

TOWN OF BERTHOUD
ORDINANCE NO. 2019-1274

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD
TO ESTABLISH THE ZONING OF PROPERTY KNOWN AS THE “WEIBEL AND WWW
PROPERTIES” NEWLY ANNEXED TO THE TOWN OF BERTHOUD**

WHEREAS, an ordinance approving the annexation of certain property known as the “Weibel and WWW Properties,” as more particularly described in Exhibit A attached hereto (the “Property”), to the Town of Berthoud by Ordinance No. 2019 - 1973 was passed by the Board of Trustees of the Town of Berthoud on August 27th, 2019; and,

WHEREAS, Section 31-12-115, Colorado Revised Statutes, requires that newly annexed property be zoned within 90 days of the effective date of the annexation ordinance; and,

WHEREAS, the Planning Commission previously has considered the zoning request related to Resolution No. R-2019-15 and pending Annexation Ordinance 2019-1973 and has recommended that the Property known as WWW Properties be zoned “Light Industrial (M-1)” upon its annexation into the Town; and the Property known as Weibel be annexed Industrial (M-2) upon its annexation into the Town; and,

WHEREAS, notice previously was been posted and published as required by law and a public hearing was conducted before the Board of Trustees on August 27, 2019, at which time the zoning of the Properties to “Light Industrial (M-1)” and Industrial (M-2) was approved by the Board, to become effective upon the completion of the annexation of the Property into the Town; and

WHEREAS, the Board desires to ratify and confirm the zoning approval for the Property to become effective concurrent with the legal effectiveness of Annexation Ordinance 2019-_____.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD:

Section 1. Upon the legal effectiveness of the annexation of the Property to the Town of Berthoud in accordance with Section 31-12-113(2)(b), Colorado Revised Statutes, the official zoning map of the Town of Berthoud shall be amended by the inclusion of the Property zoned as “Light Industrial M-1, and Industrial District (M-2)”

Section 2. The Property known as “WWW Properties” is hereby zoned “Light Industrial (M-1),” subject to the terms and conditions approved by the Town.

Section 3. The Property known as “Weibel” is hereby zoned “Industrial (M-2),” subject to the terms and conditions approved by the Town.

Section 4. Interpretation. This Ordinance shall be so interpreted and construed to effectuate its general purpose.

EXHIBIT A
Legal Description of the Property

The property is described as follows:

That portion of the Southeast Quarter of Section 2, Township 4 North, Range 69 West of the 6th P.M., more particularly described as follows: Considering the East line of said Southeast Quarter as bearing North 0° 18' 00" West and with all bearings contained herein relative thereto: Beginning at the Southeast corner of said Southeast Quarter; thence along said East line North 0° 18' 00" West 302.00 feet; thence South 89° 37' 30" West 299.00 feet; thence South 0° 18' 00" East 302.00 feet to the South line of said Southeast Quarter; thence along said South line North 89° 37' 30" East 299.00 feet to the point of beginning, County of Larimer, State of Colorado. Said described tract contains 1.87 acres more or less.

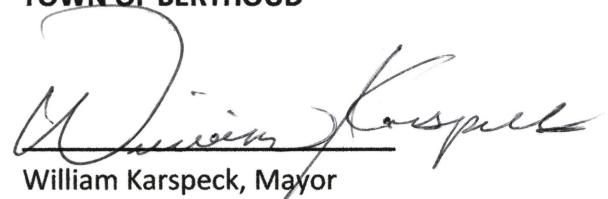
Know all persons by These presents: that the undersigned, being the owners and petitioners of portions of the Northeast quartier of Section 11, Township 4 North, Range 69 West, of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows: commencing at the Northeast corner of said Section 11, and considering the North line of the Northeast quartier of said Section 11 as having an assumed bearing of South 89°27'40" West, (the East end of said line being marked by a number 6 rebar of unknown length with an attached 2 1/2" aluminum cap stamped ls 12374 in monument box, the West end of said line being marked by a number 6 rebar of unknown length with an attached 2 1/2" aluminum cap stamped ls 32825), with all other bearings contained herein relative thereto; thence along said North line of the northeast quartier of Section 11, South 89°27'40" West a distance of 350.00 feet to the point of beginning; thence continuing along said North line, said line also being partially along the Southerly line of the Pro Swing first annexation, serial 3, recorded May 5, 2014 at Reception number 20140027730, South 89°27'40" West a distance of 700.00 feet; thence South 00°21'48" East a distance of 990.85 feet to a point on the Northerly line of the Champion Homes 4th annexation, recorded September 28, 1999 at reception number 0099085389; thence along said Northerly line, North 89°31'55" east a distance of 700.00 feet; thence North 00°21'48" West a distance of 4.68 feet; thence along the Westerly line of the Meyers first addition serial 3 annexation, recorded September 2, 2008 at Reception Number 20080056202, North 00°21'48" West a distance of 987.04 feet to the point of beginning said described tract contains 15.93 acres more or less.

Section 5. Publication. The Town Clerk shall certify to the passage of this Ordinance, cause its contents to be published, and, when the annexation of the Property becomes effective in accordance with section 31-12-113(2)(b), Colorado Revised Statutes, shall cause the appropriate change to be made to the official Berthoud Zoning District Map.

Section 6. Effective Date: The effective date of this ordinance shall be the later of the effective date of the Annexation of "WWW Properties and Weibel" and thirty days after publication of this ordinance.

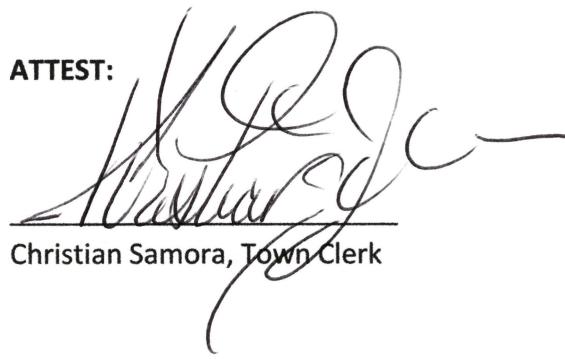
PASSED, ADOPTED, SIGNED AND APPROVED this the 27th day of August, 2019

TOWN OF BERTHOUD



William Karspeck, Mayor

ATTEST:



Christian Samora, Town Clerk