

ORDINANCE NO. 1050

AN ORDINANCE REZONING REAL PROPERTY KNOWN AS THE SCHELL-HICKS ANNEXATION(S) NO. 1 - 4 AND ALSO KNOWN AS THE OVERLOOK AT DRY CREEK 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 Overlook at Dry Creek 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 January 9, 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 January, 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 January, 2007.

ATTEST:

Mary K. Cowdin
Mary K. Cowdin - Town Clerk

Published: 2-1-07

TOWN OF BERTHOUD:

Milan Karspeck
Milan Karspeck - Mayor

✓ TOWN OF BERTHOUD
PO BOX 1229
BERTHOUD CO 80513

"EXHIBIT A"
OVERLOOK AT DRY CREEK – ZONING

A TRACT OF LAND LOCATED IN LOT 2, HICKS MRD S9-89, ACCORDING TO THE RECORDED PLAT THEREOF, AND IN THE NW1/4 OF SECTION 26 AND THE SW1/4 OF SECTION 23, T4N, R69W OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE W1/4 CORNER OF SAID SECTION 26, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 26 BEARS N00°00'00"W, THENCE N00°00'00"W, 2348.04 FEET ALONG THE WEST LINE OF SAID SECTION 26 TO THE NORTHWEST CORNER OF SAID LOT 2;

THE FOLLOWING EIGHT (8) COURSES AND DISTANCES ARE ALONG THE NORTHERLY AND EASTERLY LINES OF SAID LOT 2:

THENCE N89°17'23"E, 133.32 FEET;
THENCE S61°51'29"E, 199.76 FEET;
THENCE N47°47'32"E, 634.08 FEET;
THENCE N89°58'40"E, 460.00 FEET;
THENCE S61°25'22"E, 122.71 FEET;
THENCE S89°43'45"E, 1045.83 FEET;

THENCE S60°00'08"E, 293.89 FEET TO THE EAST LINE OF THE NW1/4 OF SAID SECTION 26;

THENCE S00°01'45"E, 1137.14 FEET ALONG THE EAST LINE OF THE NW1/4 OF SAID SECTION 26 TO THE NORTHEAST CORNER OF THE SE1/4 OF THE NW1/4 OF SAID SECTION 26;

THENCE S89°50'22"W, 1153.75 FEET ALONG THE NORTH LINE OF THE SE1/4 OF THE NW1/4 OF SAID SECTION 26 TO THE NORTHWEST CORNER OF THAT TRACT OF LAND AS DESCRIBED ON SAID PRELIMINARY SURVEY PLAT;

THENCE S00°01'45"E, 1323.65 FEET ALONG THE WEST LINE OF THAT TRACT OF LAND AS DESCRIBED ON SAID PRELIMINARY SURVEY PLAT TO THE SOUTH LINE OF THE NW1/4 OF SAID SECTION 26;

THENCE S89°43'47"W, 1494.75 ALONG THE SOUTH LINE OF THE NW1/4 OF SAID SECTION 26 TO THE W1/4 OF SAID SECTION 26 AND THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM EXISTING RIGHT-OF-WAYS FOR LARIMER COUNTY ROADS 17 AND 4E.

AREA = 120.402 ACRES, MORE OR LESS

NET AREA = 117.730 ACRES, MORE OR LESS