

ORDINANCE NO. 1120

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 HENNEBERG 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 Henneberg Annexation to the Town of Berthoud:

The parcel contains approximately 2.656 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 July 13, 2010 the Ordinance was read, passed and ordered published by the Board of Trustees.

TOWN OF BERTHOUD:

ATTEST:

Mary K. Cowdin - Town Clerk

T.P. Patterson - Mayor

Approved as to form:

Published: July 22, 2010

R.B. Fickel, Attorney

EXHIBIT "A"
HENNEBERG ANNEXATION

Legal description of a parcel of land being a portion of the Northwest Quarter of Section 22, Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 22 thence along the North line of the Northwest Quarter of said Section 22, North 90°00'00" West 323.23 feet to the TRUE POINT OF BEGINNING; thence departing said North line South 00°44'15" West 332.18 feet; thence North 89°15'45" West 240.40 feet; thence South 00°44'15" West 41.29 feet to a point on the East line of the Yeager First Annexation to the Town of Berthoud; thence along said East line the following courses and distances North 62°47'19" West 23.75 feet; thence North 02°45'39" East 142.43 feet; thence North 39°24'43" West 204.13 feet; thence North 00°16'05" East 89.50 feet to a point on the South line of the Smith Addition to the Town of Berthoud; thence along said South line North 90°00'00" East 389.02 feet; thence departing said South line South 00°44'15" West 30.00 feet to the TRUE POINT OF BEGINNING.

The above-described tract of land contains 2.656 acres, more or less, and is subject to all easements, agreements and rights-of-way.