

RESOLUTION NO: 7-11

A RESOLUTION FINDING AN ANNEXATION PETITION SUBMITTED BY WYNNE R. MAGGI AND STEPHEN R. BYERS TO ANNEX APPROXIMATELY .62 ACRES SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF SECTION 31-12-107(1), C.R.S. AND SETTING A PUBLIC HEARING ON THE PETITION TO CONSIDER ANNEXATION OF THE PROPERTY.

WHEREAS, C.R.S. § 31-12-101 *et seq.*, the Municipal Annexation Act of 1965 ("the Act") provides that a municipality may accept petitions for annexation of property upon finding substantial compliance of the petitions with the Act and annex such properties separately or in a series considered together; and

WHEREAS, the Town of Berthoud has received a Petition for Annexation, which Petition is attached hereto as **Exhibit A** and incorporated herein, to annex the property described in said Petition to the Town of Berthoud; and

WHEREAS, the Board of Trustees of the Town of Berthoud finds the Petition to be in substantial compliance with the requirements of C.R.S. § 31-12-107(1); and

WHEREAS, the Board of Trustees of the Town of Berthoud must set a public hearing to determine if the proposed annexation complies with the Act and the Berthoud Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO THAT:

Section 1. The Board of Trustees of the Town of Berthoud finds that the Petition for Annexation attached as **Exhibit A**, is in substantial compliance with the requirements of Section 31-12-107(1), C.R.S. and Chapter 30-8 of the Town's Development Code and the annexation proceedings to consider the annexation of the properties described therein to the Town of Berthoud have been initiated.

Section 2. A public hearing is set for a regular meeting of the Board of Trustees of the Town of Berthoud on June 28, 2011 at 7:00 p.m. at the Berthoud Town Hall, 328 Massachusetts Avenue, Berthoud, Colorado to determine if the proposed annexation complies with the Municipal Annexation Act of 1965 and the Berthoud Municipal Code, and determine whether the property will be annexed to the Town of Berthoud.


Section 3. The Town Clerk shall give such notice as required by law and the Town staff shall develop and deliver any annexation impact report as required by law.

This resolution was passed by a vote of 5 in favor and 0 opposed at the regular meeting of the Board of Trustees on the 10th day of May, 2011.

TOWN OF BERTHOUD:


T.P. Patterson, Mayor

ATTEST:


Mary K. Cowdin, Town Clerk

Publish: May 19, 26 and June 2, 9, 2011

Approved as to form:


R.B. Fickel, Town Attorney