

TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 57, SERIES 2009

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN REAL PROPERTY TO BE KNOWN AS CLP ANNEXATION, TO THE TOWN OF TIMNATH, COLORADO, GENERALLY LOCATED AT 3721 S. COUNTY ROAD 5

WHEREAS, a petition (the "Petition") for Annexation was filed with the Town by Centennial Land Partners ("Petitioner"), requesting the Town of Timnath annex that property more particularly described in **EXHIBIT A**, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, a properly noticed public hearing was held on July 1, 2009, regarding said Petition in accordance with C.R.S. § 31-12-108, and all persons interested in such Petition were provided an opportunity to be heard: and

WHEREAS, over 50% of the property owners owning more than 50% of the Property, exclusive of streets and alleys have signed the Petition and requested the Property be annexed; and

WHEREAS, the Town Council finds the Property is eligible for annexation and should be annexed to the Town of Timnath; and

WHEREAS, the contiguity required by C.R.S. § 31-12-104(1)(a) exists in that the property annexed hereby has at least one-sixth boundary contiguity with a present municipal boundary of the Town.

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

Section 1. Findings.

1. The Council hereby finds 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 May 6, 2009, by the owners of over fifty percent (50%) of the area of the property hereinafter described in **EXHIBIT A**, and comprising more than fifty percent (50%) of the landowners of the property to be annexed, exclusive of public streets and alleys.

2. A properly noticed public hearing was held on July 1 2009, regarding said Petition in accordance with C.R.S. § 31-12-108, at which all persons interested in such Petition were provided an opportunity to be heard.

3. The Council by resolution at the public hearing 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

Town of Timnath
4900 Goodman Street ✓
Timnath CO 80547

RECEPTION#: 20090046506, 07/08/2009 at
03:45:32 PM,
1 OF 7. R \$36.00 TD Pgs: 0
Scott Doyle, Larimer County, CO

under the Act and that no additional terms and conditions were to be imposed upon said annexation.

4. The contiguity required by CRS Sec. 31-12-104(1)(a) exists in that the property annexed hereby has at least one-sixth boundary contiguity with a present municipal boundary of the Town.

5. The Property is eligible for annexation and should be annexed to the Town of Timnath.

Section 2. Annexation Approved.

The annexation to the Town of the following described real property is hereby approved:

See, attached **Exhibit B**

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

Section 4. Effective Date.

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this Ordinance and make not less than one copy of the adopted Ordinance available for inspection by the public during regular business hours.

INTRODUCED, MOVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON JULY 1, 2009, AT THE TIMNATH TOWN HALL, 4100 MAIN STREET, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 3rd DAY OF JUNE, 2009.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 1st DAY OF July, 2009.

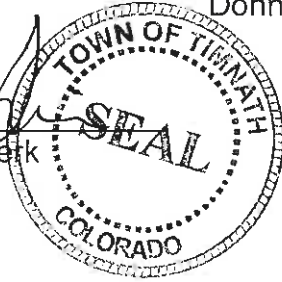
TOWN OF TIMNATH

Donna Benson

Donna Benson, Mayor

ATTEST:

Milissa McGuire
Milissa McGuire, Town Clerk



[SEAL]

LAND USE SUMMARY

TOTAL SITE AREA: APPROX. 4.9 ACRES

TOWN OF TIMNATH AREA: APPROX. 0.46 ACRES

LARIMER COUNTY AREA: APPROX. 4.43 ACRES

NE corner of
Section 34

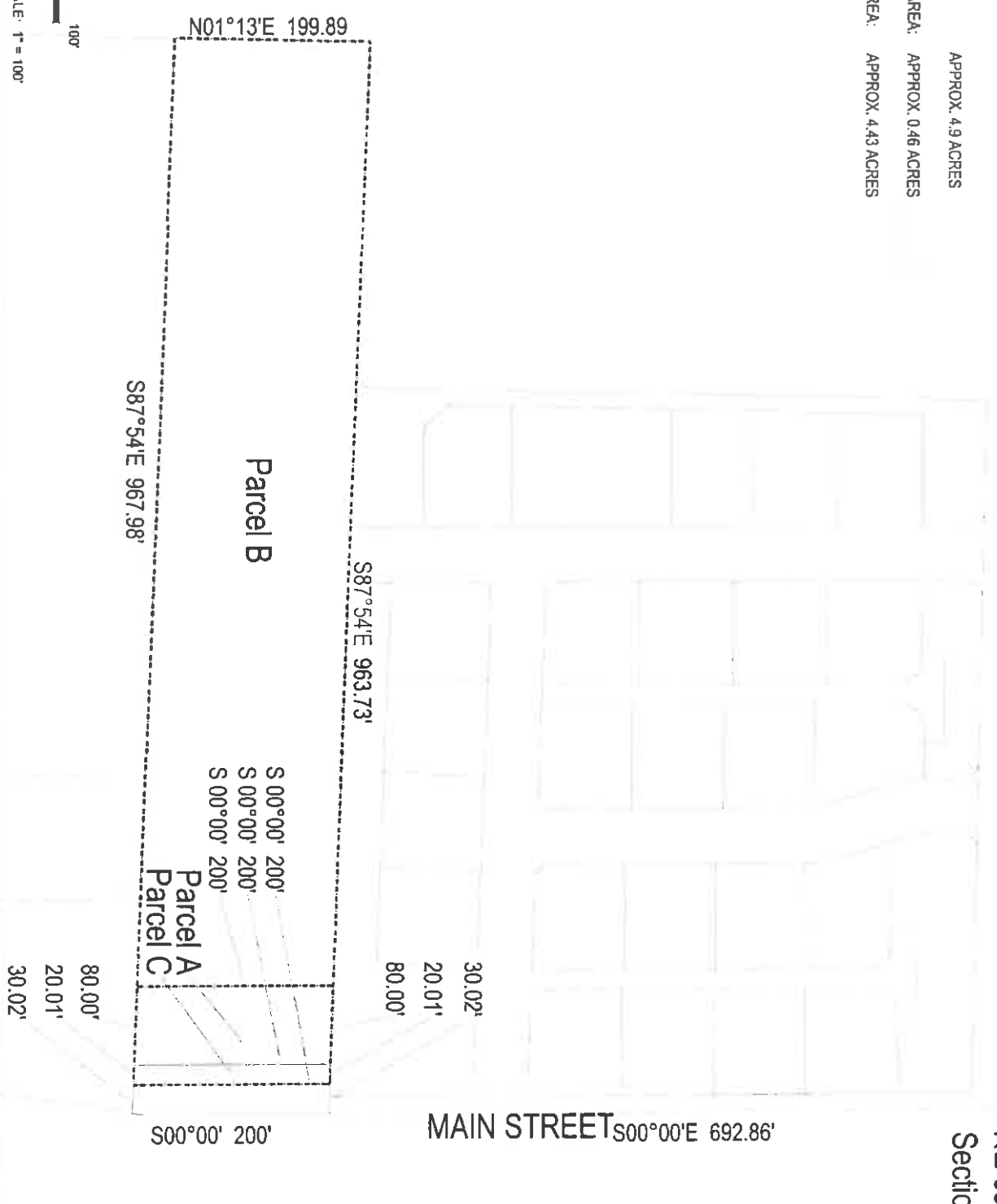
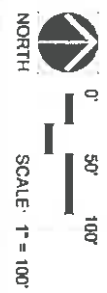
NORRIS DESIGN
1101 Belmont Street
Denver, Colorado 80202
P 303.892.1184
F 303.892.1194
www.norrisdesign.com

TIMNATH - MAIN ST. PARCEL
PARCEL MAP
TIMNATH, COLORADO
PREPARED FOR JIM FEEHAN

Name/Date
APRIL 21, 2009

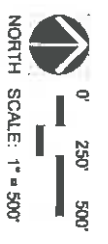
Project/Title

Sheet Title
100 SCALE
Sheet Number
PM-100



LAND USE SUMMARY

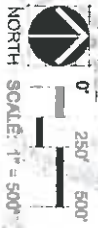
TOTAL SITE AREA: APPROX. 4.9 ACRES
 TOWN OF TIMNATH AREA: APPROX. 0.46 ACRES
 LARIMER COUNTY AREA: APPROX. 4.43 ACRES



TIMNATH - MAIN ST. PARCEL
 PARCEL MAP
 TIMNATH, COLORADO
 PREPARED FOR: IMEFHAN

NORRIS DESIGN
 1401 Klamath Street
 Denver, Colorado 80202
 P: 303.892.1145
 F: 303.892.1146
 WWW.NORRIS-DESIGN.COM

Issue Date: APRIL 27, 2009
 Revision Date:
 Sheet Title:
 500 SCALE
 Sheet Number:
 P11-500



LAND USE SUMMARY	
TOTAL SITE AREA:	APPROX. 4.9 ACRES
TOWN OF TIMNATH AREA:	APPROX. 0.46 ACRES
LARIMER COUNTY AREA:	APPROX. 4.43 ACRES



TIMNATH - MAIN ST. PARCEL
PARCEL MAP
 TIMNATH, COLORADO
 PREPARED FOR JIM FEEHAN

NORRIS DESIGN
 1101 Barren Street
 Denver, Colorado 80202
 P 303.242.7111
 F 303.222.1188
 www.norrisdesign.com

Issue Date: **APRIL 27, 2009**
 Revision Date:
 Sheet Title: **PH-500**
 Sheet Number: **PH-500**

7

First American Title Insurance Company

File No.: 812-H0210153-081-TMY

Policy No: H0210153OP

SCHEDULE A

(Continued)

Exhibit A

PARCEL A:

A tract of land situated in the Northeast ¼ of Section 34, Township 7 North, Range 68 West of the 6th P.M., Town of Timnath, County of Larimer, State of Colorado, which considering the East line of the said Northeast ¼ as bearing due South and with all bearings contained herein relative thereto is contained within the boundary lines which begin at a point which bears South 892.86 feet, and again North 87°54' West 50.03 feet from the Northeast corner of said Section 34 and run thence North 87°54' West 80.00 feet; thence North 200.00 feet; thence South 87°54' East 80.00 feet, thence South 200.00 feet to the Point of Beginning.

PARCEL B:

A tract of land situated in the Northeast ¼ of Section 34, Township 7 North, Range 68 West of the 6th P.M., Larimer County, Colorado, which considering the East line of said Northeast ¼ as bearing North and South and with all bearings contained herein relative thereto, is contained within the boundary line which begin at a point which bears South 692.86 feet, and again North 87°54' West 130.03 feet from the Northeast corner of said Section 34, and run thence South 200.00 feet; thence North 87°54' West 967.98 feet; thence North 01°13' East 199.89 feet; thence South 87°54' East 963.73 feet to the True Point of Beginning.

PARCEL C:

A parcel of land being part of the Northeast Quarter (NE1/4) of Section thirty-Four (34), Township Seven North (T.7N.), 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:

COMMENCING at the Northeast corner of said Section 34 and assuming the East line of said NE1/4 as bearing South 00°00'00" West, with all other bearings contained herein being relative thereto;

Thence South 00°00'00" West a distance of 892.86 feet;

Thence North 87°54'00" West a distance of 30.02 feet to the POINT OF BEGINNING;

Thence North 87°54'00" West a distance of 20.01 feet;

Thence North 00°00'00" East a distance of 200.00 feet;

Thence South 87°54'00" East a distance of 20.01 feet;

Thence South 00°00'00" West a distance of 200.00 feet to the POINT OF BEGINNING.