TOWN OF TIMNATH, COLORADO

RESOLUTION NO. 14, Series 2008

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF A PARCEL OF LAND TO THE TOWN OF TIMNATH, COLORADO

WHEREAS, the Town Council of the Town of Timnath, Colorado, has found a petition for the annexation of the hereinafter described parcel of land to be in substantial compliance with the requirements of Section 31-12-107(1), Colorado Revised Statutes; and

WHEREAS, the Town Clerk has provided notice of public hearing on the proposed annexation by publication per the Timnath Land Use Code; and

WHEREAS, the Town Council has completed a public hearing to determine if the proposed annexation complies with Sections 31-12-104 and 105, Colorado Revised Statutes, to establish eligibility for annexation; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH:

That the Town Council hereby finds and concludes with regard to the annexation of the property described in Exhibit A attached hereto and incorporated herein, that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the property proposed to be annexed and the Town; the property proposed to be annexed is urban or will be urbanized in the near future, and that the property proposed to be annexed is integrated or is capable of being integrated with the Town; and

BE IT FURTHER RESOLVED:

That the Town Council finds and determines that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; that the annexation will not result in the detachment of the area from a school district; that the annexation will not result in the extension of a municipal boundary more than three miles; that the Town has in place a plan for said three mile area; and that in establishing the boundaries of the area to be annexed the entire width of any street or alley is included within the area annexed.

BE IT FURTHER RESOLVED:

That an election is not required, and no additional terms or conditions are to be imposed upon the area to be annexed other than as set forth in the Annexation
Agreement attached hereto as **Exhibit B**, which Agreement is hereby approved and fully incorporated herein by this reference.

RESOLVED AND PASSED by the Town Council this **11th** day of **June**, 2008.

For:  
Against:  
Abstain:  

**ATTEST:**  
Linda Salas, Town Clerk

**TOWN OF TIMNATH**  
By:  
Donna Benson, Mayor

[SEAL]
EXHIBIT A

Legal Description of Proposed Annexation

Annexation Area
Boundary Description:
Exhibit B

Annexation Agreement

[attached]
A tract of land situated in the Northeast ¼ of Section 34, township 7 North, Range 68 West of the 6th P.M., Larimer County, Colorado, which considering the East line of the said Northeast ¼ as bearing North and South and with all bearings contained herein relative thereto, is contained within the boundary lines which begin at a point which bears South 692.86 feet, and again North 87 degrees 54 minutes West 130.03 feet from the Northeast corner of said Section 34, and run thence South 200.00 feet; thence North 87 degrees 54 minutes West of 967.98 feet, thence North 01 degrees 13 minutes East 199.89 feet; thence South 87 degrees 54 minutes East 963.73 feet to the True Point of Beginning. Containing approximate 4 acres more or less.
Exhibit B

Annexation Agreement

Will be provided at 2\textsuperscript{nd} Reading

Public hearing