

**TOWN OF TIMNATH
ORDINANCE NO. 9, SERIES 2014**

**AN ORDINANCE DISPOSING OF REAL PROPERTY
INTEREST IN NOCO STORAGE PROJECT EASEMENTS**

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 desires to approve the disposal and vacation of its real property interest those certain utility easements encumbering Lots 4, 5, and 6, Block 1, Timnath Ranch Subdivision 4th Filing (collectively, "Lots 4, 5, and 6"), in order to facilitate development of the NoCo Storage Project, as more particularly described on **Exhibit A** hereto.

WHEREAS, the Town Council desires that the disposal and vacation of said real property interest occur in the future incident to the replatting of Lots 4, 5, and 6; and

WHEREAS, all other utility providers with interest in said easements described on Exhibit A have also agreed to the disposal of their real property interests by acknowledgement on the plat that vacates said easements.

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

Section 1. The Town Council hereby approves the disposal and vacation of the Town's interest in those certain utility easements encumbering Lots 4, 5, and 6 as depicted on Exhibit A as such time as Lots 4, 5, and 6 are replatted.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON MAY 27TH, 2014 AT THE TIMNATH TOWN ADMINISTRATIVE BUILDING, 4800 GOODMAN STREET, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 13TH DAY OF MAY, 2014.

RECEPTION#: 20140027054, 05/28/2014 at
11:11:13 AM, 1 OF 5, R \$31.00 TD Pgs: 0
Angela Myers, Clerk & Recorder, Larimer
County, CO

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



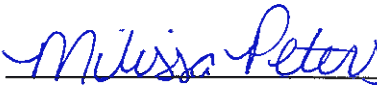
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING
FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON MAY 27, 2014.

TOWN OF TIMNATH, COLORADO



Jill Grossman-Belisle, Mayor

ATTEST:



Milissa Peters, Town Clerk



EXHIBIT A

Timnath Ranch Subdivision, 4th Filing Plat
[Attached]

**FINAL PLAT OF
TIMNATH RANCH SUBDIVISION FOURTH FILING**
A TRACT OF LAND BEING A REPLAT OF BLOCK 1 AND A PORTION OF GOODMAN DRIVE, TIMNATH RANCH SUBDIVISION THIRD FILING
LOCATED IN SECTION 1, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO.

LEGAL DESCRIPTION:

A tract of land being a replat of Block 1 and a portion of Goodman Drive, Township 6 North, Range 68 West of the 6th Principal Meridian, Town of Timnath, County of Larimer, State of Colorado.

DEDICATION OF PUBLIC PROPERTY:

The portion of said property described in this plat has been found to be dedicated to the public use of the State of Colorado, and is hereby dedicated to the public use of the State of Colorado, and is hereby dedicated to the public use of the State of Colorado, and is hereby dedicated to the public use of the State of Colorado.

CERTIFICATE OF TITLE:

Debra L. Blythe is a duly qualified and licensed professional engineer in the State of Colorado, and she hereby certifies that she has examined the plat and the legal description and that she is satisfied that the same are correct and conform to the laws of the State of Colorado.

Dated this 29th day of August, 2011.

Daniel R. Blair

NOTARIAL CERTIFICATE:

The foregoing instrument was acknowledged before me this 29th day of August, 2011, by **Debra L. Blythe**, a duly qualified and licensed professional engineer in the State of Colorado, and she acknowledged to me that she executed the foregoing instrument for the purposes and consideration therein expressed.



CERTIFICATE OF OWNERSHIP:

I, **Debra L. Blythe**, a duly qualified and licensed professional engineer in the State of Colorado, hereby certify that I am the owner of the property described in this plat, and that I am executing this instrument for the purposes and consideration therein expressed.

OWNER: Thomas Bank, LLC, Colorado Landlord Lending Company, Inc.

By: **Don R. Swann**

NOTARIAL CERTIFICATE:

The foregoing instrument was acknowledged before me this 29th day of August, 2011, by **Don R. Swann**, a duly qualified and licensed professional engineer in the State of Colorado, and he acknowledged to me that he executed the foregoing instrument for the purposes and consideration therein expressed.



LANDOWNER:

Fair National Bank
704 West Oak Street
Fort Collins, CO 80521

By: **James A. H. H. H. H.**

NOTARIAL CERTIFICATE:

The foregoing instrument was acknowledged before me this 29th day of August, 2011, by **James A. H. H. H. H.**, a duly qualified and licensed professional engineer in the State of Colorado, and he acknowledged to me that he executed the foregoing instrument for the purposes and consideration therein expressed.



DEVELOPER CERTIFICATE:

I, **Debra L. Blythe**, a duly qualified and licensed professional engineer in the State of Colorado, hereby certify that I am the owner of the property described in this plat, and that I am executing this instrument for the purposes and consideration therein expressed.

OWNER: Thomas Bank, LLC, Colorado Landlord Lending Company, Inc.

By: **Don R. Swann**

PLANNING COMMISSION CERTIFICATE:

I, **Debra L. Blythe**, a duly qualified and licensed professional engineer in the State of Colorado, hereby certify that I am the owner of the property described in this plat, and that I am executing this instrument for the purposes and consideration therein expressed.



TOWN COUNCIL CERTIFICATE:

I, **Debra L. Blythe**, a duly qualified and licensed professional engineer in the State of Colorado, hereby certify that I am the owner of the property described in this plat, and that I am executing this instrument for the purposes and consideration therein expressed.

By: **James A. H. H. H. H.**

GENERAL ADMINISTRATOR CERTIFICATE:

I, **Debra L. Blythe**, a duly qualified and licensed professional engineer in the State of Colorado, hereby certify that I am the owner of the property described in this plat, and that I am executing this instrument for the purposes and consideration therein expressed.

I, **Debra L. Blythe**, a duly qualified and licensed professional engineer in the State of Colorado, hereby certify that I am the owner of the property described in this plat, and that I am executing this instrument for the purposes and consideration therein expressed.

RECORDS APPROVAL:

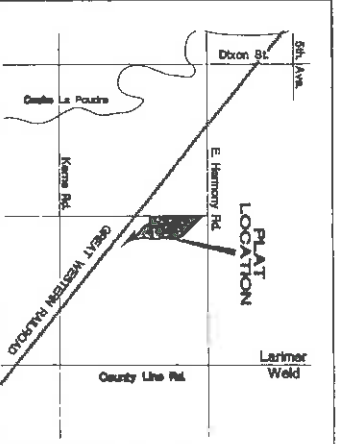
Utility records as depicted on these and on hereby approved.

By: **Debra L. Blythe**

By: **Debra L. Blythe**

NOTES:
1) The plat is subject to the right of eminent domain.
2) The plat is subject to the right of eminent domain.
3) The plat is subject to the right of eminent domain.
4) The plat is subject to the right of eminent domain.
5) The plat is subject to the right of eminent domain.

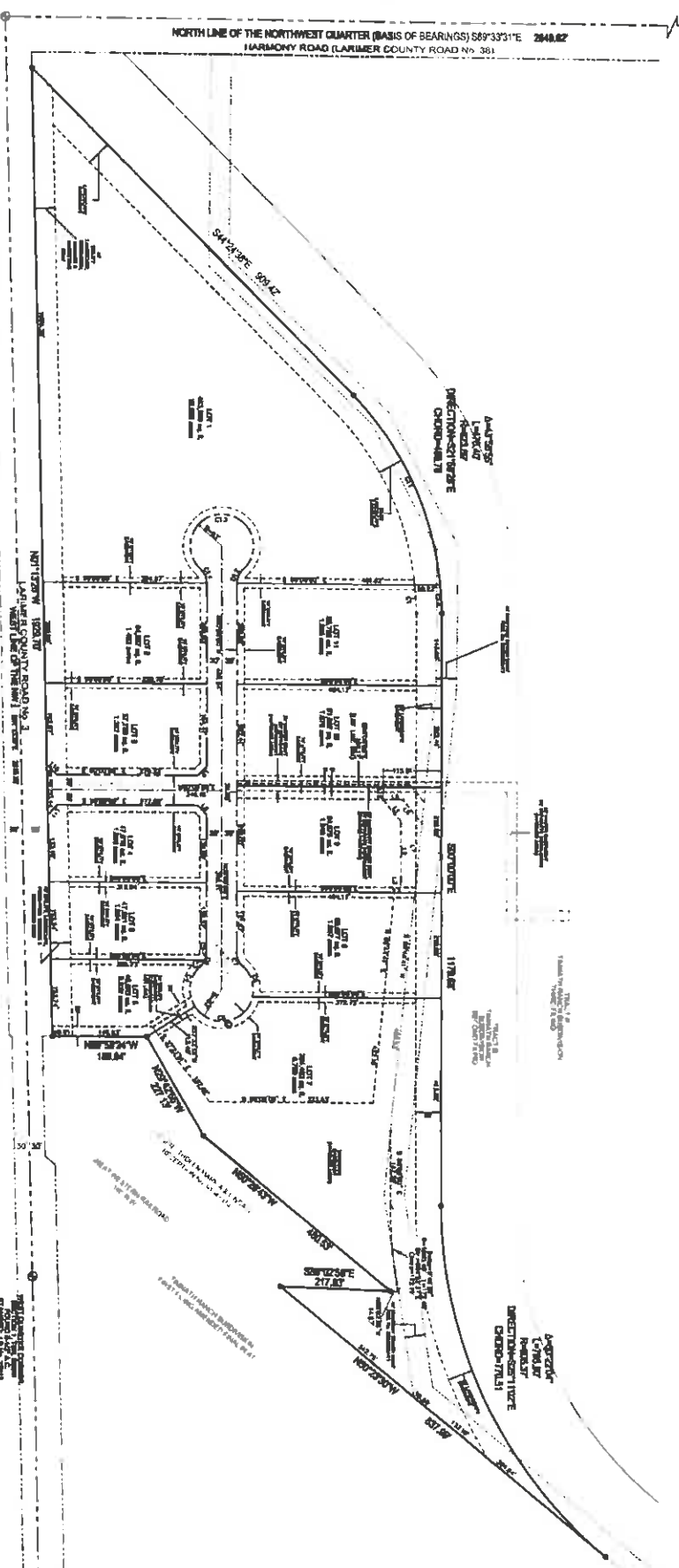
LAND USE TABLE	
1	Residential Single-Family
2	Residential Medium-Density
3	Residential High-Density
4	Commercial
5	Industrial
6	Public Use
7	Other



TIMNATH RANCH SUBDIVISION FOURTH FILING

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FINAL PLAT OF
TIMNATH RANCH SUBDIVISION FOURTH FILING
 A TRACT OF LAND BEING A REPLAT OF BLOCK 1 AND A PORTION OF GOODMAN DRIVE, TIMNATH RANCH SUBDIVISION THIRD FILING
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 TOWN OF TIMNATH, COUNTY OF LARAMIE, STATE OF COLORADO.

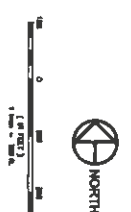


CURVE	DELTA	RADIUS	ARC LENGTH	BEARING	DISTANCE
C1	67°48'00"	63.42	64.47	N82°48'00"W	64.47
C2	24°14'30"	38.86	18.87	N17°24'15"E	18.87
C3	22°48'00"	38.86	18.87	N49°12'00"E	18.87
C4	80°24'00"	63.42	64.47	N67°48'00"W	64.47
C5	154°47'45"	144.32	144.32	N44°07'15"E	144.32
C6	82°42'22"	63.42	64.47	N62°42'22"E	64.47
C7	47°50'36"	37.02	38.17	N17°50'36"E	38.17
C8	47°50'36"	37.02	38.17	N62°49'24"E	38.17
C9	47°50'36"	37.02	38.17	N42°49'24"E	38.17
C10	61°10'36"	62.88	64.47	N62°49'24"E	64.47
C11	58°42'00"	62.88	64.47	N62°49'24"E	64.47
C12	41°10'00"	37.02	38.17	N42°49'24"E	38.17
C13	41°10'00"	37.02	38.17	N62°49'24"E	38.17
C14	41°10'00"	37.02	38.17	N82°49'24"W	38.17

LINE	BEARING	LENGTH
L1	E89°33'51"E	61.86
L2	S89°33'51"E	118.86
L3	S00°00'00"W	22.42
L4	S60°48'00"W	16.10
L5	N00°00'00"E	36.87
L6	E89°33'51"E	41.82
L7	S89°33'51"E	131.87
L8	N00°00'00"E	25.44
L9	S61°24'15"E	77.86
L10	S61°24'15"E	78.08
L11	S00°00'00"E	26.07
L12	E00°00'00"E	26.07

RANGE LEGEND

ALL LOTS IN THIS SUBDIVISION ARE
 BOUND BY THE FOLLOWING BEARINGS:
 S89°33'51"E N17°24'15"E
 S00°00'00"W N44°07'15"E
 S60°48'00"W N67°48'00"W
 S61°24'15"E N82°42'22"E
 S61°24'15"E N82°49'24"E



TIMNATH RANCH SUBDIVISION FOURTH FILING
 OF 2 SHEETS
 SHEET 2

FINAL PLAT OF
TIMNATH RANCH SUB. FOURTH FILING
 TOWN OF TIMNATH, COLORADO

PROJECT: 133-00114 DATE: 04/24/07
 DRAWN BY: SCALE: AS SHOWN
 CHECKED BY: REVIEWED BY: K. C. [Signature]



SECTION: 1
 SHEET: 2 OF 2
 DATE: 04/24/07

NOTICE:
 Attention is directed to the fact that the boundaries shown hereon are not guaranteed by any government agency, and are not to be construed as a warranty of title by the engineer. It is to be understood that the engineer is not to be held responsible for any errors or omissions in the original survey data furnished to him by the owner or any other person, or for any errors or omissions in the field notes or computations, or for any errors or omissions in the plan, or for any errors or omissions in the original survey data furnished to him by the owner or any other person, or for any errors or omissions in the field notes or computations, or for any errors or omissions in the plan, or for any errors or omissions in the original survey data furnished to him by the owner or any other person, or for any errors or omissions in the field notes or computations, or for any errors or omissions in the plan.

TIMNATH RANCH SUBDIVISION FOURTH FILING