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
ATTEST:

Donna Benson, Mayor

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

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: [Signature]

Mailing Address: 4800 Goodman Street
STATE OF COLORADO       }  s.s.
COUNTY OF LARIMER       }

Subscribed and sworn to before me this 18th day of February, 2012, by
Danna Benson

Witness my hand and official seal.

My commission expires: 7-29-12

Notary Public
EXHIBIT A
Legal description of annexed property
[Attached]
To the Town of Thompson, Colorado

Thompson Annexation No. 1

60 West of the 6th P.M., County of Larimer, State of Colorado
And in the Northeast Quarter of Section 4, Township 7 North, Range 27
A parcel of land located in the South Half of Section 27

Diagram Map
THOMPSON ANNEXATION NO. 1

68 WEST OF THE EIGHTH P.M., COUNTY OF LAKE, STATE OF COLORADO
AND IN THE NORTH EAST QUARTER OF SECTION 24, TOWNSHIP 7 NORTH, RANGE
A PARCEL OF LAND LOCATED IN THE SOUTH WEST QUARTER OF SECTION 27
TO THE TOWN OF TWIN HILLS, COLORADO
THOMPSON ANNEXATION NO. 3

THE CITY OF LAWRENCE, STATE OF COLORADO

THE NORTH HALF OF SECTION 4, TOWNSHIP 7 NORTH, RANGE 66 WEST OF
A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 27 AND IN
TO THE TOWN OF TIMNATH, COLORADO.
THE GTH P.M., COUNTY OF LAURIE, STATE OF COLORADO

THE NORTH HALF OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 66 WEST OF 4TH P.M., LAURIE COUNTY, COLORADO

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 27 AND IN THE TOWN OF TIMNATH, COLORADO

THOMPSON ANNEXATION NO. 3