

**ORDINANCE NO. 1331**

**AN ORDINANCE OF THE TOWN OF BERTHOUD, COLORADO, DISPOSING OF PROPERTY DESCRIBED AS TRACT 'B', HILLSDALE SUNDIVISION LESS HILLSDALE 2ND SUNDIVISION, A SUBDIVISION OF THE LEWIS FIRST ADDITION TO THE TOWN OF BERTHOUD, COLORADO**

WHEREAS, the Town of Berthoud ("Town") is a municipal corporation possessing all powers granted to statutory towns by Title 31 of the Colorado Revised Statutes; and

WHEREAS, pursuant to Treasurer's Deed dated February 27, 2009, the Town owns the property described as: TRACT 'B', HILLSDALE SUNDIVISION LESS HILLSDALE 2ND SUNDIVISION, A SUBDIVISION OF THE LEWIS FIRST ADDITION TO THE TOWN OF BERTHOUD COLORADO, Larimer County Assessor Parcel No. 94233-09-902, in Berthoud, Colorado (the "Triangle Property"); and

WHEREAS, the Triangle Property has not been used or held for any governmental purpose and the Town has no intention of using or holding the Triangle Property for any governmental purpose and the Triangle Property is deemed to have no positive value to the Town and in fact may have negative value to the extent such property constitutes a liability; and

WHEREAS, the Town wishes to convey the Triangle Property to the adjacent property owner which will eliminate a liability, may increase property tax revenue, and will generally promote the health, safety, and welfare of the residents of the Town.

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

**Section 1. Legislative Findings.** Section 31-15-713, C.R.S., grants the power to a governing body of a municipality such as the Town Board of Trustees to sell and dispose of property that has not been used or held for any governmental purpose.

**Section 2. Conveyance of Triangle Property.** The Trustees therefore order that such adjustments to lot lines as allowed by Code Section 30-6-111 be made and thereafter the Triangle Property be conveyed by quit claim deed executed by the Mayor to the adjacent property owners.

**Section 3. Severability Clause.** Should any section, clause, or provision of this Ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the balance of this Ordinance.

**Section 4. Findings Regarding Police Powers.** The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police powers of the Town of Berthoud, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the

protection of public convenience and welfare. The Town Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED  
PUBLISHED IN FULL on this 28th day of November, 2023.

TOWN OF BERTHOUD

By: \_\_\_\_\_  
William Karspeck, Mayor

ATTEST:

By: \_\_\_\_\_  
Christian Samora, Town Clerk