Quarter of Section 13, both in Township 4 North, Range 69 West of the 6th P.M., Larimer County, Colorado, described as follows:

Considering the North line of said Northwest Quarter of Section 24 as bearing South 89°45'05" East and with all bearings contained herein relative thereto.

Beginning at the North Quarter corner of said Section 24; thence along the East line of said Northwest Quarter of Section 24 South 00°35'09" West 34.26 feet to the South right-of-way line of State Highway No. 56; thence along said South right-of-way line as deeded in Book 1182 at Pages 506, 508 and 509, and Book 1185 at Page 391, and platted by the Hergenreter M.L.D. S-255-93, all in the records of said County, the following five courses and distances:

- 1) North 89°46'35" West 327.54 feet;
- 2) South 00°39'25" West 10.00 feet;
- 3) North 89°46'29" West 196.52 feet;
- 4) North 00°39'22" East 10.00 feet;
- 5) North 89°46'23" West 806.73 feet

to the East line of Fickel Farm Third Annexation to the Town of Berthoud; thence along said East line North 01°18'31" East 34.80 feet to the North line of said Fickel Farm Third Annexation; thence along said North line and the North line of Fickel Farm Addition to the Town of Berthoud North 89°45'05" West 1102.55 feet to the East line of Marsh Addition to the Town of Berthoud; thence along said East line North 00°33'55" East 10.00 feet; thence South 89°45'05" East 1112.49 feet; thence South 00°14'55" West 10.00 feet to said North line of the Northwest Quarter of Section 24; thence along said North line South 89°45'05" East 1320.36 feet to the Point of Beginning. Containing 1.355 acres more or less.