

ORDINANCE NO. 872

AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF LAND TO THE TOWN OF BERTHOUD, COUNTY OF WELD, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE WHITETAIL 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, LARIMER AND WELD COUNTIES, COLORADO:

Section 1.

The land described on Exhibit "A" attached hereto and incorporated herein by reference is hereby annexed and shall be known and described as the Whitetail Acres Annexation to the Town of Berthoud:

The parcel described on Exhibit "A" contains approximately 193.4 acres more or less, and shall be zoned T-Transitional.

Section 2. Effective Date:

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force 30 days after publication.

TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513



2821800 01/26/2001 03:43P JA Suki Tsukamoto
2 of 5 R 25.00 D 0.00 Weld County CO

At its meeting November 14, 2000, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 14th day of November, 2000.

TOWN OF BERTHOUD:

Milan Karspeck
Milan Karspeck - Mayor

ATTEST:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

Published: 11-16-00

LEGAL DESCRIPTION

ALL OF THE NE $\frac{1}{4}$ AND ALL THAT PART OF THE SE $\frac{1}{4}$ LYING NORTH OF THE LITTLE THOMPSON RIVER IN SECTION 14, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO:

EXCEPT, THE FOLLOWING DESCRIBED PROPERTY:

PART OF THE NE $\frac{1}{4}$ OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 14, AND CONSIDERING THE NORTH LINE OF SAID NE $\frac{1}{4}$ AS BEARING EAST AND WEST WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

THENCE SOUTH 00°27'42" WEST, 1821.68 FEET;

THENCE NORTH 34°46'24" WEST, 344.55 FEET;

THENCE NORTH 27°31'32" WEST, 153.49 FEET;

THENCE NORTH 19°32'43" WEST, 124.90 FEET;

THENCE NORTH 16°11'32" WEST, 259.48 FEET;

THENCE NORTH 30°01'40" WEST, 487.79 FEET;

THENCE NORTH 26°22'29" WEST, 399.87 FEET;

THENCE NORTH 47°08'52" WEST, 375.00 FEET TO A POINT ON THE NORTH LINE OF SAID NE $\frac{1}{4}$ AND THE APPROXIMATE CENTER LINE OF COUNTY RD 46;

THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 90°00'00" EAST, A DISTANCE OF 1,092.92 FEET TO THE POINT OF BEGINNING.

FURTHER EXCEPT, THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE EAST HALF OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION, AS MONUMENTED BY A $\frac{1}{2}$ " REBAR AT THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION, TO BEAR EAST AND WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 14; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION WEST 1723.92 FEET TO THE CENTERLINE OF THAT CERTAIN 60.00 FOOT WIDE ACCESS, UTILITY AND IRRIGATION EASEMENT DESCRIBED IN DEED RECORDED IN BOOK 1064, AT RECEPTION NUMBER 02005185, RECORDS OF SAID COUNTY;

THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE COURSES AND DISTANCES:

SOUTH 03°13'14" EAST 222.70 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST, HAVING A CENTRAL ANGLE OF 40°51'08" AND A RADIUS OF 379.05 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 23°38'48" EAST 264.58 FEET;



2821800 01/26/2001 03:43P JA Suki Tsukamoto
4 of 5 R 25.00 D 0.00 Weld County CO

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE 270.26 FEET TO THE END OF SAID CURVE;

THENCE TANGENT FROM SAID CURVE SOUTH 44°04'22" EAST 278.02 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID CENTERLINE OF SAID EASEMENT THE FOLLOWING THREE COURSES AND DISTANCES:

SOUTH 44°04'22" EAST 115.09 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A CENTRAL ANGLE OF 45°23'00" AND A RADIUS OF 167.41 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 21°22'52" EAST 129.16 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 132.60 FEET TO THE END OF SAID CURVE;

THENCE TANGENT FROM SAID CURVE SOUTH 01°18'38" WEST 200.00 FEET;

THENCE NORTH 88°41'22" WEST 360.00 FEET;

THENCE NORTH 01°18'38" EAST 400.00 FEET;

THENCE SOUTH 88°41'22" EAST 228.25 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A ONE-HALF INTEREST IN THAT CERTAIN 60.00 FOOT WIDE ACCESS, UTILITY AND IRRIGATION EASEMENT DESCRIBED IN DEED RECORDED IN BOOK 0983, AT RECEPTION NO. 01910315, RECORDS OF WELD COUNTY, COLORADO, FOR ACCESS TO THE ABOVE EXCEPTED PROPERTY AND ALL THE INTEREST IN THE REMAINING EASEMENT DESCRIBED IN THE DEED RECORDED IN BOOK 0983 AT RECEPTION 01910315, RECORDS OF WELD COUNTY, COLORADO.

TOGETHER WITH THE LAND IN THE SE 1/4 LYING NORTH OF THE LITTLE THOMPSON RIVER MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION FOURTEEN (14) DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF SAID SECTION 138 RODS NORTH OF THE SOUTHEAST CORNER OF SAID SECTION;

THENCE RUNNING IN A SOUTHWESTERLY DIRECTION TO A POINT 110 RODS NORTH AND 40 RODS WEST OF THE SOUTHEAST CORNER OF SAID SECTION;

THENCE DUE WEST 40 RODS TO THE WEST LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER;

THENCE NORTH ON SAID WEST LINE 51 RODS TO THE NORTH LINE OF SAID SE 1/4;

THENCE EAST ON THE NORTH LINE OF SAID SE 1/4 TO THE EAST LINE OF SAID SE 1/4;

THENCE SOUTH ON THE EAST LINE OF SAID SE 1/4 23 RODS TO THE PLACE OF BEGINNING, CONTAINING 22 ACRES MORE OR LESS.

ALSO BEGINNING 70 RODS NORTH OF THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION FOURTEEN(14);



2821800 01/26/2001 03:43P JA Suki Tsukamoto
5 of 5 R 25.00 D 0.00 Weld County CO

THENCE NORTHEASTERLY TO A POINT 110 RODS NORTH AND 28 RODS EAST OF SAME POINT;

THENCE EAST 52 RODS TO THE EAST LINE OF SAID EIGHTY;

THENCE NORTH 51 RODS TO THE NORTH LINE OF SAME;

THENCE WEST ALONG THE NORTH LINE OF SAME TO THE NORTHWEST CORNER THEREOF;

AND THENCE SOUTH ALONG THE WEST LINE OF SAID SE $\frac{1}{4}$ 91 RODS TO THE PLACE OF BEGINNING, CONTAINING 29 ACRES MORE OR LESS.

ALSO COMMENCING AT A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION FOURTEEN (14) WHENCE THE NORTH ONE-QUARTER CORNER OF SAID SECTION BEARS NORTH 0°20' A DISTANCE OF 933 FEET; THENCE SOUTH ALONG THE EAST ONE-QUARTER LINE A DISTANCE OF 599 FEET; THENCE NORTH 10°45' WEST A DISTANCE OF 300 FEET; THENCE NORTH 20°40' WEST A DISTANCE OF 400 FEET; THENCE NORTH 60°55' WEST A DISTANCE OF 255 FEET; THENCE NORTH 38°0' EAST A DISTANCE OF 50 FEET; THENCE SOUTH 78°10' EAST A DISTANCE OF 155 FEET; THENCE NORTH 33°50' EAST A DISTANCE OF 58.5 FEET; THENCE SOUTH 34°35' EAST A DISTANCE OF 58 FEET; THENCE SOUTH 58°20' EAST A DISTANCE OF 85 FEET; THENCE SOUTH 32°35' EAST A DISTANCE OF 186 FEET TO THE POINT OF BEGINNING CONTAINING 2.0 ACRES MORE OR LESS.