

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 3, SERIES 2016**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF
TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY LOCATED
IN THE TIMNATH SOUTH SUBDIVISION**

WHEREAS, South Timnath Holdings, LLC (the "Developer") has submitted a request for zoning of real property within the Town of Timnath, more particularly described in Exhibit A (legal description) and Exhibit B (Zoning Map) and attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, a properly noticed public hearing with the Planning Commission was held on February 16, 2016, and the zone change was recommended to Town Council for approval by a 4-0 vote to R-3 (Two Family and Multi-Family Residential), and R-2 (Single-Family Residential) at a public hearing held by the Town of Timnath Planning Commission on Tuesday, February 16, 2016.

WHEREAS, a properly noticed public hearing with the Town Council was held on February 23, 2016 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below;

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-3 – Two Family and Multi-Family, R-2 –Single-Family Residential – 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 23, 2016 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.

RECEPTION#: 20160012492, 03/02/2016 at
08:13:19 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

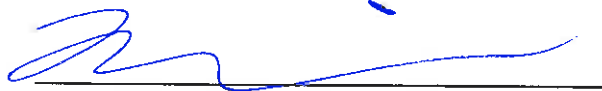
Section 4. Effective Date

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 FEBRUARY 9, 2016, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON FEBRUARY 23, 2016 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 9TH DAY OF FEBRUARY, 2016.

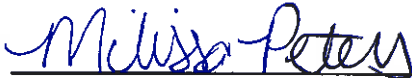
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 23, 2016.

TOWN OF TIMNATH, COLORADO



Bryan Voronin, Mayor Pro Tem

ATTEST:



Milissa Peters, CMC
Town Clerk



EXHIBIT A

Legal Description of Property Proposed for Zoning

PROPERTY DESCRIPTION:

A tract of land located in Section 12, Township 6 North, Range 68 West of the 6th Principal Meridian, Town of Timnath, County of Larimer, State of Colorado and being more particularly described as follows:

Considering the North line of the Southeast Quarter of Section 12 as bearing South 88° 03' 48" East (assumed) with all other bearings contained herein relative thereto:

BEGINNING at the Center Quarter corner of Section 12; thence, South 88° 03' 48" East, 1298.24 feet; thence, South 00° 25' 25" East, 1699.51 feet; thence, North 89° 31' 43" West, 1194.11 feet; thence along a curve concave to the left having a central angle of 43° 15' 56" with a radius of 220.00 feet, an arc length of 166.13 feet and the chord of which bears South 41° 06' 42" West, 162.21 feet; thence, South 00° 28' 17" West, 178.08 feet; thence, North 89° 31' 27" West, 241.03 feet; thence along a curve concave to the left having a central angle of 13° 36' 02" with a radius of 300.00 feet, an arc length of 71.21 feet and the chord of which bears South 67° 26' 47" West, 71.05 feet; thence, South 60° 38' 46" West, 172.24 feet; thence along a curve concave to the right having a central angle of 84° 44' 00" with a radius of 300.00 feet, an arc length of 443.66 feet and the chord of which bears North 76° 59' 14" West, 404.32 feet; thence, North 34° 37' 14" West, 31.41 feet; thence, North 89° 31' 27" West, 55.70 feet; thence, North 00° 28' 11" East, 79.28 feet; thence, North 34° 37' 14" West, 795.91 feet; thence, North 87° 35' 36" West, 89.85 feet; thence, North 44° 53' 37" West, 437.98 feet; thence, North 65° 46' 00" West, 60.51 feet; thence along a curve concave to the right having a central angle of 47° 50' 32" with a radius of 500.00 feet, an arc length of 417.50 feet and the chord of which bears North 41° 50' 44" West, 405.48 feet; thence, North 44° 53' 37" West, 503.13 feet; thence, North 89° 31' 16" West, 126.96 feet; thence, North 00° 17' 33" West, 360.09 feet; thence, South 88° 16' 14" East, 346.93 feet; thence, South 29° 03' 42" East, 275.18 feet; thence, South 39° 35' 31" East, 77.69 feet; thence, South 59° 42' 31" East, 121.40 feet; thence, South 65° 35' 06" East, 218.98 feet; thence, South 73° 47' 42" East, 105.45 feet; thence, South 82° 57' 12" East, 176.08 feet; thence, North 02° 56' 32" East, 493.09 feet; thence, North 88° 03' 04" West, 1117.77 feet; thence, North 00° 34' 57" West, 310.70 feet; thence along a curve concave to the southeast having a central angle of 90° 00' 00" with a radius of 15.00 feet, an arc length of 23.56 feet and the chord of which bears North 44° 25' 03" East, 21.21 feet; thence, North 89° 25' 03" East, 69.99 feet; thence along a curve concave to the north having a central angle of 11° 18' 36" with a radius of 185.00 feet, an arc length of 36.52 feet and the chord of which bears North 83° 45' 45" East, 36.46 feet; thence, North 78° 06' 27" East, 32.20 feet; thence along a curve concave to the south having a central angle of 11° 18' 36" with a radius of 185.00 feet, an arc length of 36.52 feet and the chord of which bears North 83° 45' 45" East, 36.46 feet; thence, North 89° 25' 03" East, 271.69 feet; thence along a curve concave to the south having a central angle of 11° 52' 40" with a radius of 960.00 feet, an arc length of 199.02 feet and the chord of which bears South 84° 38' 37" East, 198.66 feet; thence, South 78° 42' 17" East, 467.78 feet; thence along a curve concave to the north having a central angle of 38° 15' 26" with a radius of 1040.00 feet, an arc length of 694.42 feet and the chord of which bears North 82° 10' 00" East, 681.60 feet; thence along a curve concave to the south having a central angle of 87° 21' 54" with a radius of 15.00 feet, an arc length of 22.87 feet and the chord of which bears South 73° 16' 45" East, 20.72 feet; thence, South 29° 35' 49" East, 90.15 feet; thence along a curve concave to the northeast having a central angle of 58° 27' 59" with a radius of 640.00 feet, an arc length of 653.08 feet and the chord of which bears South 58° 49' 48" East, 625.11 feet; thence, South 88° 03' 48" East, 168.81 feet to the POINT OF BEGINNING.

The above described tract of land contains 6,303,737 square feet or 144.714 acres more or less and is subject to all easements and right-of-way now on record or existing.

PARCEL 1 DESCRIPTION: R-2 (Single Family Residential)

A tract of land located in Section 12, Township 6 North, Range 68 West of the 6th Principal Meridian, Town of Timnath, County of Larimer, State of Colorado and being more particularly described as follows:

Considering the North line of the Southeast Quarter of Section 12 as bearing South 88° 03' 48" East (assumed) with all other bearings contained herein relative thereto:

BEGINNING at the Center Quarter corner of Section 12; thence, South 88° 03' 48" East, 1298.24 feet; thence, South 00° 25' 25" East, 1699.51 feet; thence, North 89° 31' 43" West, 1194.11 feet; thence along a curve concave to the left having a central angle of 43° 15' 56" with a radius of 220.00 feet, an arc length of 166.13 feet and the chord of which bears South 41° 06' 42" West, 162.21 feet; thence, South 00° 28' 17" West, 178.08 feet; thence, North 89° 31' 27" West, 241.03 feet; thence along a curve concave to the left having a central angle of 13° 36' 02" with a radius of 300.00 feet, an arc length of 71.21 feet and the chord of which bears South 67° 26' 47" West, 71.05 feet; thence, South 60° 38' 46" West, 172.24 feet; thence along a curve concave to the right having a central angle of 84° 44' 00" with a radius of 300.00 feet, an arc length of 443.66 feet and the chord of which bears North 76° 59' 14" West, 404.32 feet; thence, North 34° 37' 14" West, 31.41 feet; thence, North 89° 31' 27" West, 55.70 feet; thence, North 00° 28' 11" East, 79.28 feet; thence, North 34° 37' 14" West, 795.91 feet; thence, North 87° 35' 36" West, 89.85 feet; thence, North 44° 53' 37" West, 437.98 feet; thence, North 65° 46' 00" West, 60.51 feet; thence along a curve concave to the right having a central angle of 47° 50' 32" with a radius of 500.00 feet, an arc length of 417.50 feet and the chord of which bears North 41° 50' 44" West, 405.48 feet; thence, North 44° 53' 37" West, 503.13 feet; thence, North 89° 31' 16" West, 126.96 feet; thence, North 00° 17' 33.5" West, 360.09 feet; thence, South 88° 16' 14" East, 346.93 feet; thence, South 29° 03' 42" East, 275.18 feet; thence, South 39° 35' 31" East, 77.69 feet; thence, South 19° 02' 31" East, 58.27 feet; thence along a curve concave to the southeast having a central angle of 38° 51' 41" with a radius of 62.00 feet, an arc length of 42.05 feet and the chord of which bears South 51° 31' 39" West, 41.25 feet; thence, South 56° 32' 20" East, 119.33 feet; thence, South 71° 51' 18" East, 254.50 feet; thence along a curve concave to the southwest having a central angle of 41° 09' 06" with a radius of 300.00 feet, an arc length of 215.47 feet and the chord of which bears South 51° 16' 46" East, 210.87 feet; thence, South 30° 42' 13" East, 270.93 feet; thence along a curve concave to the northeast having a central angle of 55° 44' 46" with a radius of 300.00 feet, an arc length of 291.89 feet and the chord of which bears South 58° 34' 36" East, 280.51 feet; thence, South 86° 26' 59" East, 211.95 feet; thence along a curve concave to the southwest having a central angle of 64° 33' 27" with a radius of 300.00 feet, an arc length of 338.02 feet and the chord of which bears South 54° 10' 16" East, 320.42 feet; thence, South 21° 53' 32" East, 91.98 feet; thence along a curve concave to the northeast having a central angle of 70° 10' 43" with a radius of 300.00 feet, an arc length of 367.45 feet and the chord of which bears South 56° 58' 54" East, 344.91 feet; thence, North 87° 55' 45" East, 254.22 feet; thence, North 02° 04' 15" West, 209.00 feet; thence, North 87° 55' 45" East, 226.75 feet; thence, North 00° 00' 00" East, 159.84 feet; thence, North 90° 00' 00" West, 110.00 feet; thence, North 00° 00' 00" East, 21.95 feet; thence, North 08° 17' 07" West, 81.70 feet; thence, North 24° 24' 50" West, 491.10 feet; thence, North 15° 19' 20" West, 171.08 feet; thence, North 01° 56' 25" East, 348.23 feet; thence, North 10° 22' 27" East, 22.16 feet; thence along a curve concave to the north having a central angle of 08° 26' 15" with a radius of 640.00 feet, an arc length of 94.25 feet and the chord of which bears South 83° 50' 40" East, 94.16 feet; thence, South 88° 03' 48" East, 168.81 feet to the POINT OF BEGINNING.

The above described tract of land contains 4,039,855 square feet or 92.742 acres more or less and is subject to all easements and right-of-way now on record or existing.

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PARCEL 2 DESCRIPTION: R-3 (Two Family and Multi-Family Residential)

A tract of land located in Section 12, Township 6 North, Range 68 West of the 6th Principal Meridian, Town of Timnath, County of Larimer, State of Colorado and being more particularly described as follows:

Considering the North line of the Southeast Quarter of Section 12 as bearing South 88° 03' 48" East (assumed) with all other bearings contained herein relative thereto:

COMMENCING at the West Quarter corner of Section 12; thence, South 88° 03' 04" East, 50.05 feet to the POINT OF BEGINNING; thence, North 00° 34' 57" West, 310.70 feet; thence along a curve concave to the southeast having a central angle of 90° 00' 00" with a radius of 15.00 feet, an arc length of 23.56 feet and the chord of which bears North 44° 25' 03" East, 21.21 feet; thence, North 89° 25' 03" East, 69.99 feet; thence along a curve concave to the north having a central angle of 11° 18' 36" with a radius of 185.00 feet, an arc length of 36.52 feet and the chord of which bears North 83° 45' 45" East, 36.46 feet; thence, North 78° 06' 27" East, 32.20 feet; thence along a curve concave to the south having a central angle of 11° 18' 36" with a radius of 185.00 feet, an arc length of 36.52 feet and the chord of which bears North 83° 45' 45" East, 36.46 feet; thence, North 89° 25' 03" East, 271.69 feet; thence along a curve concave to the south having a central angle of 11° 52' 40" with a radius of 960.00 feet, an arc length of 199.02 feet and the chord of which bears South 84° 38' 37" East, 198.66 feet; thence, South 78° 42' 17" East, 467.78 feet; thence along a curve concave to the north having a central angle of 38° 15' 26" with a radius of 1040.00 feet, an arc length of 694.42 feet and the chord of which bears North 82° 10' 00" East, 681.60 feet; thence along a curve concave to the south having a central angle of 87° 21' 54" with a radius of 15.00 feet, an arc length of 22.87 feet and the chord of which bears South 73° 16' 46" East, 20.72 feet; thence, South 29° 35' 49" East, 90.15 feet; thence along a curve concave to the northeast having a central angle of 50° 01' 45" with a radius of 640.00 feet, an arc length of 558.83 feet and the chord of which bears South 54° 36' 41" East, 541.25 feet; thence, South 10° 22' 27" West, 22.16 feet; thence, South 01° 56' 25" West, 348.23 feet; thence, South 15° 19' 20" East, 171.08 feet; thence, South 24° 24' 50" East, 491.10 feet; thence, South 08° 17' 07" East, 81.70 feet; thence, South 00° 00' 00" West, 21.95 feet; thence, North 90° 00' 00" East, 110.00 feet; thence, South 00° 00' 00" West, 159.84 feet; thence, South 87° 55' 45" West, 226.75 feet; thence, South 02° 04' 15" East, 209.00 feet; thence, South 87° 55' 45" West, 254.22 feet; thence along a curve concave to the northeast having a central angle of 70° 10' 43" with a radius of 300.00 feet, an arc length of 367.45 feet and the chord of which bears North 56° 58' 54" West, 344.91 feet; thence, North 21° 53' 32" West, 91.98 feet; thence along a curve concave to the southwest having a central angle of 64° 33' 27" with a radius of 300.00 feet, an arc length of 338.02 feet and the chord of which bears North 54° 10' 16" West, 320.42 feet; thence, North 86° 26' 59" West, 211.95 feet; thence along a curve concave to the northeast having a central angle of 55° 44' 46" with a radius of 300.00 feet, an arc length of 291.89 feet and the chord of which bears North 58° 34' 36" West, 280.51 feet; thence, North 30° 42' 13" West, 270.93 feet; thence along a curve concave to the southwest having a central angle of 41° 09' 06" with a radius of 300.00 feet, an arc length of 215.47 feet and the chord of which bears North 51° 16' 46" West, 210.87 feet; thence, North 71° 51' 18" West, 254.50 feet; thence, North 56° 32' 20" West, 119.33 feet; thence along a curve concave to the southeast having a central angle of 38° 51' 41" with a radius of 62.00 feet, an arc length of 42.05 feet and the chord of which bears North 51° 31' 39" East, 41.25 feet; thence, North 19° 02' 31" West, 58.27 feet; thence, South 59° 42' 31" East, 121.40 feet; thence, South 65° 35' 06" East, 218.98 feet; thence, South 75° 47' 42" East, 105.45 feet; thence, South 82° 57' 12" East, 176.08 feet; thence, North 02° 56' 32.5" East, 493.09 feet; thence, North 88° 03' 04" West, 1117.77 feet to the POINT OF BEGINNING.

The above described tract of land contains 2,263,882 square feet or 51.972 acres more or less and is subject to all easements and right-of-way now on record or existing.