



ORDINANCE NO. 922

AN ORDINANCE ANNEXING AND ZONING LAND OWNED BY THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE TOWN OF BERTHOUD UTILITY FIRST ANNEXATION TO THE TOWN OF BERTHOUD, COLORADO

WHEREAS, pursuant to §31-12-106(3), C.R.S., the Town of Berthoud may annex land owned by it, which land is eligible for annexation without notice or hearing; and,

WHEREAS, the Board of Trustees has determined that an election is not required under §31-12-107(2), C.R.S., as provided in §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 the property does not consist exclusively of streets and alleys. Therefore, in accordance with §31-12-106, 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 Town of Berthoud Utility First Annexation to the Town of Berthoud:

The parcel described on Exhibit "A" contains approximately 5.173 acres, more or less, and shall be zoned T-transitional.

Section 2. Emergency Clause:

The Board of Trustees of the Town of Berthoud hereby finds that an emergency exists involving the health, safety and welfare of the citizens of the Town of Berthoud. This is based upon letters and conversations with the Colorado Department of Health and Environmental Protection Agency. In addition, the Weld County Planning Department has notified the Town that it is discouraging the continued operation of the wastewater transfer station by Larimer County on property located in Weld County and possible violation of its ordinances, resolutions and codes concerning the health, safety and welfare of Weld County's residents. An emergency therefore exists justifying the adoption of this ordinance to take effect immediately upon passage this 26th day of March, 2002, by a vote of 6 in favor and 0 opposed.

ATTEST:

TOWN OF BERTHOUD:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

Milan Karspeck
Milan Karspeck - Mayor

Published: 3-28-02

TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

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TOWN OF BERTHOUD
UTILITY FIRST ANNEXATION
EXHIBIT "A"

PROPERTY DESCRIPTION:

That portion of the Southwest Quarter of Section 19, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado and the Southeast Quarter of Section 24, Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado being more particularly described as follows:

Considering the East-West centerline of said Section 19 as bearing North 89°38'26" East and with all bearings contained herein relative thereto:

BEGINNING at the Northwest corner of the Southwest Quarter of said Section 19; thence along the East-West centerline of said Section 19 North 89°38'26" East 1136.81 feet; thence departing said East-West centerline of said Section 19 South 00°16'38" West 510.96 feet; thence South 89°38'26" West 329.81 feet; thence North 00°36'48" East 501.00 feet; thence South 89°38'26" West 810.00 feet; thence South 00°36'48" West 1640.01 feet; thence North 89°23'12" West 30.00 feet, more or less, to a point on the Westerly right of way line of Weld County Road No. 1; thence along said Westerly right of way line North 00°36'48" East 1649.70 feet, more or less, to a point on the North line of the Southeast Quarter of said Section 24; thence departing said Westerly right of way line and along the North line of the Southeast Quarter of said Section 24 South 89°59'02" East 30.00 feet, more or less to the Northwest corner of the Southwest Quarter of said Section 19 and the POINT OF BEGINNING.

The above described parcel contains 5.173 acres, more or less.