

ORDINANCE NO.1072

AN ORDINANCE REZONING REAL PROPERTY KNOWN AS THE COOPER PROPERTY ANNEXATION HERETOFORE ZONED T-TRANSITIONAL BY THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO.

Section 1.

WHEREAS, the applicant has submitted an application for rezoning and paid the attendant fee and the owner of the property has requested the Town of Berthoud to rezone the property.

Section 2.

WHEREAS, pursuant to the Planning and Zoning Ordinances of the Town of Berthoud, the Board of Trustees determines that the hereinafter-described area of the Town requires rezoning.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO:

Section 3.

The property described on Exhibit "A" attached hereto and incorporated herein by reference and known as the Cooper Property Annexation being a portion of the Town of Berthoud, Larimer County, Colorado, is rezoned from T-Transitional to P.U.D.

Section 4. 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 11, 2007, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 23rd day of October, 2007. After the public hearing, this Ordinance was read, passed and ordered published by the Board of Trustees at its meeting this 23rd day of October, 2007.

ATTEST:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

TOWN OF BERTHOUD:

Milan Karspeck
Milan Karspeck - Mayor

Published: 11-1-07

RECEPTION#: 20070091880, 12/06/2007 at
04:10:30 PM,
1 OF 3, R \$16.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

TOWN OF BERTHOUD
PLANNING DEPARTMENT
PO BOX 1229
BERTHOUD CO 80513

EXHIBIT "A"

August 30, 2007

A description of the COOPER PROPERTY ZONING PARCEL located in the S1/2 of Section 2, T4N, R69W of the 6th P.M., in Larimer County, Colorado. For: Cooperland, LLC.

LEGAL DESCRIPTION - PARCEL 1

A tract of land located in the S1/2 of Section 2, T4N, R69W of the 6th P.M., County of Larimer, State of Colorado, described as follows:

COMMENCING at the Southwest Corner of said Section 2, from which the W1/4 Corner of said Section 2 bears N00°37'55"W, 2663.62 feet (Basis of Bearing), thence N00°37'55"W, 669.35 feet along the West Line of the S1/2 of said Section 2 to the Northerly Line extended Westerly of Parcel 232 of U.S. Highway No. 287 conveyed to Department of Transportation, State of Colorado, as described in Rule and Order recorded May 28, 2003, as Reception No. 20030065028 of the records of Larimer County, Colorado, and the TRUE POINT OF BEGINNING;

Thence continuing N00°37'55"W, 1994.27 feet along the West Line of the S1/2 of said Section 2 to the W1/4 Corner of said Section 2;

Thence N89°19'30"E, 3524.03 feet along the North Line of the S1/2 of said Section 2 to the Westerly Right-of-way Line of the Burlington Northern & Santa Fe Railroad;

Thence S03°06'38"E, 1992.81 feet along the Westerly Right-of-way Line of said Burlington Northern & Santa Fe Railroad to the Northerly Line of said Parcel 232 of U.S. Highway No. 287;

Thence N89°44'05"W, 908.83 feet along the Northerly Line of said Parcel 232 of U.S. Highway No. 287 to an angle point thereof;

Thence S81°06'42"W, 392.88 feet along the Northerly Line of said Parcel 232 of U.S. Highway No. 287 to an angle point thereof;

Thence N89°44'05"W, 2312.97 feet along the Northerly Line and the Northerly Line extended Westerly of said Parcel 232 of U.S. Highway No. 287 to the TRUE POINT OF BEGINNING.

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Area = 164.186 acres, more or less.

LEGAL DESCRIPTION - PARCEL 2

A tract of land located in the S1/2 of Section 2, T4N, R69W of the 6th P.M., County of Larimer, State of Colorado, described as follows:

BEGINNING at the Southwest Corner of said Section 2, from which the W1/4 Corner of said Section 2 bears N00°37'55"W, 2663.62 feet (Basis of Bearing), thence N00°37'55"W, 394.31 feet along the West Line of the S1/2 of said Section 2 to the Southerly Line extended Westerly of Parcel 232 of U.S. Highway No. 287 conveyed to Department of Transportation, State of Colorado, as described in Rule and Order recorded May 28, 2003, as Reception No. 20030065028 of the records of Larimer County, Colorado;

Thence S89°44'05"E, 2308.67 feet along the Southerly Line extended Westerly and the Southerly Line of said Parcel 232 of U.S. Highway No. 287 to an angle point thereof;

Thence S80°34'52"E, 518.60 feet along the Southerly Line of said Parcel 232 of U.S. Highway No. 287 to an angle point thereof;

Thence S89°44'05"E, 809.48 feet along the Southerly Line of said Parcel 232 of U.S. Highway No. 287 to the Westerly Right-of-way Line of the Burlington Northern & Santa Fe Railroad;

Thence S03°06'38"E, 270.69 feet along the Westerly Right-of-way Line of said Burlington Northern & Santa Fe Railroad to the South Line of the S1/2 of said Section 2;

Thence S89°36'41"W, 3640.15 feet along the South Line of the S1/2 of said Section 2 to the Southwest Corner of said Section 2 and the POINT OF BEGINNING.

Area = 29.140 acres, more or less.

Total Area of Cooper Parcel Zoning Parcel = 193.326 acres, more or less.