

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 2, SERIES 2014**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF
TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY TO BE
KNOWN AS THE BRUNNER FARM ANNEXATION (SOUTH OF AND ADJACENT TO
CR 36/RIVER PASS ROAD AND WEST OF AND ADJACENT TO THREE BELL
PARKWAY)**

WHEREAS, Gregory Brunner, GL Brunner Farms, LLC has submitted a request for zoning of real property within the Town of Timnath more particularly described in **Exhibit A** and attached hereto and incorporated herein by this reference; and

WHEREAS, the Town Council finds the location of the zoning to be appropriate and in conformance with the Town Comprehensive Plan; and

WHEREAS, the zone change was recommended for approval to R-2 Single-Family Residential and M-U, Mixed Use at a public hearing held by the Town of Timnath Planning Commission on Tuesday, January 07, 2014.

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

Section 1. Property Zoned

That Article 3 of the Timnath Land Use Codes and the map referred to therein as the "Official Zoning Map of the Town of Timnath", said map being part of said Zoning Code and showing the boundaries of the district specified, shall be and the same is hereby amended in the following particulars, to wit:

R-2, Single Family Residential and M-U, Mixed Use – See attached **Exhibit A** (legal description) and **Exhibit B** (zoning map)

Section 2. Public Hearing

The Town Council held a public hearing on Tuesday, February 25, 2014 regarding the zoning of the property.

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 Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

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

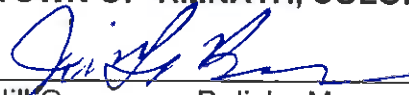
Section 4. Effective Date

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, ON JANUARY 28, 2014, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON FEBRUARY 25, 2014 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 28 DAY OF FEBRUARY, 2014.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 25, 2014.

TOWN OF TIMNATH, COLORADO



Jill Grossman-Belisle, Mayor

ATTEST:



Milissa Peters, Town Clerk



EXHIBIT A

Legal Description of Property Proposed for Zoning

R-2

DESCRIPTION:

BRUNNER FARM R-2 ZONING

PARCEL 1 DESCRIPTION: R-2 SINGLE FAMILY RESIDENTIAL

That portion of Section Two (2) and Section Eleven (11), 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 North line of the Northeast Quarter of said Section 11 as bearing North 88°35'19" East with all other bearings herein relative thereto:

BEGINNING at the North Quarter Corner of Section 11; thence along the North line of the Northeast Quarter of Section 11, North 88° 35' 19" East, 543.04 feet; thence, North 01° 24' 35" West, 30.00 feet to the North right-of-way line of County Road 36; thence along said North line, North 88° 35' 19" East, 1547.75 feet; thence, South 00° 34' 57" East, 480.00 feet; thence, North 88° 35' 19" East, 420.28 feet to the West right-of-way line of County Road 3; thence along said West line, South 00° 34' 57" East, 2075.15 feet; thence, North 77° 19' 47" West, 1304.81 feet to a point on the West line of the Southeast Quarter of the Northeast Quarter; thence along said West line, North 00° 11' 36" East, 692.14 feet; thence, North 23° 51' 18" West, 213.43 feet to a point on the South line of the Northwest Quarter of the Northeast Quarter; thence along said South line, South 88° 48' 49" West, 1201.12 feet to the Center North Sixteenth Corner of Section 11; thence along the West line of the Northeast Quarter of Section 11, North 00° 58' 24" East, 1314.70 feet to the Point of Beginning.

The above described tract of land contains 4,522,037 square feet or 103.812 acres more or less and is subject to all easements and right-of-way now on record or existing.

BRUNNER FARM M-U ZONING

PARCEL 2 DESCRIPTION: MU - MIXED USE

That portion of Section Two (2) and Section Eleven (11), 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 North line of the Northeast Quarter of said Section 11 as bearing North 88°35'19" East with all other bearings herein relative thereto:

Commencing at the North Quarter Corner of Section 11; thence along the North line of the Northeast Quarter of Section 11, North 88° 35' 19" East, 543.04 feet; thence, North 01° 24' 35" West, 30.00 feet to the North right-of-way line of County Road 36; thence along said North line, North 88° 35' 19" East, 1547.75 feet to the POINT OF BEGINNING; thence continuing along said North right-of-way line of County Road 36, North 88° 35' 19" East, 420.00 feet to the West right-of-way line of County Road 3; thence along said West line, South 00° 51' 06" East, 60.00 feet; thence continuing along said West line, South 00° 34' 57" East, 419.99 feet; thence, South 88° 35' 19" West, 420.28 feet; thence, North 00° 34' 57" West, 480.00 feet to the Point of Beginning.

The above described tract of land contains 201,706 square feet or 4.630 acres more or less and is subject to all easements and right-of-way now on record or existing.

