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ORDINANCE NO. 1091

AN ORDINANCE ANNEXING AND ZONING THREE PARCELS OF LAND OWNED BY THE TOWN OF BERTHOUD, COUNTIES OF LARIMER AND WELD, STATE OF COLORADO, TO BE KNOWN AND DESIGNATED AS THE LEWIS FIRST, SECOND AND THIRD ANNEXATIONS 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 are 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 Town of Berthoud 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 as Parcel 1, Parcel 2 and Parcel 3 on Exhibit "A" attached hereto and incorporated herein by reference is owned by the Town of Berthoud and is not solely a public street or right-of-way. It is hereby annexed and shall be known and described as the Lewis First, Second and Third Annexations to the Town of Berthoud:

The parcels described on Exhibit "A" contain approximately 63.499 acres, more or less, and shall be zoned T-transitional.

Section 2.

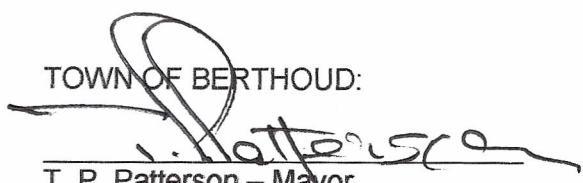
The Board of Trustees of the Town of Berthoud hereby finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting on May 27, 2008 a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting on the 8th day of July, 2008. After the public hearing, the Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 8th day of July, 2008.

ATTEST:


Mary K. Cowdin

Mary K. Cowdin – Town Clerk
Published: 7-17-08


TOWN OF BERTHOUD:
T. P. Patterson – Mayor

Town of Berthoud
P.O. Box 1229
Berthoud, CO 80513



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EXHIBIT "A"

ANNEXATION DESCRIPTION (PARCEL 1):

That portion of Lot B of Recorded Exemption No. RE-2055, situate in the South Half of the Southwest Quarter of Section 19, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado being more particularly described as follows:

Considering the South line of the Southwest Quarter of said Section 19 as bearing North 89°36'37" East and with all bearings contained herein relative thereto:

Beginning at the Southwest corner of the Southwest Quarter of said Section 19; thence along the South line of the Southwest Quarter of said Section 19 North 89°36'37" East 30.00 feet to a point on the Easterly right of way of Weld County Road No. 1; thence departing said South line and along said Easterly right of way North 00°36'48" East 1301.33 feet, more or less, to a point on the Northerly line of a twenty-five (25) foot Access, Sewer Trunk Line and Power Easement as shown on and according to Recorded Exemption No. RE-2055, records of Weld County, Colorado; thence continuing along said Easterly right of way North 00°36'48" East 19.29 feet to a point on the North line of the South Half of the Southwest Quarter of said Section 19; thence along said North line North 89°37'32" East 1797.80 feet, more or less, to the Northeast corner of Lot B of Recorded Exemption No. RE-2055; thence departing said North line and along the East line of said Lot B South 00°29'18" West 54.69 feet, more or less, to a point on the Northerly line of a twenty-five (25) foot Access, Sewer Trunk Line and Power Easement as shown on and according to Recorded Exemption No. RE-2055, records of Weld County, Colorado; thence departing said East line and along said Northerly line the following five (5) courses and distances: North 89°28'32" West 669.96 feet; thence North 89°11'09" West 141.68 feet; thence North 89°03'30" West 233.14 feet; thence North 89°05'46" West 327.00 feet; thence North 89°07'25" West 425.88 feet to a point on the Easterly right of way of Weld County Road No. 1 and the TRUE POINT OF BEGINNING.

The above-described parcel contains 1.582 acres, more or less, and is subject to all existing easements and/or rights of way of record.

ANNEXATION DESCRIPTION (PARCEL 2):

That portion of Lot B of Recorded Exemption No. RE-2055, situate in the South Half of the Southwest Quarter of Section 19, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado being more particularly described as follows:

Considering the South line of the Southwest Quarter of said Section 19 as bearing North 89°36'37" East and with all bearings contained herein relative thereto:

Beginning at the Southwest corner of the Southwest Quarter of said Section 19; thence along the South line of the Southwest Quarter of said Section 19 North 89°36'37" East 30.00 feet to a point on the Easterly right of way of Weld County Road No. 1; thence departing said South line and along said Easterly right of way North 00°36'48" East 10.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said Easterly right of way North 00°36'48" East 1266.33



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feet to a point on the Southerly line of a twenty-five (25) foot Access, Sewer Trunk Line and Power Easement as shown on and according to Recorded Exemption No. RE-2055, records of Weld County, Colorado; thence departing said Easterly right of way and along said Southerly line the following five (5) courses and distances: South 89°07'25" East 425.88 feet; thence South 89°05'46" East 326.99 feet; thence South 89°03'30" East 233.16 feet; thence South 89°11'09" East 141.77 feet; thence South 89°28'32" East 670.04 feet, more or less, to a point on the Easterly line of Lot B of Recorded Exemption No. RE-2055; thence departing said Southerly line and along said Easterly line South 00°29'18" West 580.31 feet; thence North 89°37'32" East 660.07 feet, more or less, to a point on the East line of the Southwest Quarter of said Section 19; thence along said East line South 00°29'18" West 649.93 feet; thence departing said East line South 89°36'37" West 2460.73 feet to a point on the Easterly right of way of Weld County Road No. 1 and the TRUE POINT OF BEGINNING.

The above-described parcel contains 61.352 acres, more or less, and is subject to all existing easements and/or rights of way of record.

ANNEXATION DESCRIPTION (PARCEL 3):

That portion of Lot B of Recorded Exemption No. RE-2055, situate in the South Half of the Southwest Quarter of Section 19, Township 4 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado being more particularly described as follows:

Considering the South line of the Southwest Quarter of said Section 19 as bearing North 89°36'37" East and with all bearings contained herein relative thereto:

Beginning at the Southwest corner of the Southwest Quarter of said Section 19; thence along the South line of the Southwest Quarter of said Section 19 North 89°36'37" East 30.00 feet to a point on the Easterly right of way of Weld County Road No. 1 and the TRUE POINT OF BEGINNING; thence continuing along said South line North 89°36'37" East 2460.76 feet to the Southeast corner of the Southwest Quarter of said Section 19; thence along the East line of said Southwest Quarter North 00°29'18" East 10.00 feet; thence departing said East line South 89°36'37" West 2460.73 feet to a point on the Easterly right of way of Weld County Road No. 1; thence along said Easterly right of way South 00°36'48" West 10.00 feet to a point on the South line of the Southwest Quarter of said Section 19 and the TRUE POINT OF BEGINNING.

The above-described parcel contains 0.565 acres, more or less, and is subject to all existing easements and/or rights of way of record.