

ORDINANCE NO. 1354

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD
TO REZONE THE FARMSTEAD 3RD 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 3rd 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 3rd 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.

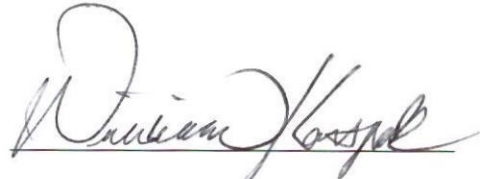
Section 3. Publication: The Town Clerk shall certify to the passage of this Ordinance and cause its contents to be published and shall cause the appropriate change to be made to the official Berthoud Zoning District Map.

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 22nd day of July 2025.

TOWN OF BERTHOUD

By


William Karspeck, Mayor

ATTEST:

By:



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 $00^{\circ}05'10''$ 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 $44^{\circ}47'56''$ 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 $89^{\circ}36'54''$ 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 $1^{\circ}11'42''$, and whose chord bears North $89^{\circ}02'47''$ 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 $01^{\circ}02'05''$ 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 $88^{\circ}12'10''$ 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 $88^{\circ}18'58''$ 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 $88^{\circ}10'49''$ 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 $88^{\circ}13'28''$ 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 $00^{\circ}39'27''$ 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 $00^{\circ}39'47''$ 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 (\pm), 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 situate 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 Minor Subdivision, County of Weld, State of Colorado;

Together with

Lot B, Recorded Exemption No. 1061-19-2 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., excepting therefrom that parcel covered by deed recorded December 26, 2002 under Reception No. 301804, and also excepting that parcel platted as Green Acres Minor Subdivisions, recorded August 14, 2003 under Reception No. 308543, County of Weld, State of Colorado;

Said parcel contains 5,526,295 Square Feet or 126.966 Acres more or less by this survey;

OWNER: LUI ROMES - COLORADO, LLC

BY: Tam Bruggman, Vice President of Development

NOTARIAL CERTIFICATE

STATE OF COLORADO

COUNTY OF LARIMER

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by

Tam Bruggman as Vice President of Development

Witness my hand and official seal.

Notary Public

My commission expires _____

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 accepted by the Town of Berthoud, Colorado this _____ day of _____, 20____.

Attest:

Town Planner

BASES OF BEARINGS AND LINEAL UNIT DEFINITION

Anomalous the North line of the Northwest Quarter of Section 19, Township 4 North, Range 68 West of the 6th P.M., as indicated as shown on this drawing, is bearing North 89°29'48" East, a distance of 2557.82 feet and with all other bearings contained herein relative thereto.

The lineal 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. If no one ever sues any actor based upon any defect in this survey be commenced more than 3 years from the date of the certification shown herein: (15-60-105 C.R.S., 2012)

FLOODPLAIN NOTE

The subject property is in flood zone "X", "area of minimal flood hazard" per FEMA Flood map 0806C/19101 revised January 15, 2021.

NOTES

1. Subject Property Address: No addresses listed for current properties within the Subject Parcel by Weld County Assessor's Map.
2. There may be other documents related to the Subject Property that were not discovered by the land surveyor.
3. Adjacent property owner information per the Larimer and Weld County Assessor's Maps.
4. Annotations and existing information per the Town of Berthoud Zoning Map and GIS portal.
5. There are no existing buildings or structures contained within the proposed addition/owner 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. 308543 of the Records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Four 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:

COMMENCEING at the Northwest corner of said Section 19 and assuming the West line of said Northwest Quarter as bearing North 89°13'17" West, a distance of 2598.28 feet monumented by a 40 rebar with 2.5" aluminum cap stamped L.S. 28281 on the West end, and a 40 rebar with 2.5" aluminum cap stamped L.S. 3414 on the South end, and with all other bearings contained herein relative thereto;

THENCE South 89°13'17" East, along the West line of said NW 1/4, a distance of 173.15 feet, said point being the POINT OF BEGINNING;

THENCE North 49°46'30" East a distance of 112.54 feet to the North line of said Lot 3, Green Acres Subdivisions;

THENCE North 89°36'38" East, along and North line, a distance of 349.16 feet;

THENCE North 89°54'52" East a distance of 753.56 feet;

THENCE South 89°54'52" West a distance of 426.30 feet to the West line of said Northwest Quarter;

THENCE North 89°13'17" West, along and West line, a distance of 87.35 feet to the POINT OF BEGINNING

Said described parcel of land contains 518,609 Square Feet or 7.314 Acres, more or less (s).

LEGAL DESCRIPTIONS OF PROPOSED REZONING (CONT.)

PROPOSED SUBURBAN RESIDENTIAL PARCEL

A parcel of land, being part of Lot B, Recorded Exemption No. 1061-19-2 RE 1472, as recorded February 8, 1993 as Reception No. 221003 of the Records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Four 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:

COMMENCEING at the Northwest corner of said Section 19 and assuming the North line of said Northwest Quarter as bearing North 89°29'48" East, a distance of 2557.82 feet monumented by a 40 rebar with 2.5" aluminum cap stamped L.S. 28281 on the West end, and a 40 rebar with 2.5" aluminum cap stamped L.S. 28281 on the East end, and with all other bearings contained herein relative thereto;

THENCE North 89°29'48" East, along the North line of said NW 1/4, a distance of 426.38 feet;

THENCE South 89°29'48" East a distance of 103.33 feet to the North line of said Lot 3, Green Acres Subdivisions;

THENCE North 89°13'17" East a distance of 1,518.61 feet to the East line of said NW 1/4, said line being an extension of the South line of said Lot 3;

THENCE South 89°29'48" West, along said East line, a distance of 664.81 feet to the Center-North Sixteenth Corner of said Section 19, monumented by a 40 rebar with 2.5" aluminum cap stamped L.S. 28281;

THENCE South 89°29'48" West, continuing along the East line of said NW 1/4, a distance of 2,118.65 feet to the Center Corner of said Section 19, monumented by a 40 rebar with 2.5" aluminum cap stamped L.S. 28281;

THENCE South 89°13'17" West, along the North line of said NW 1/4, a distance of 1,548.59 feet;

THENCE North 89°29'48" West a distance of 418.39 feet;

THENCE South 89°29'48" West a distance of 184.47 feet to a Point of Curvature (PC);

THENCE along the arc of a curve commencing to the Northwest a distance of 104.72 feet, bearing a Radius of 600.00 feet, a Delta of 100°00'00" and is subtended by a Chord that bears South 54°54'50" West a distance of 104.34 feet to a Point of Tangency (PT);

THENCE South 89°29'48" West a distance of 510.11 feet;

THENCE North 89°29'48" West a distance of 1,261.50 feet;

THENCE North 89°29'48" East a distance of 1,148.61 feet;

THENCE North 89°08'10" West a distance of 528.00 feet to the POINT OF BEGINNING;

Said described parcel of land contains 4,202,982 Square Feet or 96.087 Acres, more or less (s).

NORTH PROPOSED URBAN RESIDENTIAL PARCEL

A parcel of land, being part of Lot 3, Final Plat of Green Acres Subdivisions and adjacent Right of Way, as recorded August 14, 2003 as Reception No. 308543 of the Records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Four 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:

COMMENCEING at the Northwest corner of said Section 19 and assuming the North line of said Northwest Quarter as bearing North 89°29'48" East, a distance of 2557.82 feet monumented by a 40 rebar with 2.5" aluminum cap stamped L.S. 28281 on the West end, and a 40 rebar with 2.5" aluminum cap stamped L.S. 28281 on the East end, and with all other bearings contained herein relative thereto;

THENCE North 89°29'48" East, along the North line of said NW 1/4, a distance of 426.38 feet;

THENCE South 89°29'48" East a distance of 103.33 feet to the North line of said Lot 3, Green Acres Subdivisions, said point being the POINT OF BEGINNING;

THENCE North 89°36'38" East a distance of 106.64 feet to the beginning point of a curve, non-tangential to the aforementioned line;

THENCE along the arc of a curve commencing to the North a distance of 425.61 feet, bearing a Radius of 22,495 feet, a Delta of 81°07'38" and is subtended by a Chord that bears North 89°36'38" East a distance of 421.60 feet to the Northwest corner of Lot A, Recorded Exemption No. 1061-19-2 RE 1472;

THENCE South 89°36'38" East, along the West line of said Lot A, a distance of 232.66 feet;

THENCE North 89°36'38" West a distance of 996.11 feet;

THENCE North 89°08'10" West a distance of 223.56 feet to the POINT OF BEGINNING;

Said described parcel of land contains 135,516 Square Feet or 3.111 Acres, more or less (s).

SOUTH PROPOSED URBAN RESIDENTIAL PARCEL

A parcel of land, being part of Lot B, Recorded Exemption No. 1061-19-2 RE 1472, and adjacent Right of Way, as recorded February 8, 1993 as Reception No. 221003 of the Records of the Weld County Clerk and Recorder, situate in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Four 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:

COMMENCEING at the Northwest corner of said Section 19 and assuming the West line of said Northwest Quarter as bearing North 89°13'17" West, a distance of 2598.28 feet monumented by a 40 rebar with 2.5" aluminum cap stamped L.S. 28281 on the North end, and a 40 rebar with 2.5" aluminum cap stamped L.S. 3414 on the South end, and with all other bearings contained herein relative thereto;

THENCE South 89°13'17" East, along and West line, a distance of 845.10 feet to the POINT OF BEGINNING;

THENCE North 89°54'50" East a distance of 307.50 feet;

THENCE South 89°54'50" East a distance of 1,261.50 feet;

THENCE North 89°54'50" East a distance of 676.17 feet to a Point of Curvature (PC);

THENCE along the arc of a curve commencing to the Northwest a distance of 104.72 feet, bearing a Radius of 600.00 feet, a Delta of 100°00'00" and is subtended by a Chord that bears South 54°54'50" West a distance of 104.34 feet to a Point of Tangency (PT);

THENCE North 89°54'50" East a distance of 184.47 feet;

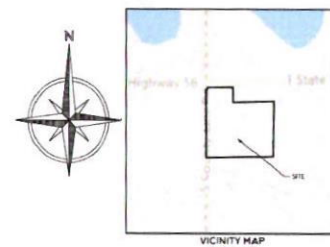
THENCE South 89°54'50" East a distance of 418.39 feet to the South line of said NW 1/4;

THENCE South 89°13'17" West, along said South line, a distance of 5.84 feet to the Center-West Sixteenth Corner of said Section 19, monumented by a 40 rebar with 2.5" aluminum cap stamped L.S. 28281;

THENCE South 89°13'17" West, along the West line of said NW 1/4, a distance of 1,180.43 feet to the West Quarter Corner of said Section 19;

THENCE North 89°13'17" West, along the West line of said NW 1/4, a distance of 1,733.18 feet to the POINT OF BEGINNING;

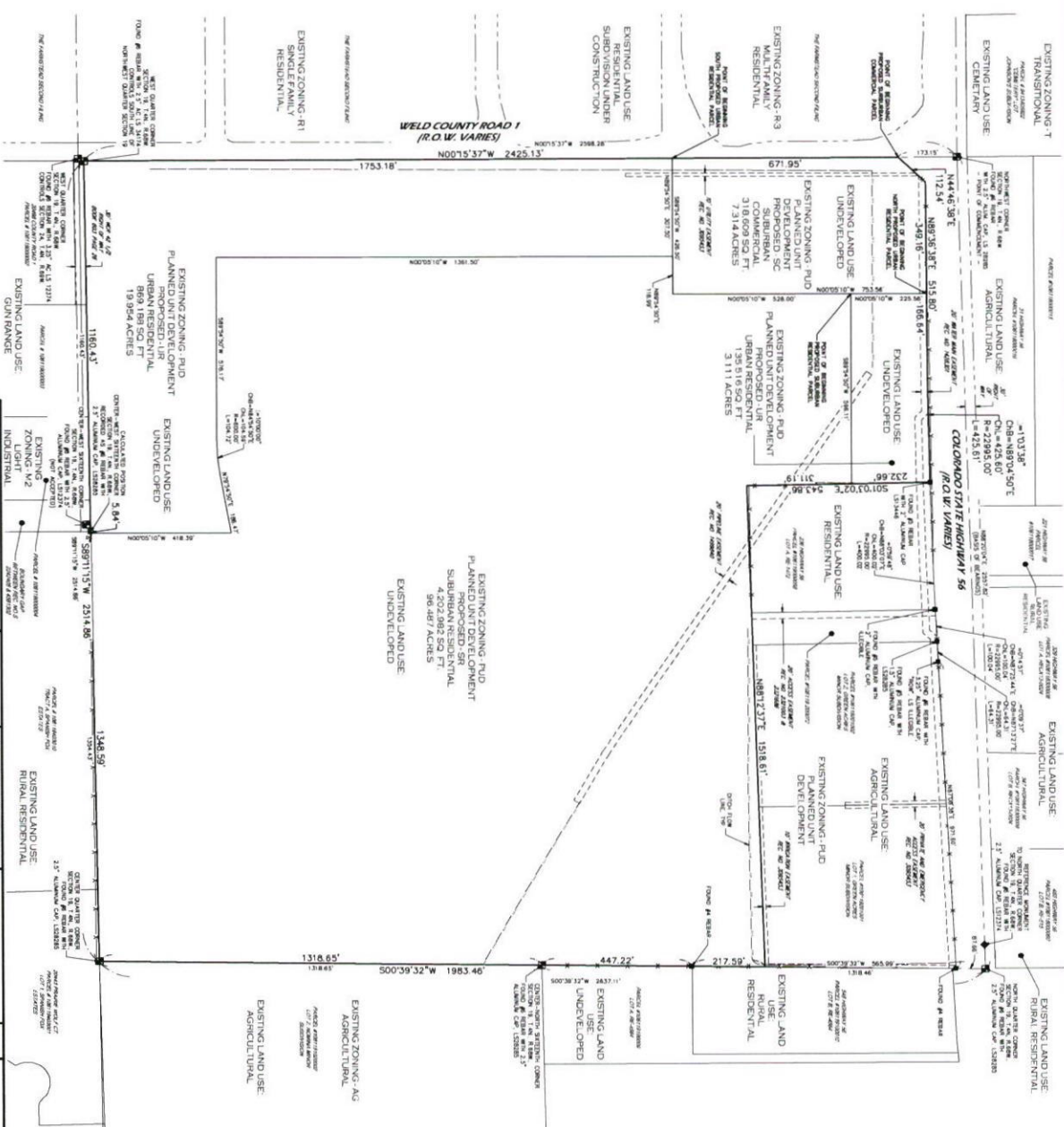
Said described parcel of land contains 688,188 Square Feet or 15.954 Acres, more or less (s).



FARMSTEAD THIRD FILING REZONING MAP



- [illegible]



PRELIMINARY

Surveyors: Parks - On Behalf of Margate Surveying, LLC
Colorado Licensed Professional Land Surveyor #38349

NOTICE

According to Colorado law, you must acknowledge any input action based upon any defect in this survey within three years after your first discovery of such defect. In no event may any action based upon any defect in this survey be commenced more than five years from the date of the certification shown hereon. (17-CO-167, C.R.S. 2012)



PROJECT NO 2024115	PROJECT NAME FAIRFIED EAST REZONE	DATE
DATE 02-27-2024	CLIENT SCHRYVER RESOURCES	REVISES: AU 4-5-24
DRAWN BY AU		REVISES: AU 1-8-25
FILE NAME 20240330.DWG		
CHECKED BY SP		
SCALE 1" = 50'		

SHEET 1 OF 2