

TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 32, SERIES 2008

AN ORDINANCE APPROVING THE ANNEXATION AND INITIAL ZONING OF CERTAIN REAL PROPERTY KNOWN AS THE GRAVES ANNEXATION TO THE TOWN OF TIMNATH, COLORADO

WHEREAS, a Petition for Annexation and simultaneous zoning was filed with the Town requesting annexation; and

WHEREAS, Petitioners are owners of 100% of the Property to be annexed; and

WHEREAS, the Town and Petitioners wish to enter into an annexation agreement; and

WHEREAS, the Town wishes to zone the Property simultaneously with the annexation of the property; and

WHEREAS, the Town Council finds that the Property is eligible for annexation and should be annexed to the Town of Timnath and thereafter zoned.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:

Section 1. Petition. That a Petition for Annexation, together with four (4) copies of the annexation map as required by law, was filed with the Town Council on June 11, 2008, by the owners of over fifty percent (50%) of the area of the property hereinafter described, exclusive of public streets and alleys, and comprising more than fifty percent (50%) of the landowners of the property to be annexed. The Council, by resolution at a properly noticed meeting on June 11, 2008, accepted said Petition and found and determined that the applicable parts of the Municipal Annexation Act of 1965, as amended, have been met and further determined that an election was not required under the Act and that no additional terms and conditions were to be imposed upon said annexation other than as set forth in the Annexation Agreement.

Section 2. Public Hearing. That the Town Council held a public hearing on June 4, 2008 regarding the Annexation and Initial Zoning of the property.

Section 3. Annexation Approved. That the annexation to the Town of the following described property is hereby approved:

See attached **Exhibit A**

Section 4. Zoning Approved. That the following property annexed into the Town of Timnath, Colorado, on this date shall be included within the boundaries of the zone districts designated as follows:

A – Agricultural

RE – Estate Residential

See attached **Exhibit B**

RECEPTION#: 20080070319, 11/12/2008 at
11:05:47 AM,
1 OF 4, R \$21.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

Please Return to:
Town of Timnath
4800 Goodman Street
Timnath, CO 80547

Section 5. Severability. If any article, section, paragraph, sentence, clause, or phrase of the Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of the Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact than any one or parts be declared unconstitutional or invalid.


Section 6. 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 7. Effective Date. This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JUNE 11, 2008, AND SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON JULY 16, 2008 (CONTINUED TO AUGUST 27th, AT THE TIMNATH TOWN HALL, 4100 MAIN STREET, TIMNATH, COLORADO, AND ORDERED PUBLISHED THIS 11TH DAY OF JUNE, 2008, REPUBLISHED AUGUST 13, 2008.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 27th DAY OF AUGUST, 2008.

TOWN OF TIMNATH



Donna Benson, Mayor

ATTEST:



Linda Salas, Town Clerk

EXHIBIT A

DESCRIPTION (GRAVES ANNEXATION TO TIMNATH)

That portion of the Southeast Quarter (SE1/4) of Section Eleven (11), the South half (S1/2) of Section 12, and the North half (N1/2) of Section 13, all in Township Six North (T.6N.) Range Sixty-Eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

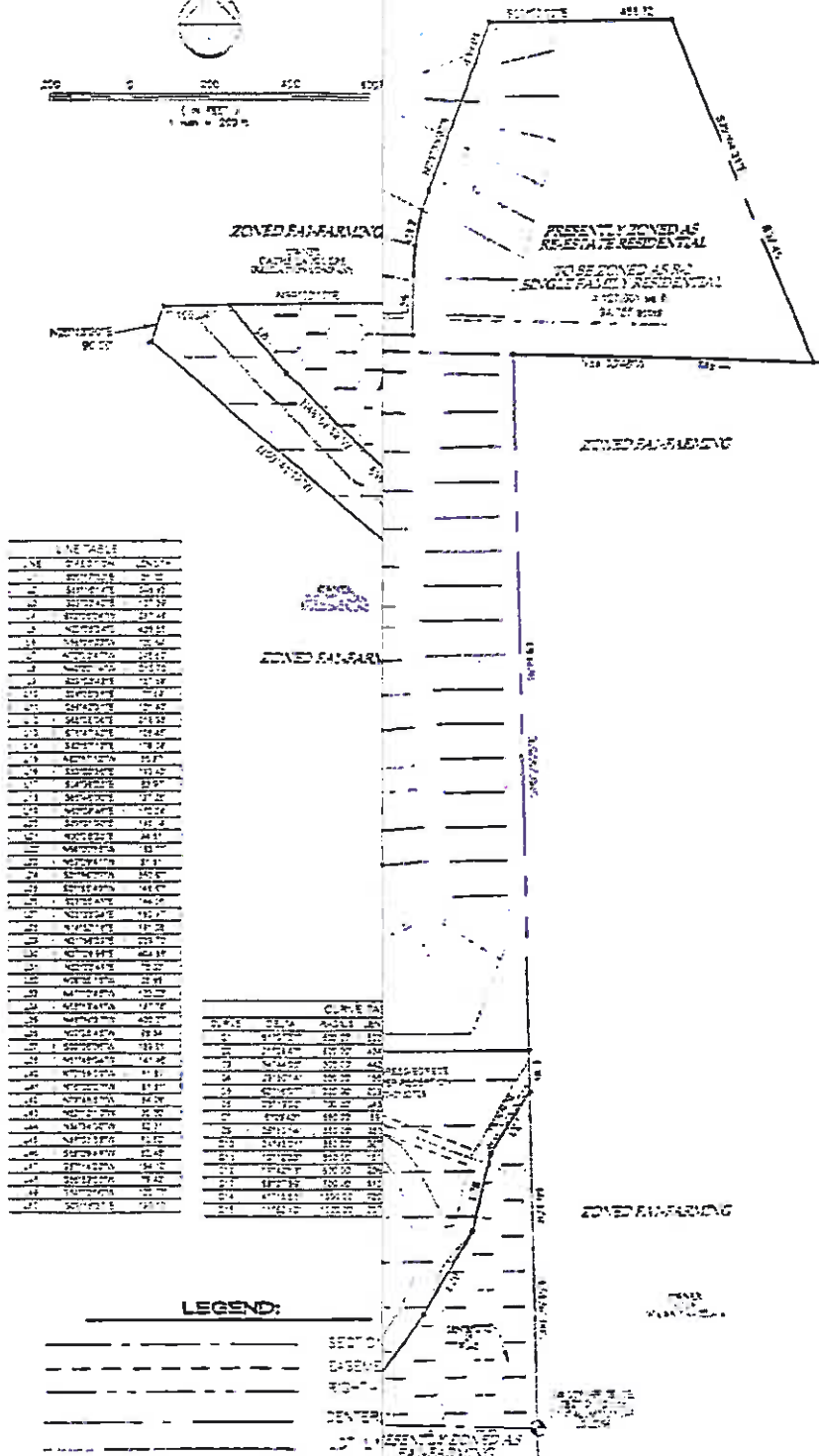
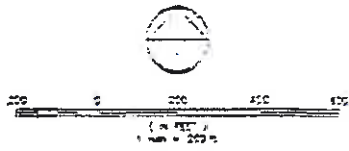
Considering the East line of the Southeast Quarter of said Section 11 as bearing North 00°17'33" West with all other bearings herein relative thereto.

Beginning at the East Quarter corner of said Section 11; thence along the North line of the Southwest Quarter of said Section 12, South 88°03'04" East, 30.58 feet; thence, South 00°17'33" East, 381.11 feet to a point along the Boundary line of Timnath South Subdivision First Filing; thence along said Boundary line the following seven (7) courses and distances, South 89°31'16" East, 126.96 feet, thence, South 44°53'37" East, 1402.55 feet; thence, South 87°35'36" East, 547.66 feet; thence, South 00°28'11" West, 715.06 feet; thence, South 89°31'27" East, 924.27 feet; thence, North 00°28'17" 301.16 feet; thence, South 89°31'43" East, 1299.76 feet; thence departing said boundary line, South 00°25'45" East, 920.83 feet to the South line of the SE1/4 SW1/4 Section 12; thence, South 00°08'06" West, 791.55 feet; thence North 89°43'12" West, 1319.83 feet; thence, North 00°08'02" East, 720.25 feet, thence, North 89°42'21" West, 1299.32 feet; thence, North 02°15'52" West, 246.60 feet; thence, North 34°33'17" West, 853.23 feet; thence, North 43°40'43" West, 1166.26 feet to a point on the East line of the SE1/4 of said Section 11; thence North 50°41'12" West, 1445.48 feet; thence, North 20°13'30" East, 90.00 feet; thence, North 89°02'10" East, 1081.81 feet to the Point of Beginning.

The above described tract of land contains 5,180,910 square feet or 118.937 acres more or less and is subject to all easements and right-of-way now on record or existing.

TRIMERIDIAN.

EXHIBIT B



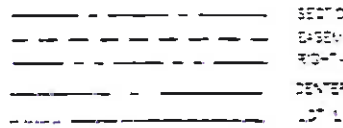
LINE TABLE

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CURVE DATA

NO.	DELTA	ANGLE	LEN.
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LEGEND:



By: _____
 Date: _____
 Title: _____

Project No. 11, 12, 13, 14, 15
 Drawing No. _____
 Date of Issue _____

NORTHERN ENGINEERING
 1000 N. 10th St., Suite 100
 Lakewood, Colorado 80226
 Phone: (303) 440-1111
 Fax: (303) 440-1112
 Email: info@northerneng.com
 Website: www.northerneng.com

Scale: _____
 Date: _____
 Title: _____
 Author: _____
 Checker: _____
 Engineer: _____

TIMNATH SOUTH SUBDIVISION REZONING
 TOWN OF TIMNATH
 COUNTY OF LARIMER, COLORADO