

ORDINANCE NO. 1059

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 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 Annexation to the Town of Berthoud:

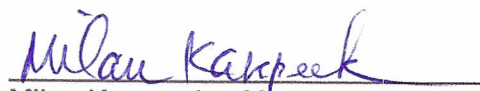
The parcel contains approximately 159.64 acres more or less, and shall be zoned T-Transitional.

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 April 10, 2007, the Ordinance was read, passed and ordered published by the Board of Trustees.

TOWN OF BERTHOUD:


Milan Karspeck – Mayor

ATTEST:


Mary K. Cowdin – Town Clerk

Published: 5-31-07

✓
TOWN OF BERTHOUD
PLANNING DEPT
PO BOX 1229
BERTHOUD CO 80513

RECEPTION#: 20070055546, 07/20/2007 at
08:19:48 AM,
1 OF 3, R \$16.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

O'MALLEY GLEN ANNEXATION EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF THE EAST HALF OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO AND A PORTION OF THE WEST HALF OF SECTION 19, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID EAST HALF AND CONSIDERING THE NORTH LINE OF THE NORTH HALF OF SAID SECTION 24 TO BEAR NORTH 89°27'11" EAST WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;;

THENCE SOUTH 00°18'45" WEST, ALONG THE WEST LINE OF SAID NORTH HALF, A DISTANCE OF 49.08 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 56, ALSO BEING THE NORTHWEST CORNER OF LOT 1 OF AMENDED PLAT OF BEBO-M.R.D. #S-76-87 RECORDED AT RECEPTION NO. 19990090124 OF THE LARIMER COUNTY CLERK AND RECORDER;

THENCE SOUTH 86°52'26" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, ALSO BEING THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 260.47 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. SOUTH 86°52'26" EAST, A DISTANCE OF 489.18 FEET;
2. NORTH 89°23'26" EAST, A DISTANCE OF 285.30 FEET;

THENCE SOUTH 00°21'04" EAST, A DISTANCE OF 442.97 FEET;

THENCE NORTH 89°23'26" EAST, A DISTANCE OF 295.00 FEET;

THENCE NORTH 00°21'04" WEST, A DISTANCE OF 443.00 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. NORTH 89°23'26" EAST, A DISTANCE OF 1249.15 FEET;
2. SOUTH 44°50'34" EAST, A DISTANCE OF 68.00 FEET;
3. NORTH 89°59'56" EAST, A DISTANCE OF 31.68 FEET TO THE EAST LINE
OF SAID EAST HALF;

4. NORTH 89°39'21" EAST, A DISTANCE OF 30.00 FEET;

THENCE SOUTH 00°20'39" EAST, PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 2471.65 FEET;

THENCE SOUTH 00°18'42" EAST, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 324.94 FEET;

3 - THENCE SOUTH $89^{\circ}41'18''$ WEST, A DISTANCE OF 30.00 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24;

THENCE SOUTH $89^{\circ}07'06''$ WEST, A DISTANCE OF 536.17 FEET;

THENCE NORTH $00^{\circ}20'46''$ WEST, A DISTANCE OF 270.37 FEET;

THENCE SOUTH $89^{\circ}42'29''$ WEST, A DISTANCE OF 795.76 FEET;

THENCE SOUTH $87^{\circ}54'29''$ WEST, A DISTANCE OF 87.00 FEET;

THENCE SOUTH $89^{\circ}46'29''$ WEST, A DISTANCE OF 1238.99 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24;

THENCE NORTH $00^{\circ}18'59''$ WEST, ALONG SAID WEST LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 33.37 FEET TO THE CENTER OF SECTION 24;

THENCE NORTH $00^{\circ}19'47''$ WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 1315.71 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24;

THENCE NORTH $00^{\circ}18'45''$ WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 867.07 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1;

THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID LOT 1 THE FOLLOWING TWO (2) COURSES:

1. NORTH $89^{\circ}27'04''$ EAST, A DISTANCE OF 260.02 FEET;

2. NORTH $00^{\circ}19'15''$ WEST, A DISTANCE OF 383.30 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 157.306 ACRES, MORE OR LESS