

**TOWN OF TIMNATH, COLORADO  
ORDINANCE NO. 11, SERIES 2013**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A QUIT CLAIM DEED**

**WHEREAS**, The Town of Timnath (the "Town") is a home rule municipality operating under the Timnath Home Rule Charter (the "Charter") adopted on November 7, 2006 and the Town's Municipal Code (the "Code"). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances; and

**WHEREAS**, property in Timnath South Subdivision 1<sup>st</sup> Filing, specifically Tract X, was originally conveyed by subdivision plat to the Town; and

**WHEREAS**, the same property was subsequently replatted as the Timnath South Subdivision Second Filing, and Tract X was split into several tracts, including Tract D, which was dedicated to the Town of Timnath, and Tracts C, G, and F, which were dedicated to the metro district; and

**WHEREAS**, the current plat, Timnath South Subdivision 1<sup>st</sup> Filing 2<sup>nd</sup> Amended Plat, replatted portions of Tracts C, G, and F of the Timnath South Subdivision Second Filing into residential lots and open space tracts to be owned and maintained by the metro district, leaving no property to be owned or maintained by the Town (Tract D of Timnath South Subdivision Second Filing was not a part of this replat and is therefore retained by the Town of Timnath as a future park site); and

**WHEREAS**, the County Tax Assessor and Title Company associated with the current bulk sale of property within the subdivision will not accept re-conveyance of property by the Town through the platting process for assessment purposes or for purposes of issuing a title opinion; and

**WHEREAS** the County Tax Assessor and Title Company will instead require that a deed be used to affect such re-conveyance; and

**WHEREAS**, the Town Council intends to affect such re-conveyance utilizing the Quitclaim Deed attached hereto as Exhibit A (the "Quitclaim Deed"); and

**WHEREAS**, The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience and welfare.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO, ORDAINS:**

**ARTICLE 1 - APPROVAL OF QUITCLAIM DEED**

The Town Council hereby approves and authorizes the Town Manager to execute the Quitclaim Deed, and to take any other incidental action required in order affect the re-conveyance of the above-referenced property, including but not limited to recording said Quitclaim Deed in the Larimer County Real Property Records.

**ARTICLE 2 – CAUSES OF ACTION RETAINED**

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed.

**ARTICLE 3 – SEVERABILITY**

If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

**ARTICLE 4 – 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 SEPTEMBER 10, 2013, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON SEPTEMBER 24, 2013 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 24TH DAY OF SEPTEMBER, 2013.

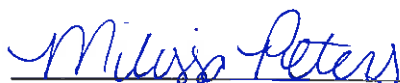
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON SEPTEMBER 24, 2013.

**TOWN OF TIMNATH, COLORADO**



Jill Grossman-Belisle, Mayor

**ATTEST:**



Milissa Peters, Town Clerk



**Exhibit A**  
(Quitclaim Deed)



State Documentary Fee  
 Date: August 28, 2013  
 \$0.00  
 No Doc Fee Required

**Quit Claim Deed**  
 (Pursuant to 38-30-116 C.R.S.)

**THIS DEED**, made on August 28, 2013 by TOWN OF TIMNATH Grantor(s), of the County of LARIMER and State of COLORADO for the consideration of \*\*\* Ten Dollars and Other Good and Valuable Consideration \*\*\* dollars in hand paid, hereby sells and quitclaims to SOUTH TIMNATH HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY Grantee(s), whose street address is 1927 WILMINGTON DRIVE, STE 101, FORT COLLINS, CO 80528 County of LARIMER, State of COLORADO, the following real property in the County of LARIMER, and State of Colorado, to wit:

ANY AND ALL INTEREST THE GRANTOR MAY HAVE IN THE FOLLOWING LOTS:

LOTS 1, 2, 3, BLOCK 1, AND LOTS 1, 2 AND 3, BLOCK 2, LOTS 1, 2, 3, 4, 5, 6 AND 7, BLOCK 3, LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 4, LOT 4, BLOCK 17, AND TRACTS A, B, C, D, E, F AND G, TIMNATH SOUTH SUBDIVISION FIRST FILING 2ND AMENDED PLAT, COUNTY OF LARIMER, STATE OF COLORADO.

also known by street and number as VACANT LOTS, TIMNATH CO 80547

with all its appurtenances.

*April D. Getchius*

TOWN OF TIMNATH  
 BY: APRIL D. GETCHIUS, TOWN MANAGER

State of COLORADO )  
 )  
 County of LARIMER )ss  
 )

The foregoing instrument was acknowledged before me this day of September 26, 2013 by APRIL D. GETCHIUS AS TOWN MANAGER FOR TOWN OF TIMNATH

*Milissa A. Peters*

Notary Public  
 My commission expires 8-8-16

**MILISSA A PETERS**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
 NOTARY ID 20044026568  
 MY COMMISSION EXPIRES AUGUST 8, 2016

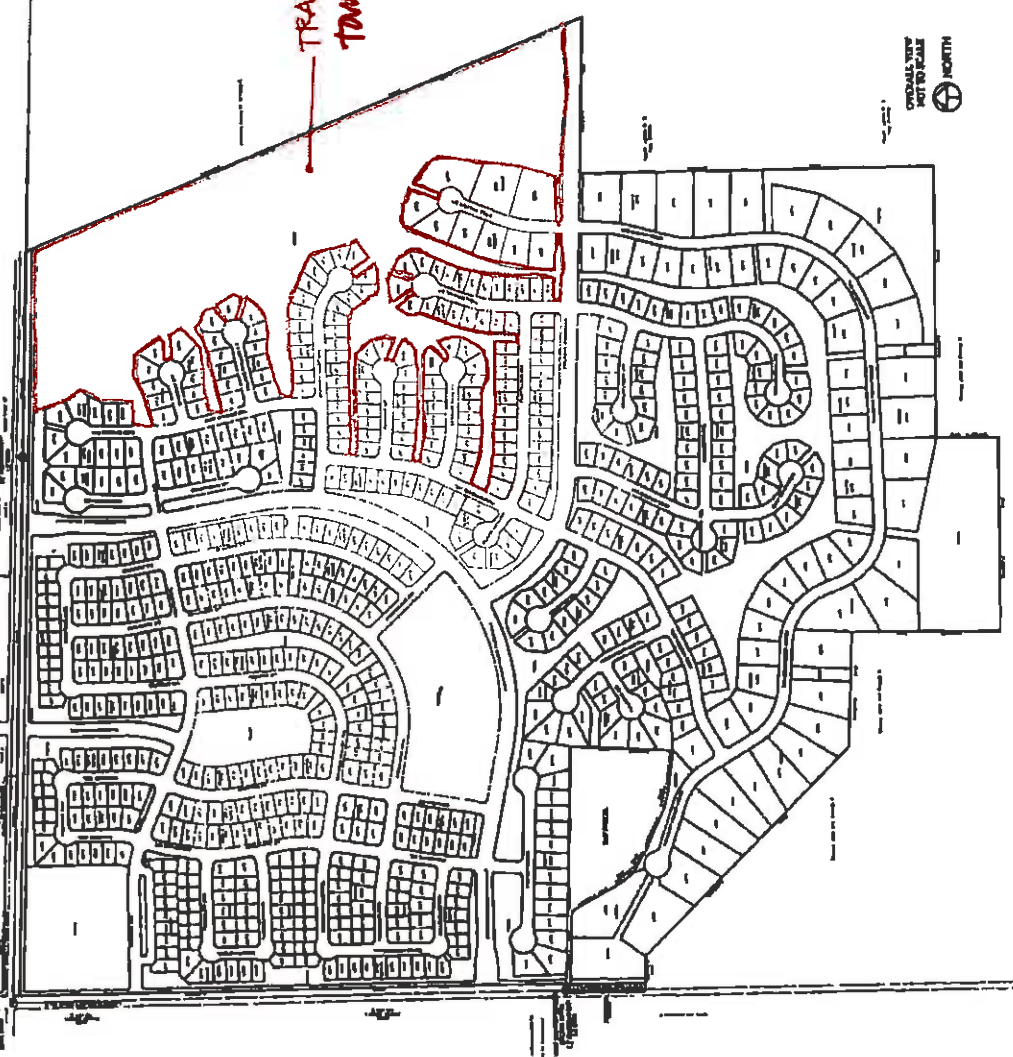
When recorded return to: SOUTH TIMNATH HOLDINGS, LLC  
 1927 WILMINGTON DRIVE STE 101, FORT COLLINS, CO 80528



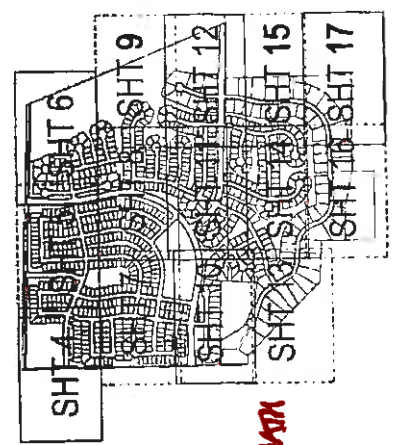
TIMNATH SOUTH SUBDIVISION

T-290  
2/17

PLAT OF  
**TIMNATH SOUTH SUBDIVISION FIRST FILING**  
A TRACT OF LAND LOCATED IN SECTION 12, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO.



TRACT X  
TOWN OF TIMNATH



CITY PLAN  
NOT TO SCALE



NORTH

CITY PLAN  
NOT TO SCALE



NORTH

NOTICE  
This plat is subject to the provisions of the Colorado Subdivision Map Act, C.R.S. 38-101-38-104, and the provisions of the Colorado Revised Statutes, C.R.S. 38-101-38-104, and the provisions of the Colorado Revised Statutes, C.R.S. 38-101-38-104.

DATE OF THE PLAN  
DATE OF THE PLAN

**N**  
NORTHERN  
ENGINEERING

SCALE  
AS SHOWN  
ON SHEET

PLAT OF  
TOWN OF TIMNATH, COLORADO

2  
OF 17 SHEETS

TIMNATH SOUTH SUBDIVISION

TIMNATH SOUTH SUBDIVISION 2ND FILING

PLAT OF  
**TIMNATH SOUTH SUBDIVISION SECOND FILING**  
A REPLAT OF BLOCKS 9, 29, 30, 31, 32 AND 33, AND TRACTS V, W AND X, TIMNATH SOUTH SUBDIVISION FIRST FILING,  
LOCATED IN SECTION 12, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO.

**NORTHERN ENGINEERING**



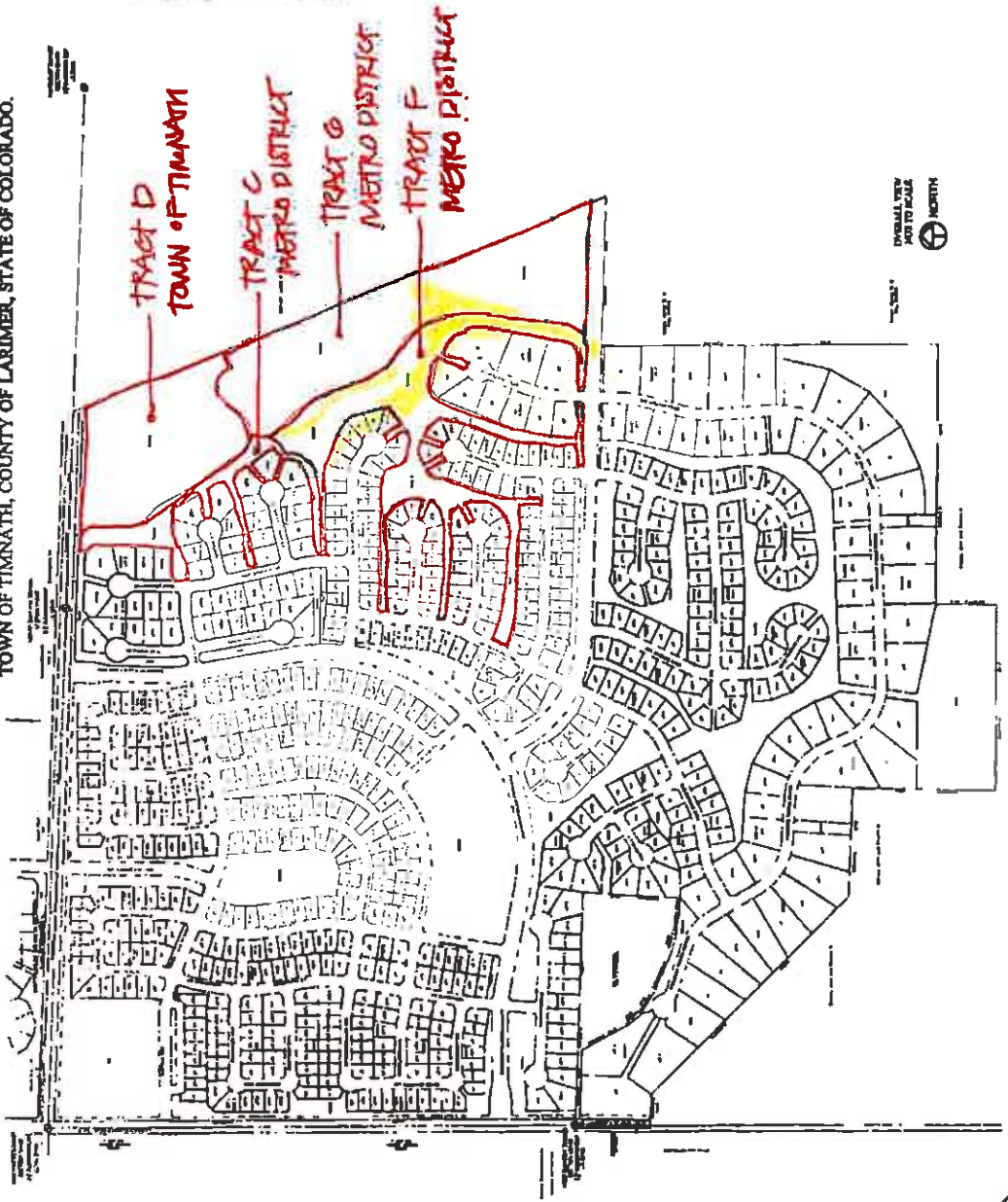
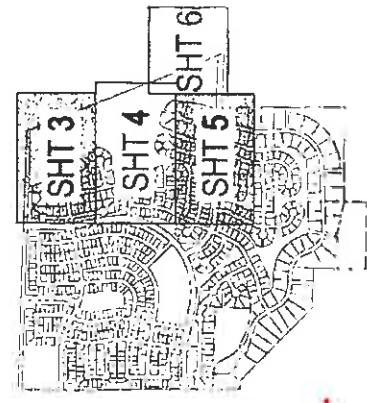
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PROJECT: 11-001  
DRAWN BY: JLD  
CHECKED BY: JLD

DATE	11/15/11
PROJECT	11-001
DRAWN BY	JLD
CHECKED BY	JLD

PLAT OF  
**TOWN OF TIMNATH, COLORADO**

2  
SHEET

**TIMNATH SOUTH SUBDIVISION SECOND FILING**  
A REPLAT OF BLOCKS 9, 29, 30, 31, 32 AND 33, AND TRACTS V, W AND X, TIMNATH SOUTH SUBDIVISION FIRST FILING,  
LOCATED IN SECTION 12, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO.



UNLESS OTHERWISE SPECIFIED, DIMENSIONS TO BE AS SHOWN ON THIS PLAN. SEE ALSO THE FIRST FILING OF THIS SUBDIVISION.

2013/08/14 09:11 AM, 2 of 1, AutoCAD 2013

# FINAL PLAT OF TIMNATH SOUTH SUBDIVISION FIRST FILING 2ND AMENDED PLAT

A REPLAT OF PORTIONS OF TIMNATH SOUTH SUBDIVISION FIRST FILING AND TIMNATH SOUTH SUBDIVISION SECOND FILING, LOCATED IN SECTION 12, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO

*NOT A PART  
TOWN OF TIMNATH*

*TRACT A  
METRO  
DISTRICT*

*TRACT B  
METRO DISTRICT*

TRACT A	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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2ND AMD. PLAT, TIMNATH, COLORADO

NORTHERN ENGINEERING

FINAL PLAT OF

TIMNATH SOUTH SUB, 1ST FILING

2

FILED DATA, INC. LG 9K11751 LR 55316-2013.002

T-417 2/7