

**ORDINANCE NO. 1354**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD  
TO REZONE THE FARMSTEAD 3<sup>RD</sup> FILING PROPERTY PREVIOUSLY ZONED TO  
PLANNED UNIT DEVELOPMENT TO SUBURBAN RESIDENTIAL, SUBURBAN  
COMMERCIAL, AND URBAN RESIDENTIAL DISTRICTS**

WHEREAS, the property under consideration is known as the “Farmstead 3<sup>rd</sup> Filing” development and was zoned to Planned Unit Development by Ordinances 850 in 2000 by the Town of Berthoud; and

WHEREAS, the applicant has reviewed the 2021 Comprehensive Plan and seeks to incorporate the Town’s new zoning classifications and conform to the land development vision outlined in the 2021 Comprehensive Plan at the request of staff; and

WHEREAS, the Planning Commission considered the request to rezone the property at their public hearing on June 26, 2025, and moved to forward their approval of the request to the Town Board of Trustees; and

WHEREAS, notice was properly posted in the manner required by law and a public hearing was conducted on July 22, 2025, before the Board of Trustees as required by law; and

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

Section 1. Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known as the “Farmstead 3<sup>rd</sup> Filing” development as described in Exhibit A, shall be rezoned from Planned Unit Development to Suburban Residential (SR), Suburban Commercial (SC), and Urban Residential (UR) as illustrated in Exhibit B.

Section 2. Interpretation: This Ordinance shall be so interpreted and construed to effectuate its general purpose.

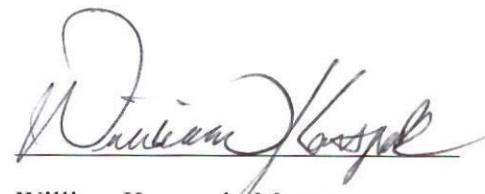
Section 3. Publication: The Town Clerk shall certify to the passage of this Ordinance and cause its contents to be published and shall cause the appropriate change to be made to the official Berthoud Zoning District Map.

Section 4. Effective Date: The provisions of this Ordinance shall take effect thirty days after publication as required by law.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL on this 22<sup>nd</sup> day of July 2025.

TOWN OF BERTHOUD

By

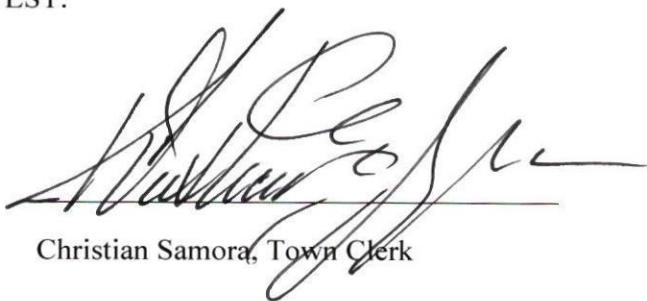


William Karspeck

William Karspeck, Mayor

ATTEST:

By:



Christian Samora

Christian Samora, Town Clerk



## **EXHIBIT A: LEGAL DESCRIPTION**

PARCEL 1:

LOT 3, GREEN ACRES MINOR SUBDIVISION, COUNTY OF WELD, STATE OF COLORADO.

PARCEL 2:

LOT B, RECORDED EXEMPTION NO. 1061-19-2 RE 1472, RECORDED FEBRUARY 8, 1993 UNDER RECEPTION NO. 2321003, LOCATED IN THE NW 1/4 OF SECTION 19, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M.,

EXCEPTING THEREFROM THAT PARCEL CONVEYED BY DEED RECORDED DECEMBER 26, 2002 UNDER RECEPTION NO. 3018041,

AND ALSO EXCEPTING THAT PARCEL PLATTED AS GREEN ACRES MINOR SUBDIVISION, RECORDED AUGUST 14, 2003 UNDER RECEPTION NO. 3095453, COUNTY OF WELD, STATE OF COLORADO.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Considering the Westerly line of the Northwest Quarter of Section Nineteen (19) Township Four (4) North, Range Sixty-eight (68) West of the Sixth (6) Principal Meridian, County of Weld, State of Colorado, with the West Quarter Corner of said Section 19, being monumented by a 3.25" Aluminum Cap on a #6 Rebar stamped "LS 12374" in a monument box, and the Northwest Corner of said Section 19, being monumented by a 2.5" Aluminum Cap on a #6 Rebar stamped "LS 28285" in a monument box as bearing North 00°05'10" West and with all bearings contained herein relative thereto:

COMMENCING at the West Quarter Corner of said Section 19, THENCE along the Southerly line of the Northwest Quarter of said Section 19 to the Easterly right-of-way of North Weld County Line Road 1, also known as South Larimer County Line Road 13, North 88°58'53" East 30.00 feet also being the POINT OF BEGINNING;

THENCE along said Easterly right-of-way line North 00°05'10" West 1630.80 feet to a #4 Rebar with Yellow Plastic Cap stamped LS 32444, also being the Northwest Corner of Special Warranty Deed recorded under Weld County Clerk & Recorder Reception Number 4794857;

THENCE along the Northerly boundary of said deed South 89°55'50" East 20.00 feet to a #4 Rebar with an illegible Yellow Plastic Cap, also being the Southwest Corner of Lot 3, Green Acres, recorded under Weld County Clerk & Recorder Reception Number 3095453;

THENCE along the Easterly right-of-way of County Line Road 1, also being the Westerly line of said Lot 3, North 00°05'10" West 860.98 feet to a #4 Rebar with Yellow Plastic Cap stamped "LS 32444";

THENCE departing said right-of-way line and continuing along the Southerly right-of-way of E. State Highway 56, also being the Northwesterly line of said Lot 3, North 44°47'56" East 42.41 feet to a #4 Rebar with Yellow Plastic Cap stamped "LS 32444";

THENCE continuing along said right-of-way line, also being the Northerly line of said Lot 3 North 89°36'54" East 515.71 feet to a #5 Rebar with 2" Aluminum Cap stamped "LS 13446";

THENCE along a curve concave to the North 425.77 feet, said curve having a radius of 20412.46 feet, a central angle of 1°11'42", and whose chord bears North 89°02'47" East 425.76 feet to the Northwest Corner of Exception Lot A RE 1061-19-2-RE 1472, also being the Northeast corner of said Lot 3;

THENCE South 01°02'05" East 544.11 feet along the Easterly line of said Lot 3 to a #4 Rebar with Yellow Plastic Cap stamped LS 32444;

THENCE departing said Easterly line and continuing along the Southerly line of Lot A of Recorded Exemption 1061-19-2-RE 1472 recorded under Weld County Reception Number 2321003 North 88°12'10" East 399.98 feet to a #5 Rebar with 2" Aluminum Cap stamped LS 13446;

THENCE along the Southerly line of the excepted parcel described in Book 1609 Page 496 North 88°18'58" East 100.12 feet to a #5 Rebar with an illegible 1.5" Aluminum Cap, also being the Southwest Corner of Lot 2, Green Acres, recorded under Weld County Reception Number 3095453;

THENCE along the Southerly line of said Lot 2 North 88°10'49" East 509.18 feet to a #5 Rebar with an illegible 1.5" Aluminum Cap, also being the Southeast Corner of said Lot 2 and the Southwest Corner of Lot 1, Green Acres recorded under Weld County Reception Number 3095453;

THENCE along the Southerly line of said Lot 1 North 88°13'28" East 509.31 feet to a #4 Rebar with Yellow Plastic Cap stamped LS 32444, also being the Southeast Corner of said Lot 1 and a point on the Easterly line of the Northwest Quarter of Section 19;

THENCE continuing along said Easterly line South 00°39'27" West 664.77 feet to the Center North Sixteenth Corner of said Section 19, being monumented by a 2.5" Aluminum Cap on a #6 Rebar stamped "LS 28285, 2002";

THENCE continuing along said Easterly line South 00°39'47" West 1327.42 feet to the accepted Center Quarter Corner of said Section 19, being monumented by a #6 Rebar with no cap;

THENCE departing said Easterly line and deviating from the accepted Southerly line of the Northwest Quarter of said Section 19, and continuing along the apparent Northerly line of Spanish Fox Estates PUDF18-0007 recorded under Weld County Reception Number 4581302, South 89°23'43" West 1354.13 feet;

THENCE along the Westerly line of said Spanish Fox Estates Plat South 00°05'51" West 9.24 feet to a point on the Southerly line of the Northwest Quarter of said Section 19;

THENCE departing said Westerly line South 89°00'16" West 21.30' along the accepted Southerly line of the Northwest Quarter of Section 19 to the Center West Sixteenth Corner of said Section 19, being monumented by a 2.5" Aluminum Cap on a #6 Rebar stamped "LS 12374";

THENCE continuing along said Southerly line South 88°58'53" West 1117.01 feet to the POINT OF BEGINNING.

The above-described parcel of land contains 5,471,817 square feet or 125.62 acres, more or less (±), and may be subject to easements and rights-of-way now on record or existing.

# FARMSTEAD THIRD FILING REZONING MAP

SITUATE IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M.  
TOWN OF BERTHOUD, COUNTY OF WELD, STATE OF COLORADO

## LEGAL DESCRIPTION AND DEDICATION

A parcel of land situated in the Northwest Quarter of Section Nineteen (19), Township Four North (T.4N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), and being more particularly described as follows:

Lot 3, Green Acres Subdivision, County of Weld, State of Colorado.

Together with

Lot B, Recorded Exemption No. 160-182 RE 1472, Recorded February 8, 1993 under Reception No. 221003, located in the NW 1/4 of Section 19, Township 4 North, Range 68 West of the 6th P.M.

Deeded to the Town of Berthoud on December 26, 2002 under Reception No. 301864, and also excepting the parcel platted as Green Acres Subdivision, recorded August 14, 2003 under Reception No. 309545, County of Weld, State of Colorado.

Said parcel contains 5.526,295 Square Feet or 1.26.866 Acres more or less by this survey.

OWNER: LGI HOMES - COLORADO, LLC

BY: Tim Bruggman, Vice President of Development

## NOTARIAL CERTIFICATE

STATE OF COLORADO

ss

COUNTY OF LARIMER

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by

Tim Bruggman as Vice President of Development

Witness my hand and official seal.

Notary Public

My commission expires: \_\_\_\_\_

## APPROVAL CERTIFICATE

This is to certify that the rezoning of the above described property was approved by Ordinance No. \_\_\_\_\_ of the Town of Berthoud, passed and adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the Mayor of the Town of Berthoud is authorized by said ordinance on behalf of the Town of Berthoud hereby to file acknowledgement and adopts the said rezoning map upon which the certificate is endorsed for all indicated herein.

Approval by the Board of Trustees of the Town of Berthoud, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Major

This foregoing map is approved for the filing and accepted by the Town of Berthoud, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Town Clerk

## SURVEYOR'S CERTIFICATE

I, Steven Parks, a Licensed Land Surveyor in the State of Colorado, do hereby certify that the survey of The Farmstead Third Filing Rezoning Map was made under my supervision and the accompanying map accurately and properly shows said subdivision and is in compliance with the Subdivision Regulations of the Town of Berthoud.

# PRELIMINARY

Steven Parks - On Behalf of Majestic Surveying, LLC  
Colorado Licensed Professional Land Surveyor #38348

## APPROVAL CERTIFICATES

Approved by the Planning Commission of the Town of Berthoud, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Chairperson \_\_\_\_\_

The following map is approved for filing and recorded by the Town of Berthoud, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Attest: \_\_\_\_\_

Land Planner: \_\_\_\_\_

## BASES OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the North line of the Northwest Quarter of Section 19, Township 4 North, Range 68 West of the 6th P.M., instrumented as shown on this drawing, as bearing North 88°20'44" East, a distance of 2557.82 feet and with all other bearings contained herein relative thereto.

The linear dimensions as contained herein are based upon the "U.S. Survey Foot".

## NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In an event any such action based upon any defect in this survey be commenced more than two years from the date of the certification shown herein, (160-182 RE 1472)

## FLOOD PLAIN NOTE

The subject property is in flood zone "X", "area of minimal flood hazard" per FEMA flood map 08069C119H revised January 15, 2021.

## NOTES

- Subject Property Address: No addresses listed for current properties within the Subject Parcel by Weld County Assessor's Map.
- There may be other documents related to the Subject Property that were not discovered by the land surveyor.
- Adjacent property owner information for the Larimer and Weld County Assessor's Maps.
- Annotation and mapping information per the Town of Berthoud Zoning Map and GIS portal.
- There are no existing buildings or structures contained within the proposed subdivision boundary.

## LEGAL DESCRIPTIONS OF PROPOSED REZONING

### PROPOSED SUBURBAN/COMMERCIAL PARCEL

A parcel of land, being part of Lot 3, Final Plat of Green Acres Subdivision and adjacent Right of Way, as recorded August 14, 2003 as Reception No. 309545 of the Records of the Weld County Clerk and Recorder, situated in the Northwest Quarter (NW 1/4) of Section 19, Township 4 North, Range 68 West of the 6th P.M., of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 19 and assuming the West line of said Northwest Quarter as bearing North 00°15'37" West, a distance of 2598.28 feet instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5 on the North end, and a 6" rebar with 2.5" aluminum cap stamped LS 341/4 on the South end, and with all other bearings contained herein relative thereto;

THENCE South 00°15'37" East, along the West line of said NW 1/4, a distance of 173.15 feet, point being the POINT OF BEGINNING;

THENCE North 44°46'36" East a distance of 112.54 feet to the North line of said Lot 3, Green Acres Subdivision;

THENCE South 00°00'00" East a distance of 173.15 feet, point being the POINT OF BEGINNING;

THENCE South 00°00'00" East a distance of 173.15 feet, point being the POINT OF BEGINNING;

THENCE South 00°00'00" East a distance of 173.15 feet, point being the POINT OF BEGINNING;

THENCE South 00°00'00" East a distance of 173.15 feet, point being the POINT OF BEGINNING;

Said described parcel of land contains 318,609 Square Feet or 7.314 Acres, more or less (+/-)

## LEGAL DESCRIPTIONS OF PROPOSED REZONING (CONT.)

### PROPOSED SUBURBAN RESIDENTIAL PARCEL

A parcel of land, being part of Lot B, Recorded Exemption No. 160-182 RE 1472, as recorded February 8, 1993 in Reception No. 221003 of the Records of the Weld County Clerk and Recorder, situated in the Northwest Quarter (NW 1/4) of Section 19, Township 4 North (T.4N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 19 and assuming the West line of said Northwest Quarter as bearing North 00°15'37" East, a distance of 2557.82 feet instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5 on the West end, and a 6" rebar with 2.5" aluminum cap stamped LS 242/5 on the East end, and with all other bearings contained herein relative thereto;

THENCE North 03°20'42" East, along the South line of said NW 1/4, a distance of 426.50 feet;

THENCE South 00°15'37" West, along the South line of said NW 1/4, a distance of 1,214.85 feet to the Center Quarter Corner of said Section 19, instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5;

THENCE South 00°15'37" West, along the South line of said NW 1/4, a distance of 1,214.85 feet to the Center Quarter Corner of said Section 19, instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5;

THENCE North 00°00'00" East, a distance of 225.56 feet to the POINT OF BEGINNING;

THENCE North 00°00'00" East a distance of 596.11 feet to the West line of Lot A, Recorded Exemption No. 160-182 RE 1472;

THENCE South 00°00'00" East a distance of 311.19 feet to the Southwest corner of said Lot A;

THENCE South 00°15'37" East, along the South line of said NW 1/4, a distance of 1,214.85 feet to the Center Quarter Corner of said Section 19, instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5;

THENCE South 00°15'37" West, along the South line of said NW 1/4, a distance of 664.81 feet to the Center-North Sixteenth Corner of said Section 19, instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5;

THENCE South 00°15'37" West, along the South line of said NW 1/4, a distance of 1,214.85 feet to the Center Quarter Corner of said Section 19, instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5;

THENCE North 00°00'00" East, a distance of 104.59 feet to a Point of Tangency (PT);

THENCE North 00°00'00" East, a distance of 104.59 feet to a Point of Tangency (PT);

THENCE North 00°00'00" East a distance of 51.17 feet;

THENCE North 00°00'00" East, a distance of 51.17 feet to the POINT OF BEGINNING;

THENCE North 00°00'00" East a distance of 103.33 feet to the North line of said Lot 3, Green Acres Subdivision, and owner being the Project of this REZONING;

THENCE South 00°15'37" East, along the beginning point of a curve, instrumented in the afternoon line;

THENCE along the arc of a curve concave to the North a distance of 425.40 feet, having a Radius of 223.00 feet, a Delta of 010°10'30" and is submitted by a Client that bears North 00°47'00" East, distance of 425.40 feet to the Northwest corner of Lot A, Recorded Exemption No. 160-182 RE 1472;

THENCE South 00°15'37" East, along the West line of said Lot A, a distance of 232.66 feet;

THENCE North 00°15'37" West, along the West line of said Lot A, a distance of 986.11 feet;

THENCE North 00°00'00" East a distance of 225.56 feet to the POINT OF BEGINNING;

Said described parcel of land contains 135,516 Square Feet or 3.111 Acres, more or less (+/-)

### SOUTH PROPOSED URBAN RESIDENTIAL PARCEL

A parcel of land, being part of Lot A, Final Plat of Green Acres Subdivision and adjacent Right of Way, as recorded February 8, 1993 in Reception No. 221003 of the Records of the Weld County Clerk and Recorder, situated in the Northwest Quarter (NW 1/4) of Section 19, Township 4 North (T.4N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 19 and assuming the West line of said Northwest Quarter as bearing North 00°15'37" West, a distance of 2557.82 feet instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5 on the West end, and a 6" rebar with 2.5" aluminum cap stamped LS 242/5 on the East end, and with all other bearings contained herein relative thereto;

THENCE South 00°15'37" East, along the South line of said NW 1/4, a distance of 425.40 feet to the Center-North Sixteenth Corner of said Section 19, instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5;

THENCE South 00°15'37" East, along the South line of said NW 1/4, a distance of 1,214.85 feet to the Center Quarter Corner of said Section 19, instrumented by a 6" rebar with 2.5" aluminum cap stamped LS 242/5;

THENCE North 00°00'00" East, a distance of 104.59 feet to a Point of Tangency (PT);

THENCE North 00°00'00" East, a distance of 104.59 feet to a Point of Tangency (PT);

THENCE North 00°00'00" East a distance of 173.15 feet;

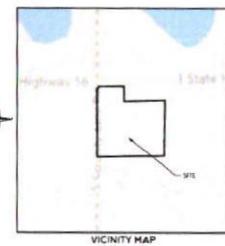
THENCE South 00°15'37" East, along the South line of said NW 1/4, a distance of 173.15 feet;

THENCE North 00°15'37" East, along the South line of said NW 1/4, a distance of 173.15 feet;

THENCE South 00°15'37" West, along the South line of said NW 1/4, a distance of 1,161.63 feet to the West Quarter Corner of said Section 19;

THENCE North 00°15'37" West, along the West line of said NW 1/4, a distance of 1,161.63 feet to the POINT OF BEGINNING;

Said described parcel of land contains 609,188 Square Feet or 14.954 Acres, more or less (+/-)



## PROJECT CONTACTS

### OWNER

LG Homes - Colorado, LLC  
3401 Quebec Street  
Denver, CO 80207  
425-320-3119

### OWNER'S REPRESENTATIVE

Tim Bruggman, Vice President of Development  
3401 Quebec Street  
Denver, CO  
425-320-3119

### SURVEYOR

Majestic Surveying, LLC  
CC Stevens Park, LLC  
1111 Dillman Street, Suite 100  
Windsor, CO 80550  
970-643-5999

PROJECT NO 2024183-A	PROJECT NAME FARMSTEAD EAST REZONE	REVISIONS	DATE
DATE 05-21-2024	CLIENT SCHROYER RESOURCES	REDLINES + AU	6-3-24
DRAWN BY AU	FILE NAME 2024133ZONE	REDLINES + AU	1-8-25
CHECKED BY SP	SCALE N/A		

1

SHEET 1 OF 2

