

**TOWN OF TIMNATH, COLORADO**

**RESOLUTION NO. 30, SERIES 2009**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH FINDING A PETITION FOR ANNEXATION OF THE THOMPSON PROPERTY TO BE IN SUBSTANTIAL COMPLIANCE WITH LAW, INITIATING ANNEXATION PROCEEDINGS AND SETTING A PUBLIC HEARING THEREON**

**WHEREAS**, a petition for the annexation of real property described in **Exhibit A**, attached hereto (the "Property") has been presented to the Town Council of the Town of Timnath, Colorado; and

**WHEREAS**, the Town Council has found the petition to be in substantial compliance with the requirements of Section 31-12-107(1), Colorado Revised Statutes and Article 13 of the Timnath Land Use Code; and

**WHEREAS**, the Town Council wishes to initiate annexation proceedings for the Property and set a public hearing to determine if the proposed annexation of the Property complies with the applicable requirements of the Municipal Annexation Act of 1965, CRS 31-12-101 et. seq. and Article 13 of the Timnath Land Use Code.

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


**Section 1.** That annexation proceedings be initiated upon a Petition for Annexation of the following described property to the Town, which Petition appears to be in substantial compliance with the applicable provisions of CRS 31-12-107:

Description of property proposed for annexation: See, attached **Exhibit A**.

**Section 2.** That 7:00 P.M. on April 1, 2009 is hereby established as the date and time, and Timnath Town Hall, 4100 Main Street, in Timnath, Colorado, as the place, for a public hearing to be held to determine if the proposed annexation complies with Sections 31-12-104 and 31-12-105, C.R.S. or such parts thereof as may be required to establish eligibility under Part 1 of Chapter 31, Article 12 of said statutes.

PASSED, APPROVED AND ADOPTED this 25 day of February, 2009.

FOR THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO

  
Donna Benson, Mayor

ATTEST:

  
Milissa McGuire, Town Clerk



Published in the Coloradoan

Publish Weekly:	First Publication:	March 2, 2009
	Second Publication:	March 9, 2009
	Third Publication:	March 16, 2009
	Fourth Publication:	March 23, 2009



## PETITION FOR ANNEXATION

### PETITION FOR ANNEXATION TO THE TOWN OF TIMNATH, COLORADO

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THE UNDERSIGNED, being "landowners" as defined in C.R.S. § 31-12-103(6), hereby Petition the Town of Timnath, Colorado for annexation for the following described property and further state:

1. The legal description of the land which Landowners request to be annexed to the municipality is attached hereto as **Exhibit "A"**, hereinafter referred to as the "Property."
2. It is desirable and necessary that the Property be annexed to the Town of Timnath.
3. The following requirements of C.R.S. § 31-12-104 exist or have been met:
  - a. Not less than 1/6th of the perimeter of the Property is contiguous with the Town of Timnath.
  - b. A community of interest exists between the Property and the Town of Timnath. The Property is urban or will be urbanized in the near future; and the Property is capable of being integrated into the Town of Timnath.
4. None of the limitations provided in C.R.S. § 31-12-105 are applicable and the requirements of that statute have been met because of the following:
  - a. The annexation of the Property will not result in the Property being divided into separate parts or parcels under identical ownership;
  - b. No land area within the Property held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising 20 acres or more and having a valuation for assessment in excess of \$200,000 for ad valorem tax

purposes has been included in the area of the Property to be annexed without the written consent of the landowners thereof;

- c. No annexation proceedings have been commenced for annexation of any part of the Property by any other municipality;
- d. The entire width of all streets and alleys to be included within the area annexed are included;
- e. The annexation of the Property will not result in the detachment of area from any school district or the attachment of same to another school district; and
- f. Annexation by the Town of Timnath of the Property will not have the effect of, and will not result in, the denial of reasonable access to landowners, owners of an easement, or owners of a franchise adjoining a platted street or alley, inasmuch as annexation of the Property will not result in annexation of a platted street or alley which is not bounded on both sides by the Town of Timnath.

5. The annexation of the Property will not have the effect of extending a boundary of the Town of Timnath more than three miles in any direction from any point of the municipal boundary in the past 12 months.

6. The Petitioners comprise the owners in fee of more than 50 percent of the area of the Property, exclusive of public streets and alleys, and comprise more than 50 percent of the landowners of the Property. The legal description of the land owned by each signer of this petition is shown on **Exhibit A**.

7. The Petitioners request that the Town of Timnath approve the annexation of the Property.

8. This Petition is accompanied by four (4) copies of an annexation boundary map in the form required by C.R.S. § 31-12-102(1)(d) and attached as **Exhibit B**.

9. The Petitioners reserve the right to withdraw this Petition in the event the Property is not zoned in accordance with the Annexation Agreement.

10. This instrument may be executed in one or more counterparts, all of which taken together shall constitute the same document.

PETITIONERS:

By: Danna Reuser

Mailing Address: 4800 Goodman Street



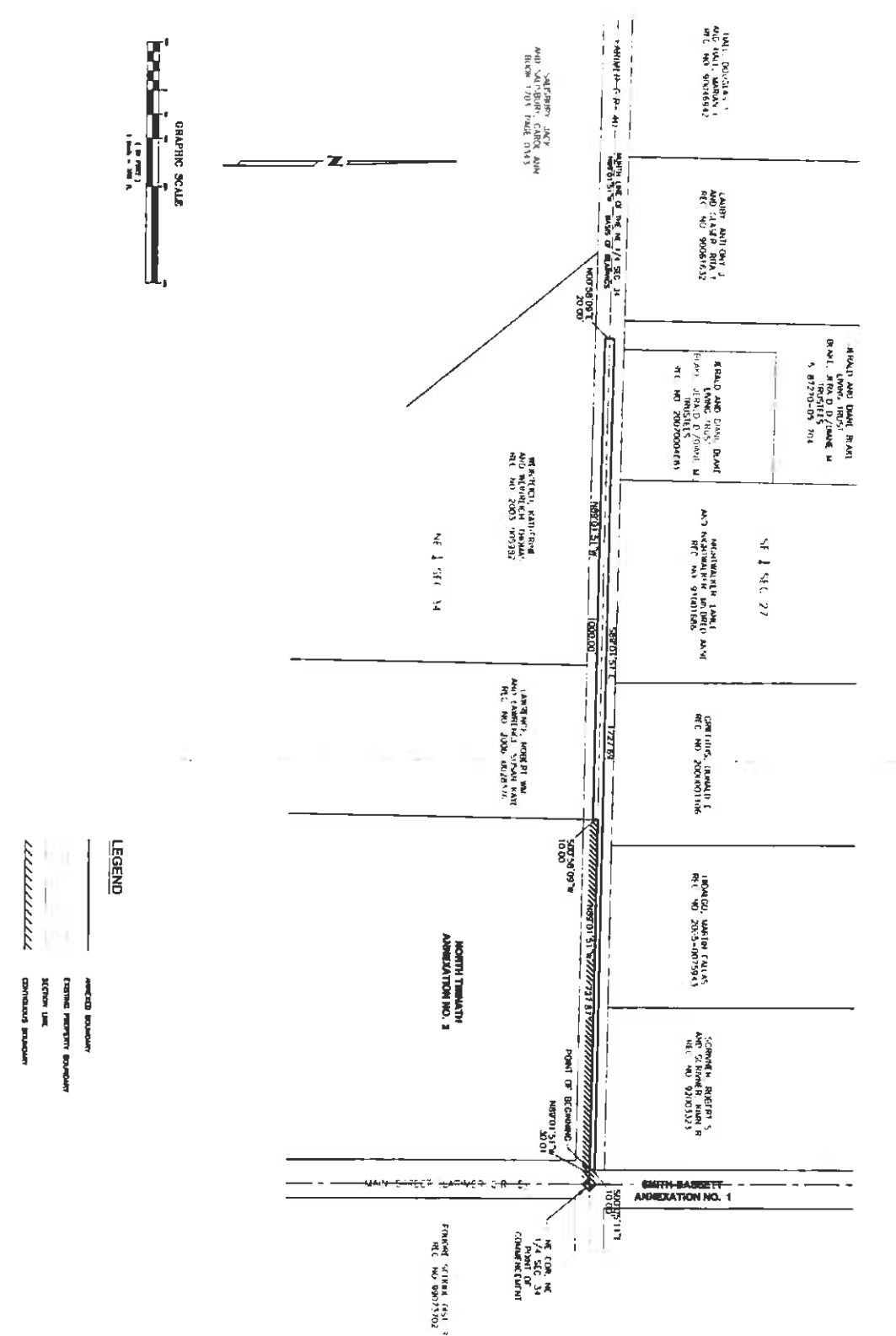
**EXHIBIT A**  
**Legal description of annexed property**  
**[Attached]**



# THOMPSON ANNEXATION NO. 1

## TO THE TOWN OF TIMNATH, COLORADO

### A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27 AND IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO



**LEGEND**

- ANNEXED BOUNDARY
- EXISTING PROPERTY BOUNDARY
- SECTION LINE
- CONTIGUOUS BOUNDARY

**THOMPSON ANNEXATION NO. 1**  
 A PORTION OF SECTIONS 27 AND 34, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO

REVISIONS	
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TOP LINED WITH INFORMATION 48 HOURS BEFORE TO BE CALLED 1-800-822-1987 FOR DRAFTING AND AMENDING. ALL REVISIONS MUST BE MADE TO THE ORIGINAL DRAWING AND NOT TO THE COPY. REUSE OF DOCUMENT: THE OWNER AND DESIGNER INCORPORATED HEREOF AS AN INSTRUMENT OF SURVEY. THIS INSTRUMENT IS THE PROPERTY OF THE FIRM AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

SCALE: 1" = 100'

DATE: 11/23/07

SCALE: 1" = 100'

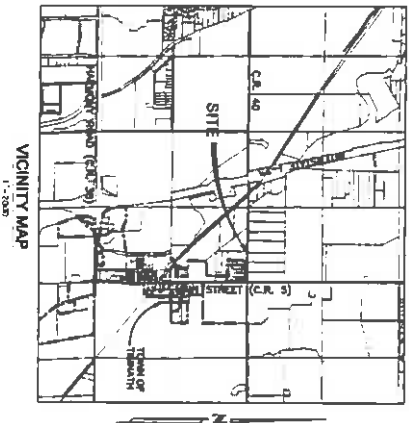
**EMK** ENGINEERS - SURVEYORS  
 7008 SOUTH ALTON WAY, SUITE 7  
 COLORADO, COLORADO 80112-2918  
 TEL: 303-894-1250



# THOMPSON ANNEXATION NO. 2

## TO THE TOWN OF TIMNATH, COLORADO

### A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27 AND IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO



**CERTIFICATE OF APPROVAL BY THE TOWN BOARD**

I, \_\_\_\_\_, Mayor of the Town of Timnath, Colorado, do hereby certify that the foregoing plat of the proposed annexation of land to the Town of Timnath, Colorado, is in accordance with the provisions of the Colorado Constitution and the laws of the State of Colorado, and that the same has been approved by the Town Board of the Town of Timnath, Colorado, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor

**TIMNATH BOARD COMMISSIONER APPROVAL**

I, \_\_\_\_\_, Commissioner of the Town of Timnath, Colorado, do hereby approve the annexation of a portion of said land to the Town of Timnath, Colorado, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Commissioner

**CERTIFICATE OF APPROVAL BY THE COUNTY CLERK**

I, \_\_\_\_\_, County Clerk of Larimer County, Colorado, do hereby certify that the foregoing plat of the proposed annexation of land to the Town of Timnath, Colorado, is in accordance with the provisions of the Colorado Constitution and the laws of the State of Colorado, and that the same has been approved by the County Board of Larimer County, Colorado, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Clerk

**LARIMER COUNTY CLERK & RECORDS CERTIFICATE**

This annexation map was compiled for filing in the office of the Larimer County Clerk and Recorder on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D. at \_\_\_\_\_ M. in \_\_\_\_\_ P.M. in Book \_\_\_\_\_ Page \_\_\_\_\_.

\_\_\_\_\_  
Larimer County Clerk & Recorder

**LEGAL DESCRIPTION OF BOUNDARY OF AREA PROPOSED TO BE ANNEXED**

A PARCEL OF LAND LIES IN THE SOUTHWEST QUARTER OF SECTION 27 AND IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 34, AND COMMENCING THE NORTH LINE OF SAID NORTHEAST QUARTER TO BEAT 4860.01' WITH AN BEARING CONTAINING NEARLY THE SAME BEARING AS THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 27, 20.00' FEET TO THE WESTERN RIGHT OF WAY LINE OF LARIMER COUNTY ROAD NO. 2, THENCE ALONG SAID WESTERN RIGHT OF WAY LINE NORTH 71° 15' 00" WEST, 1800 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 71° 15' 00" WEST, 1227.61 FEET.

THENCE SOUTH 71° 15' 00" WEST, 1000.00 FEET TO THE WESTERN LINE OF THE NORTH TOWNSHIP SECTION NO. 2 AS SHOWN ON THE SECTION CORNER RECORDS.

THENCE WEST 90° 00' 00" NORTH, 1000.00 FEET.

THENCE NORTH 71° 15' 00" WEST, 1200.00 FEET.

THENCE SOUTH 71° 15' 00" WEST, 1000.00 FEET.

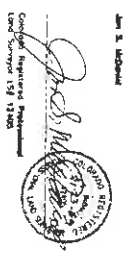
THENCE WEST 90° 00' 00" NORTH, 1000.00 FEET TO THE WESTERN RIGHT OF WAY LINE OF LARIMER COUNTY ROAD NO. 2, THENCE ALONG SAID WESTERN RIGHT OF WAY LINE SOUTH 71° 15' 00" WEST, 2000 FEET TO THE POINT OF BEGINNING.

CONTAINING 86,530 SQUARE FEET OR 1.98 ACRES, MORE OR LESS.

**SURVEOR'S STATEMENT**

I, \_\_\_\_\_, a duly Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the foregoing plat of the proposed annexation of land to the Town of Timnath, Colorado, is in accordance with the provisions of the Colorado Constitution and the laws of the State of Colorado, and that the same has been approved by the County Board of Larimer County, Colorado, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Surveyor



**OWNER**

STATE OF COLORADO  
COUNTY OF LARIMER

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, A.D. by \_\_\_\_\_, who is the owner of the land described herein and whose name is subscribed to the same.

\_\_\_\_\_  
Notary Public

**NOTICE**

NOTICE: Any person who is interested in the proposed annexation of land to the Town of Timnath, Colorado, should file a written objection with the County Clerk and Recorder of Larimer County, Colorado, on or before \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

REVISIONS	DATE	BY	REASON
1	20____	SM	INITIAL
2	20____	SM	REVISION
3	20____	SM	REVISION
4	20____	SM	REVISION
5	20____	SM	REVISION

THOMPSON ANNEXATION NO. 2  
A PORTION OF SECTIONS 27 AND 34, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO

DATE: 11/17/2008  
PAGE NO. 1234567  
SCALE: N/A

**EMK CONSULTANTS, INC.**  
ENGINEERS • SURVEYORS  
7008 SOUTH ALPINE RD., SUITE F  
CENTENNIAL, COLORADO 80112-2018  
303.464.1100

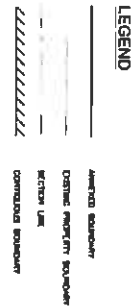
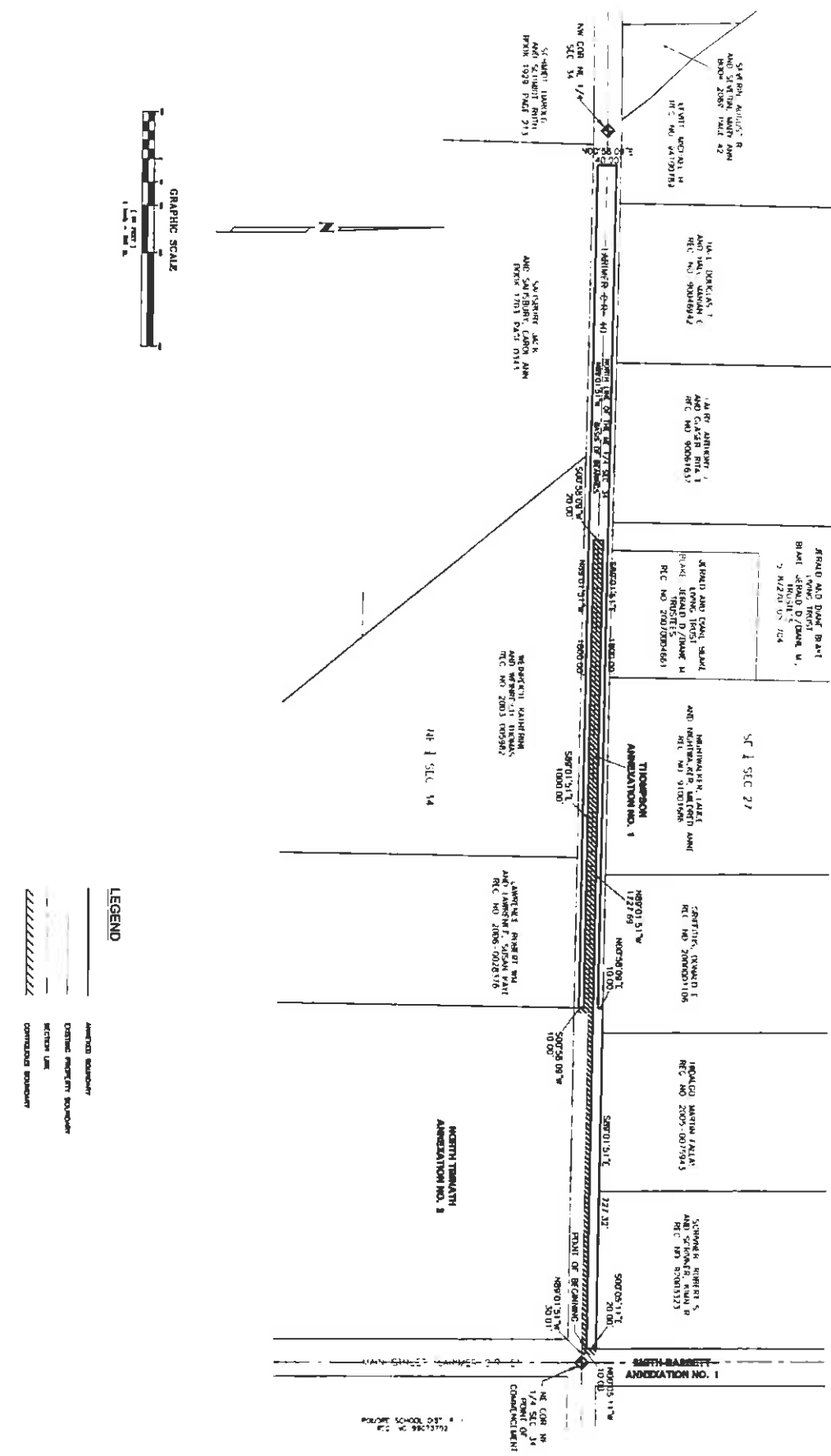
FOR PLANS TO BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, CALL 1-800-622-1887 FOR EXISTING AND EXPIRING GAS, WATER, AND SEWER LINES. SEE SECTION 1001.01 OF THE REUSE OF DOCUMENT

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# THOMPSON ANNEXATION NO. 2

TO THE TOWN OF TIMNATH, COLORADO

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27  
AND IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE  
68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO



**THOMPSON ANNEXATION NO. 2**

A PORTION OF SECTIONS 27 AND 34, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO

Scale: 1" = 100'

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FOR PUBLIC INFORMATION  
CALL 1-800-922-1887

REUSE OF DOCUMENT

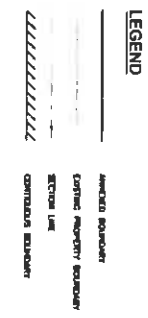
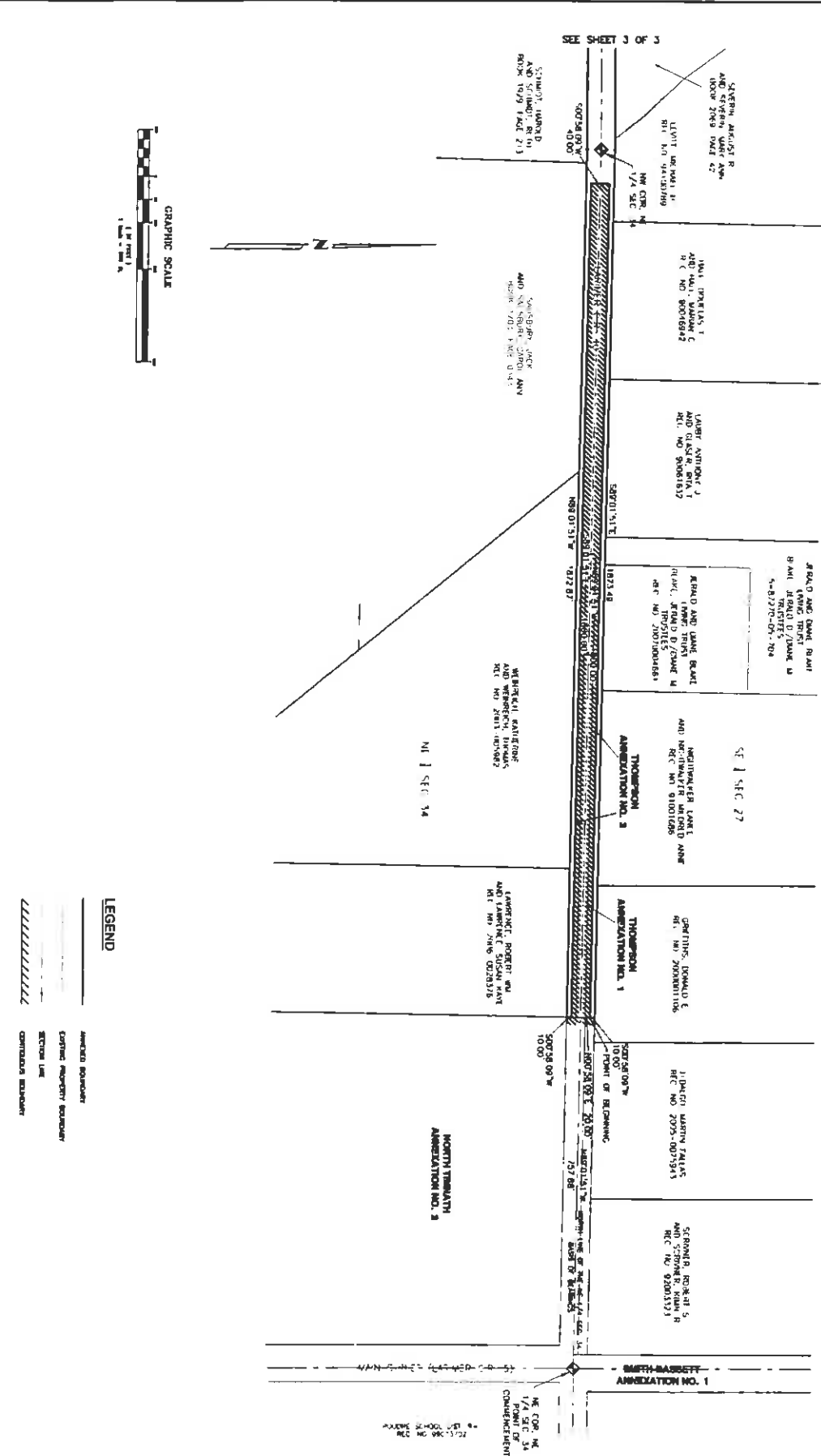
EMK CONSULTANTS, INC.  
ENGINEERS & SURVEYORS  
7030 SOUTH ALTON WAY, BLDG. F  
DENVER, COLORADO 80113-2618





# THOMPSON ANNEXATION NO. 3

TO THE TOWN OF TIMNATH, COLORADO  
 A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 27 AND IN  
 THE NORTH HALF OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 68 WEST OF  
 THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO



**THOMPSON ANNEXATION NO. 3**  
 A PORTION OF SECTIONS 27 AND  
 34, TOWNSHIP 7 NORTH, RANGE 68  
 WEST OF THE 6TH P.M., COUNTY  
 OF LARIMER, STATE OF COLORADO

REVISIONS	
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4	AMENDMENT
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7	AMENDMENT
8	AMENDMENT
9	AMENDMENT
10	AMENDMENT

FOR MORE INFORMATION  
 CALL 1-800-822-1987  
 THE DISTRICT AND LARIMER, CO.  
 REGISTERED PROFESSIONAL SURVEYORS  
 LICENSE NO. 11232888

REUSE OF DOCUMENT  
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 CENTENNIAL, COLORADO 80112-2018  
 (303) 754-1122

