

ORDINANCE NO. 1098

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 O'MALLEY GLEN 2ND 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.; Chapter 30-8 and Section 30-16-300 of the *Development Code* of the Town of Berthoud; 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 o'Malley Glen 2nd Annexation to the Town of Berthoud:

The parcel contains approximately 2.34 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.

At its meeting September 23rd, 2008 the Ordinance was read, passed and ordered published by the Board of Trustees.

ATTEST:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

Published: 10-2-08

RECEPTION #: 20090043426, 06/29/2009 at
11:59:28 AM,
1 OF 2, R \$11.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

TOWN OF BERTHOUD:

T.P. Patterson
T.P. Patterson - Mayor

Approved as to form:

R.B. Fickel
R.B. Fickel, Attorney

EXHIBIT "A"
O'MALLEY GLEN 2ND ANNEXATION

Lot 1, Amended Plat of Bebo M.R.D. #S-76-87

The above described parcel contains 2.34 acres (101,830.1 S.F.), more or less, and is subject to any existing easements and/or rights of way of record.