

RESOLUTION NO: 16-09

A RESOLUTION FINDING AN ANNEXATION PETITION SUBMITTED BY JOYCE N. JONES TO ANNEX APPROXIMATELY 11.04 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:

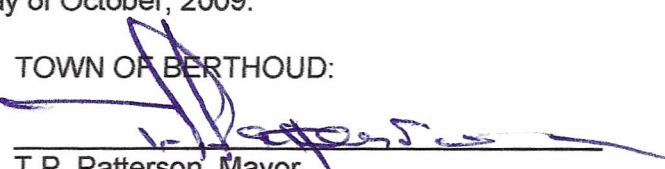
Section 1. The Board of Trustees of the Town of Berthoud finds that the Petition for Annexation attached as **Exhibit A**, is in substantial compliance with the requirements of Section 31-12-107(1), C.R.S. and Chapter 30-8 of the Town's Development Code and the annexation proceedings to consider the 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 December 8, 2009 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 6 in favor and 0 opposed at the regular meeting of the Board of Trustees on the 27th day of October, 2009.

TOWN OF BERTHOUD:


T.P. Patterson, Mayor

ATTEST:


Mary K. Cowdin, Town Clerk

EXHIBIT A

JONES ANNEXATION PETITION

LOT 1 OF THE JONES MLD 02-S1958 also described by *meets and bounds as a portion of the Northeast Quarter of Section 11, Township 4 North, Range 69 West of the Sixth Principal Meridian, Larimer County, Colorado* More Particularly described as follows:

Commencing at the Northeast Corner of said Section 11; thence North 89°13'45" West, along the Northerly line of said Section 11, a distance of 1,651.63 feet to the intersection of said northerly line of said Section 11 and the westerly right-of-way line of the C&S railroad;

thence along said westerly right-of-way line South 01°52'10" East, a distance of 52.53 feet to the POINT OF BEGINNING.

thence South 28°38'00" West, a distance of 471.00 feet;

thence South 18°12'00" West, a distance of 226.90 feet;

thence South 04°10'00" East, a distance of 217.14 feet;

thence South 17°33'00" East, a distance of 115.44 feet;

thence South 42°31'00" East, a distance of 27.88 feet;

thence South 15°46'00" East, a distance of 255.10 feet;

thence South 13°03'00" West, a distance of 226.20 feet;

thence South 39°32'00" West, a distance of 256.00 feet;

thence South 49°33'00" East, a distance of 200.80 feet;

thence South 52°28'00" East, a distance of 225.80 feet;

thence South 00°42'00" West, a distance of 143.60 feet;

thence South 08°57'05" East, a distance of 56.90 feet;

thence South 89°12' East, a distance of 101.72 feet to said westerly right-of-way line of the C&S Railroad;

thence along said westerly line North 01°52'10" West, a distance of 2,109.62 feet to the POINT OF BEGINNING.

Containing 481,107 square feet or 11.04 acres, more or less.