

ORDINANCE NO. 858

AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF LAND IN LARIMER COUNTY TO THE TOWN OF BERTHOUD TO BE KNOWN AND DESIGNATED AS THE SMITH ADDITION ANNEXATION.

WHEREAS, Petitions for Annexation together with at least 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 except for streets and alleys; and,

WHEREAS, the Board of Trustees by motion at its regular meeting April 11, 2000 accepted said Petition and found by resolution 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 Petitions were 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.

That the land described on Exhibit "A" attached hereto and incorporated herein by reference to be known and described as the Smith Addition Annexation to the Town of Berthoud is hereby annexed.

The described parcel contains 72.347 acres more or less and shall be zoned T-Transitional District

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

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After notice and the public hearing, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 13th day of June, 2000.

TOWN OF BERTHOUD:

Milan Karspeck  
Milan Karspeck - Mayor

ATTEST:

Mary K. Cowdin  
Mary K. Cowdin - Town Clerk

Published: 6-15-00

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## **LEGAL DESCRIPTION – EXHIBIT A**

### **Smith Addition**

Legal Description of a parcel of land being a portion of the Southwest Quarter of Section 15, Township 4 North, Range 69 West of the 6th P.M., Larimer County, Colorado being more particularly described as follows:

Considering the South line of the Southwest Quarter of the Southwest Quarter of said Section 15 as bearing North 90°00'00" East and with all bearings contained herein relative thereto; Beginning at the Southwest Corner of said Section 15; thence along the South line of said Southwest Quarter of the Southwest Quarter North 90°00'00" East 30.00 feet; thence North 00°41'48" East 30.00 feet to a 1" iron pipe with cap LS 4845; said point being a point on the Northerly right-of-way line of Colorado State Highway 56; thence along said Northerly right-of-way line and as evidenced by monuments in the field North 90°00'00" East 765.13 feet to the TRUE POINT OF BEGINNING; thence departing said Northerly right-of-way line North 49°16'15" West 559.90 feet; thence North 33°26'46" West 338.55 feet; thence South 89°46'19" West 146.37 feet to a point on the Easterly right-of-way line of Larimer County Road 19; thence along said Easterly right-of-way line North 00°41'48" East 650.03 feet to a point on the North line of the South half of the Southwest Quarter of said Section 15; thence along said North line North 89°56'22" East 2633.47 feet to a point on the Easterly right-of-way line of that certain road right-of-way described in deed, recorded in Book 426, Page 295, records of said County; thence along said Easterly right-of-way line South 00°38'18" West 1300.32 feet to a point on the Northerly right-of-way line of said Colorado State Highway 56; thence along said Northerly right-of-way line North 89°59'22" West 1342.91 feet; thence continuing along said Northerly right-of-way line South 90°00'00" West 526.72 feet to the TRUE POINT OF BEGINNING.

The above described parcel of land contains 72.347 acres more or less and is subject to all easements, agreements and rights-of-way of record.