

RESOLUTION NO. 10-06

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

1. At a regular meeting of the Board of Trustees on June 13, 2006, the annexation petition for O'Malley Glen was submitted to the Board of Trustees by the Clerk as a communication pursuant to Section 31-12-107(1)(f), C.R.S. The location of the property is described on Exhibit "A" attached hereto and incorporated herein by reference.

2. The Board of Trustees reviewed the petition and found that the requirements set forth in Section 31-12-107(1)(f), C.R.S. had been substantially complied with.

3. Pursuant to Section 31-12-108(1), C.R.S., the Board of Trustees hereby resets the date for the hearing on the annexation petition for August 22, 2006 at 7:00 P.M. in the Town of Berthoud Board Room located at 328 Massachusetts Avenue, Berthoud, Colorado. Notice of this hearing is to be published because the first series of publications did not comply with the requirements of the Annexation Act of 1965.

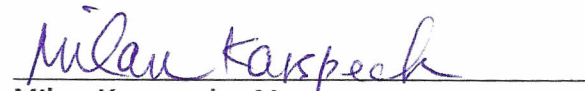
4. The purpose of this hearing shall be to determine whether the area proposed to be annexed meets the applicable requirements of Sections 31-12-104 and 31-12-105, C.R.S. and is eligible for annexation.

5. In the event the Board of Trustees finds that the statutory prerequisites for annexation have been met the Board will hold a public hearing on the ordinance annexing this property.

This supplemental resolution was passed by a vote of 6 in favor and 0 opposed at the regular meeting of the Board of Trustees on the 18th day of July, 2006.

TOWN OF BERTHOUD:

  
Mary K. Cowdin - Town Clerk

  
Milan Karspeck - Mayor

## EXHIBIT "A"

### O'MALLEY GLEN ANNEXATION

#### LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE EAST HALF OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO AND A PORTION OF THE WEST HALF OF SECTION 19, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID EAST HALF AND CONSIDERING THE NORTH LINE OF THE NORTH HALF OF SAID SECTION 24 TO BEAR NORTH 89°27'11" EAST WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;  
THENCE SOUTH 00°18'45" WEST, ALONG THE WEST LINE OF SAID NORTH HALF, A DISTANCE OF 49.08 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 56, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES:

1. SOUTH 86°52'26" EAST, A DISTANCE OF 749.61 FEET;
2. NORTH 89°23'26" EAST, A DISTANCE OF 285.30 FEET;

THENCE SOUTH 00°21'04" EAST, A DISTANCE OF 442.97 FEET;  
THENCE NORTH 89°23'26" EAST, A DISTANCE OF 295.00 FEET;  
THENCE NORTH 00°21'04" WEST, A DISTANCE OF 443.00 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. NORTH 89°23'26" EAST, A DISTANCE OF 1249.15 FEET;
2. SOUTH 44°50'34" EAST, A DISTANCE OF 68.00 FEET;
3. NORTH 89°59'56" EAST, A DISTANCE OF 31.68 FEET TO A POINT ON THE EAST LINE OF SAID EAST HALF;
4. NORTH 89°39'21" EAST, A DISTANCE OF 30.00 FEET;

THENCE SOUTH 00°20'39" EAST, PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 2471.65 FEET;  
THENCE SOUTH 00°18'42" EAST, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 324.94 FEET;  
THENCE SOUTH 89°41'18" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24;  
THENCE SOUTH 89°07'06" WEST, A DISTANCE OF 536.17 FEET;  
THENCE NORTH 00°20'46" WEST, A DISTANCE OF 270.37 FEET;  
THENCE SOUTH 89°42'29" WEST, A DISTANCE OF 795.76 FEET;  
THENCE SOUTH 87°54'29" WEST, A DISTANCE OF 87.00 FEET;  
THENCE SOUTH 89°46'29" WEST, A DISTANCE OF 1238.99 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24;  
THENCE NORTH 00°18'59" WEST, ALONG SAID WEST LINE, A DISTANCE OF 33.37 FEET TO THE CENTER OF SECTION 24;  
THENCE NORTH 00°19'47" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 1315.71 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 24;  
THENCE NORTH 00°18'45" WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1267.07 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 159.643 ACRES, MORE OR LESS.