

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 3, SERIES 2013**

**AN ORDINANCE RATIFYING CONVEYANCES OF REAL
PROPERTY INTERESTS BY RESOLUTION**

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 under the Colorado Constitution, the Town may adopt and amend ordinances; and

WHEREAS, pursuant to Section 15.4 of the Charter, subject to certain limitations, the Town Council shall approve the purchase, sale, exchange or disposition of any interest in real property by ordinance; and

WHEREAS, the Town Council has been advised of certain prior conveyances of real property interests that were inadvertently approved by resolution, motion, or otherwise; and

WHEREAS, The Town's staff and consultants have performed a thorough search in an effort to identify as many of such conveyances as is practicable; and

WHEREAS, the Town Council desires to ratify all real property interest conveyances heretofore approved by resolution, motion, or otherwise that have been identified by the Town staff and consultants, together with the conveyances, if any, approved in this manner that have not yet been identified.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Timnath, Colorado, that:

Section 1. The Town Council hereby finds, determines and declares that the conveyances of real property interests pursuant to resolution, motion, or otherwise, as set forth and described in **Exhibit A**, attached hereto and incorporated by reference, together with all other conveyances heretofore approved by resolution, motion, or otherwise, are ratified and approved as of the dates of the subject conveyances;

Section 2. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution, the powers contained in the home rule charter for the Town ("Charter") and the Timnath Municipal Code (the "Code");

Section 3. Effective Date. This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

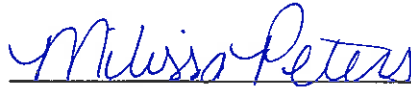
INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JANUARY 28, 2014, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON FEBRUARY 11, 2014 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 12 DAY OF FEBRUARY, 2014.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 11, 2014.

TOWN OF TIMNATH, COLORADO


Bryan Voronin, Mayor Pro Tem

ATTEST:



Milissa Peters, Town Clerk



EXHIBIT A

LIST OF CONVEYANCES OF REAL PROPERTY ADOPTED
BY RESOLUTION, MOTION, OR OTHERWISE

RESOLUTION NO. AY-2006 – A RESOLUTION FOR THE BOARD OF TRUSTEES OF THE TOWN OF TIMNATH APPROVING THE AGREEMENT GRANTING THE TOWN OF TIMNATH A PERPETUAL EASEMENT FOR THE USE AND MAINTENANCE OF RECREATIONAL TRAIL UP ON THE PROPERTIES OF THE NEW CACHE LA POUFRE IRRIGATING COMPANY AND THE CACHE LA POUFRE RESERVOIR COMPANY, DATED OCTOBER 4TH, 2006

RESOLUTION NO. T-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “HARMONY ROAD RIGHT OF WAY EXCHANGE AGREEMENT”, DATED MAY 16TH, 2007.

RESOLUTION NO. U-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER IN TO THAT AGREEMENT KNOWN AS THE “RELOCATION AND EXCHANGE AGREEMENT”, DATED MAY 16TH, 2007.

RESOLUTION NO. V-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “CONNELL RIGHT OF WAY AGREEMENT”, DATED MAY 16TH, 2007.

RESOLUTION NO. W-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “CWH RIGHT OF WAY AGREEMENT”, DATED MAY 16TH, 2007.

RESOLUTION NO. X-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “RIGHT OF WAY AND ART PURCHASE AGREEMENT” WITH WILLIAM DEXTER SWETS AND SANDRA KAY SWETS, DATED MAY 16TH, 2007.

RESOLUTION NO. Y-2007 – A RESOLUTION DECLARING THE INTENT OF THE TOWN OF TIMNATH TO ACQUIRE A FEE SIMPLE INTEREST IN PROPERTY LOCATED ON THE SOUTH SIDE OF HARMONY ROAD AND EAST OF I-25 FOR PUBLIC ROADWAY PURPOSES AND AUTHORIZATION TO INITIATE AN ACTION IN EMINENT DOMAIN TO ACQUIRE SAID PROPERTY, DATED MAY 21ST, 2007.

RESOLUTION NO. Z-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “DON AND DORTHY KEHN SEWER AGREEMENT”, DATED MAY 21ST, 2007.

RESOLUTION NO. AL-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “COOK SEWER EASEMENT AND RIGHT OF WAY AGREEMENT”, DATED JUNE 20TH, 2007.

RESOLUTION NO. AM-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “CONNELL SEWER EASEMENT AND RIGHT OF WAY AGREEMENT”, DATED JUNE 20TH, 2007.

RESOLUTION NO. AN-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “KEHN CONSTRUCTION INC. SEWER RIGHT OF WAY AGREEMENT”, DATED JUNE 20TH, 2007.

RESOLUTION NO. AO-2007 – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH AUTHORIZING THE TOWN TO ENTER INTO THAT AGREEMENT KNOWN AS THE “DON KEHN SEWER RIGHT OF WAY AGREEMENT”, DATED JUNE 20TH, 2007.

RESOLUTION NO. BA-2007 – RESOLUTION AUTHORIZING THE TOWN TO ENTER INTO AN AGREEMENT GRANTING THE TOWN OF TIMNATH A PERPETUAL EASEMENT FOR THE USE AND MAINTENANCE OF RECREATIONAL FACILITIES UPON THE PROPERTY OWNED BY THE LOWER POUUDRE AUGMENTATION COMPANY KNOWN AS “TIMNATH FLATIRON PIT”, DATED SEPTEMBER 19TH, 2007.

RESOLUTION NO. 21-2008 – RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY INTERESTS FOR THE CONSTRUCTION AND MAINTENANCE OF A PUBLIC STORM DRAINAGE SYSTEM, DATED SEPTEMBER 24TH, 2008.

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RESOLUTION NO. 38-2009 – RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY INTERESTS FOR THE CONSTRUCTION OF HARMONY ROAD AND THE HARMONY ROAD BRIDGE OVER THE CACHE LA POUFRE RIVER, DATED JULY 22ND, 2009.