

TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 20-2006

**AN ORDINANCE APPROVING THE ZONING OF
PROPERTY KNOWN AS BOEKEL ANNEXATION #
5 AS R-2: SINGLE FAMILY RESIDENTIAL
DISTRICT, IN THE TOWN OF TIMNATH,
COLORADO**

WHEREAS, the Town has received an application to zone those properties known as Boekel Annexation # 5 to the Town of Timnath, Colorado, more particularly described on **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"), to the Residential Single Family (R-2) Zone District; and

WHEREAS, such application is in compliance with the requirements of the Timnath Municipal Code applicable to zoning petitions; and

WHEREAS, after due and proper notice, in accordance with Section 16-3-10(C) of the Timnath Municipal Code, the Planning Commission conducted a public hearing on the proposed zoning, at which all interested parties were afforded the opportunity to be heard, and forwarded its recommendation to the Board of Trustees; and

WHEREAS, after reviewing the recommendation of the Planning Commission, conducting a public hearing and reviewing the proposed zoning, the Board of Trustees finds that the use of the Property in accordance with the Residential Single Family (R-2) District regulations is a logical and desirable use of the Property from the Town's perspective and that zoning the Property to the Residential Single Family (R-2) District is in conformance with the Town Comprehensive Plan as long as a gross residential density not to exceed 1 unit per acre is met.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF TIMNATH, LARIMER & WELD COUNTIES, COLORADO:

Section 1. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board of Trustees.

Section 2. The Board of Trustees of the Town of Timnath finds and declares that the property described in **Exhibit A** to this Ordinance (the "Property") is eligible is hereby zoned as Residential Single Family (R-2) and shall hereafter be governed by Article 3 of Chapter 16 of the Timnath Municipal Code. The Zoning District Map maintained pursuant to Article 16.3.10.F of the Timnath Municipal Code shall be amended accordingly.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not

✓ Town of Timnath
4800 Goodeman St.
Timnath CO 80547

affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

Section 4. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 5. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by Chapter 1, Article 3, Section 1.45 of the Timnath Municipal Code.

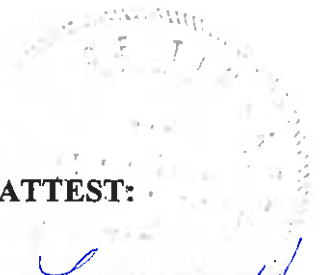
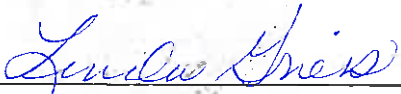
INTRODUCED, READ, PASSED AND ADOPTED BY A VOTE OF THE BOARD OF TRUSTEES OF THE TOWN OF TIMNATH AS AN ORDINANCE AND ORDERED PUBLISHED THIS 1ST DAY OF NOVEMBER, 2006.

TOWN OF TIMNATH, COLORADO



Donna Benson, Mayor

ATTEST:

Linda Griess, Acting Town Clerk

EXHIBIT A

**Legal description, Zoning of Boekel Annexation # 5
to R-2: Single Family Residential**

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 24 AND THE NORTH HALF OF SECTION 25, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 24, WHENCE THE EAST QUARTER CORNER THEREOF BEARS N00°00'18"W; THENCE S89°59'54"W, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 901, BEING THE POINT OF BEGINNING; THENCE S00°00'07"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 821.08 FEET; THENCE N89°59'50"W, A DISTANCE OF 15.01 FEET; THENCE S66°20'10"W, A DISTANCE OF 373.60 FEET; THENCE S72°00'10"W, A DISTANCE OF 434.00 FEET; THENCE N89°59'50"W, A DISTANCE OF 615.00 FEET; THENCE S68°30'10"W, A DISTANCE OF 249.00 FEET; THENCE S81°35'10"W, A DISTANCE OF 968.00 FEET; THENCE N65°29'50"W, A DISTANCE OF 805.00 FEET; THENCE N34°10'10"E, A DISTANCE OF 1215.00 FEET; THENCE N00°00'02"E, A DISTANCE OF 338.65 FEET; THENCE N43°18'06"E, A DISTANCE OF 300.18 FEET; THENCE N80°28'48"E, A DISTANCE OF 199.73 FEET; THENCE N53°16'09"E, A DISTANCE OF 456.71 FEET; THENCE N03°47'08"E, A DISTANCE OF 101.73 FEET; THENCE N20°20'40"W, A DISTANCE OF 138.74 FEET; THENCE N89°37'48"W, A DISTANCE OF 346.88 FEET; THENCE N79°03'17"W, A DISTANCE OF 392.65 FEET; THENCE S84°52'44"W, A DISTANCE OF 188.58 FEET; THENCE N40°48'21"W, A DISTANCE OF 574.70 FEET; THENCE N83°38'19"W, A DISTANCE OF 501.10 FEET; THENCE N11°17'40"W, A DISTANCE OF 560.28 FEET; THENCE N87°01'33"W, A DISTANCE OF 363.04 FEET; THENCE S34°29'51"W, A DISTANCE OF 590.22 FEET; THENCE N58°50'20"W, A DISTANCE OF 229.00 FEET; THENCE N58°21'22"W, A DISTANCE OF 346.53 FEET; THENCE N58°34'12"W, A DISTANCE OF 89.66 FEET; THENCE N55°58'47"W, A DISTANCE OF 250.21 FEET TO A POINT ON THE WESTERLY LINE OF A PARCEL OF LAND DESCRIBED IN BOOK 1420 AT PAGE 602; THENCE N00°06'57"E, ALONG SAID WESTERLY LINE, A DISTANCE OF 456.27 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 24; THENCE S89°49'11"E, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 2650.30 FEET TO THE CENTER OF SAID SECTION 24; THENCE S89°48'53"E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 2620.76 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 901; THENCE S00°00'18"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 2654.83 FEET TO THE POINT OF BEGINNING. CONTAINING 12,339,755 SQUARE FEET OR 283.282 ACRES MORE OR LESS.