

TOWN OF TIMNATH, COLORADO

RESOLUTION NO. 36, SERIES 2009

**A RESOLUTION INITIATING ANNEXATION PROCEEDINGS
FOR PROPERTY KNOWN AS TIMNATH RESERVOIR ANNEXATION
AND GIVING NOTICE OF A PUBLIC HEARING THEREON**

WHEREAS, the Town Council for the Town of Timnath, Colorado has received a Petition for Annexation of certain property, signed by at least 50% of the land owners owning at least 50% of the land of said property, exclusive of public streets and alleys; and

WHEREAS, the Petition appears to be in substantial compliance with the applicable provisions of Chapter 31, Article XII of the Colorado Revised Statutes; and

WHEREAS, the Council wishes to initiate annexation proceedings for the property and to set a public hearing for further consideration of the Petition.

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

Section 1. Annexation Proceedings Initiated

Annexation proceedings are hereby initiated upon the Petition for Annexation of the following described property to the Town, which Petition appears to be in substantial compliance with the applicable provisions of Chapter 31, Article 12, Colorado Revised Statutes:

See, attached **EXHIBIT A**.

Section 2. Public Hearing

The Council hereby sets and gives notice of a public hearing for 7 P.M. on June 10, 2009 at the Timnath Town Hall, 4100 Main Street, in Timnath, Colorado, 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 6TH DAY OF MAY, 2009, THE
VOTE UPON ROLL CALL BEING AS FOLLOWS:**


For: 5

Against: 0

Abstain: 0

FOR THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO


Milissa McGuire, Town Clerk

By: 
Donna Benson, Mayor

NOTICE IS HEREBY GIVEN that a Petition for Annexation of property hereinafter described has been presented to the Town Council of the Town of Timnath, Colorado and found to be in apparent compliance with the applicable provisions of law. The Town Council has adopted a Resolution setting a public hearing to be held at 7 P.M. on June 10, 2009, at Timnath Town Hall, 4100 Main Street, Timnath, Colorado, to determine if the proposed annexation complies with the applicable requirements of law.

Any person may appear at the hearing and present evidence upon any matter to be considered by the Council.

Published in the Fort Collins Coloradoan:

Published Weekly:

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Second Publication:	May 18, 2009
Third Publication:	May 25, 2009
Fourth Publication:	June 1, 2009

EXHIBIT A

Legal Description of Property Proposed for Annexation

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF SECTION 23, THE SOUTH HALF OF SECTION 24, SECTION 25, AND THE EAST HALF OF SECTION 26, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23, AND CONSIDERING THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26 TO BEAR $N00^{\circ}13'40''W$ WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 $S89^{\circ}58'59''E$, 96.49 FEET TO THE SOUTHWEST CORNER OF SCOTT M.R.D. NO. S-62-91 AS RECORDED AT RECEPTION NO. 91053063 OF THE LARIMER COUNTY RECORDS; THENCE ALONG THE SOUTH AND EASTERLY LINES OF SAID SCOTT M.R.D. THE FOLLOWING SIX (6) COURSES:

1. CONTINUING ALONG SAID SOUTH LINE OF THE SOUTHEAST QUARTER $S89^{\circ}58'59''E$, 387.51 FEET;
2. $N00^{\circ}35'15''E$, 39.51 FEET;
3. $N06^{\circ}00'26''E$, 334.18 FEET;
4. $N57^{\circ}50'04''W$, 322.12 FEET;
5. $N89^{\circ}10'23''W$, 30.00 FEET;

6. $N00^{\circ}49'37''E$, 20.00 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 2000029179 OF THE LARIMER COUNTY RECORDS; THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL THE FOLLOWING EIGHT (8) COURSES:

1. $S89^{\circ}10'23''E$, 472.85 FEET;
2. $N42^{\circ}38'12''E$, 36.39 FEET;
3. $S79^{\circ}40'36''E$, 520.09 FEET;
4. $N13^{\circ}03'02''E$, 353.94 FEET;
5. $N82^{\circ}08'57''E$, 426.14 FEET;
6. $N02^{\circ}33'34''W$, 318.34 FEET;
7. $N38^{\circ}58'16''W$, 374.54 FEET;
8. $N12^{\circ}04'37''W$, 219.11 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED AT RECEPTION NO. 2000029181 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE EASTERLY LINES OF SAID PARCEL THE FOLLOWING TWO (2) COURSES::

1. $N28^{\circ}19'21''W$, 606.07 FEET;
2. $N73^{\circ}12'40''E$, 75.63 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 85056284 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL THE FOLLOWING THREE (3) COURSES:

1. $N73^{\circ}12'40''E$, 903.39 FEET;
2. $S57^{\circ}37'46''E$, 644.77 FEET;
3. $S00^{\circ}13'45''E$, 6.27 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 99094032 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY LINES OF SAID PARCEL THE FOLLOWING TWELVE (12) COURSES:

1. $S56^{\circ}19'29''E$, 250.21 FEET;

2. S58°54'54"E, 89.66 FEET;
3. S58°42'04"E, 346.53 FEET;
4. S59°11'02"E, 229.00 FEET;
5. N34°09'09"E, 590.22 FEET;
6. S87°22'15"E, 363.04 FEET;
7. S11°38'22"E, 560.28 FEET;
8. S83°59'01"E, 501.10 FEET;
9. S41°09'03"E, 574.70 FEET;
10. N84°32'02"E, 188.58 FEET;
11. S79°23'59"E, 392.65 FEET;
12. S89°58'30"E, 346.88 FEET TO AN ANGLE POINT IN THE SOUTHERLY LINE OF TRACT H-4, WILDWING FINAL PLAT FILING NO. 1 AMENDMENT NO. 1 AS RECORDED AT RECEPTION NO. 20070089387 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID FINAL PLAT THE FOLLOWING FOURTEEN (14) COURSES;

1. S20°41'22"E, 138.74 FEET;
2. S03°26'26"W, 101.73 FEET;
3. S52°55'27"W, 456.71 FEET;
4. S80°08'06"W, 199.73 FEET;
5. S42°57'24"W, 300.18 FEET;
6. S00°20'40"E, 338.65 FEET;
7. S33°49'28"W, 1,215.00 FEET;
8. S65°50'32"E, 805.00 FEET;
9. N81°14'28"E, 968.00 FEET;
10. N68°09'28"E, 249.00 FEET;
11. N89°39'28"E, 615.00 FEET;
12. N71°39'28"E, 434.00 FEET;
13. N65°59'28"E, 373.60 FEET;
14. N89°39'28"E, 15.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 1;

THENCE ALONG SAID RIGHT-OF-WAY LINE S00°12'37"W, 1,414.17 FEET TO A POINT ON THE NORTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 309967 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID PARCEL THE FOLLOWING NINE (9) COURSES:

1. N89°48'28"W, 15.00 FEET;
3. N58°28'28"W, 620.00 FEET;
3. S38°11'32"W, 164.00 FEET;
4. S88°21'32"W, 491.00 FEET;
5. N74°08'28"W, 445.00 FEET;
6. S59°21'32"W, 447.00 FEET;
7. S09°28'28"E, 360.00 FEET;
8. S16°11'32"W, 279.00 FEET;
9. S50°28'28"E, 515.00 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 20070023360 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE NORTHWESTERLY LINES OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES:

1. S26°11'32"W, 511.00 FEET;
2. N61°48'28"W, 673.00 FEET;
3. S60°21'32"W, 210.00 FEET;
4. S27°11'32"W, 88.00 FEET TO THE NORTHERLY CORNER OF THAT PARCEL OF LAND

DESCRIBED AT RECEPTION NO.2006-0044427 OF THE LARIMER COUNTY RECORDS;
THENCE ALONG THE WESTERLY LINES OF SAID PARCEL THE FOLLOWING FIVE (5)
COURSES:

1. S27°11'32"W, 172.00 FEET;
2. S68°21'32"W, 317.00 FEET;
3. S24°08'28"E, 380.00 FEET;
4. S10°41'32"W, 161.00 FEET;
5. S00°11'32"W, 1,045.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD 40;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N89°48'28"W, 2,375.12 FEET;
THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S89°44'08"W, 1,331.60 FEET TO A
POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER
OF SAID SECTION 26 ALSO BEING THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED
AT RECEPTION NO. 20080062682 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG SAID EAST LINE N00°19'35"W, 1,290.62 FEET TO THE NORTHEAST CORNER
OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26 ALSO
BEING THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION
NO. 89052719 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE EAST, NORTH, AND WEST LINES OF SAID PARCEL THE FOLLOWING
THREE (3) COURSES:

1. N00°19'35"W, 200.00 FEET;
2. S89°50'34"W, 200.00 FEET;
3. S00°19'35"E, 200.00 FEET TO A POINT ON THE NORTH LINE SAID SOUTHWEST QUARTER
OF THE SOUTHEAST QUARTER OF SECTION 26 ALSO BEING THE NORTH LINE OF SAID
PARCEL OF LAND DESCRIBED AT RECEPTION NO. 20080062682;

THENCE ALONG SAID NORTH LINE S89°50'34"W, 1,119.99 FEET TO THE NORTHWEST
CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26
ALSO BEING A POINT ON THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED AT
BOOK 2246, PAGE 1497 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST
QUARTER OF SECTION 26, SAID EAST LINE OF THAT PARCEL OF LAND DESCRIBED AT
BOOK 2246, PAGE 1497, AND THE EAST LINE OF THAT PARCEL DESCRIBED AT BOOK 186,
PAGE 27 N00°13'39"W, 1,323.24 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION
26;

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26 AND
ALONG THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO.
93025243 OF THE LARIMER COUNTY RECORDS N00°13'40"W, 1,643.99 FEET;

THENCE CONTINUING ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THAT
PARCEL OF LAND DESCRIBED AT RECEPTION NO. 95031483 OF THE LARIMER COUNTY
RECORDS N00°13'40"W, 999.47 FEET TO THE POINT OF BEGINNING, CONTAINING 37,016,614
SQUARE FEET OR 849.785 ACRES, MORE OR LESS.



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 1/16th 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, subject to the approval of a final annexation agreement between the Petitioners and the Town of Timnath.

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 shall have the right, in their sole and exclusive discretion, to withdraw this Petition at any time prior to the effective date of the ordinance or ordinances annexing the Property to the Town.

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

PETITIONERS:

By: *my Hungenberg*

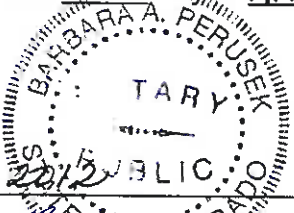
Mailing Address: PO Box 104
LUCERNE, CO 80646

STATE OF COLORADO)
)
COUNTY OF LARIMER) s.s.

Subscribed and sworn to before me this 17th day of APRIL, 2009, by *Michael Hungenberg* and _____:

Witness my hand and official seal.

My commission expires: 06.23.2012


Barbara A. Perusek
Notary Public

AFFIDAVIT OF CIRCULATOR IN SUPPORT OF PETITION

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

_____, being first duly sworn states as follows:

- a. I have circulated the foregoing Petition for Annexation to the Town of Timnath set forth herein.
- b. I know the persons whose names are subscribed to the foregoing Petition on behalf of the Petitioners.
- c. The signatures on the foregoing Petition were affixed in my presence and each signature is a true, genuine and correct signature of the person it purports to be.
- d. To the best of my knowledge and belief, the persons whose names are affixed to the foregoing Petition are authorized to sign such document on behalf of Petitioners.

CIRCULATOR

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

Subscribed and sworn to before me this ____ day of _____, 2009, by _____.

Witness my hand and official seal.

My commission expires: _____

Notary Public

LEGAL DESCRIPTION OF BOUNDARY OF AREA PROPOSED TO BE ANNEXED:

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF SECTION 23, THE SOUTH HALF OF SECTION 24, SECTION 25, AND THE EAST HALF OF SECTION 26, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23, AND CONSIDERING THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26 TO BEAR N00° 13'40"W WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23 S89° 58'59"E, 96.49 FEET TO THE SOUTHWEST CORNER OF SCOTT M.R.D. NO. S-62-91 AS RECORDED AT RECEPTION NO. 91053063 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE SOUTH AND EASTERLY LINES OF SAID SCOTT M.R.D. THE FOLLOWING SIX (6) COURSES:

1. CONTINUING ALONG SAID SOUTH LINE OF THE SOUTHEAST QUARTER S89° 58'59"E, 387.51 FEET;
2. N00° 35'15"E, 39.51 FEET;
3. N06° 00'26"E, 334.18 FEET;
4. N57° 50'04"W, 322.12 FEET;
5. N89° 10'23"W, 30.00 FEET;
6. N00° 49'37"E, 20.00 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 2000029179 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL THE FOLLOWING EIGHT (8) COURSES:

1. S89° 10'23"E, 472.85 FEET;
 2. N42° 38'12"E, 36.39 FEET;
 3. S79° 40'36"E, 520.09 FEET;
 4. N13° 03'02"E, 353.94 FEET;
 5. N82° 08'57"E, 426.14 FEET;
 6. N02° 33'34"W, 318.34 FEET;
 7. N38° 58'16"W, 374.54 FEET;
 8. N12° 04'37"W, 219.11 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED AT RECEPTION NO. 2000029181 OF THE LARIMER COUNTY RECORDS;
- THENCE ALONG THE EASTERLY LINES OF SAID PARCEL THE FOLLOWING TWO (2) COURSES:
1. N28° 19'21"W, 606.07 FEET;
 2. N73° 12'40"E, 75.63 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF

LAND DESCRIBED AT RECEPTION NO. 85056284 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL THE FOLLOWING THREE (3) COURSES:

1. N73° 12'40"E, 903.39 FEET;
2. S57° 37'46"E, 644.77 FEET;
3. S00° 13'45"E, 6.27 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 99094032 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY LINES OF SAID PARCEL THE FOLLOWING TWELVE (12) COURSES:

1. S56° 19'29"E, 250.21 FEET;
 2. S58° 54'54"E, 89.66 FEET;
 3. S58° 42'04"E, 346.53 FEET;
 4. S59° 11'02"E, 229.00 FEET;
 5. N34° 09'09"E, 590.22 FEET;
 6. S87° 22'15"E, 363.04 FEET;
 7. S11° 38'22"E, 560.28 FEET;
 8. S83° 59'01"E, 501.10 FEET;
 9. S41° 09'03"E, 574.70 FEET;
 10. N84° 32'02"E, 188.58 FEET;
 11. S79° 23'59"E, 392.65 FEET;
 12. S89° 58'30"E, 346.88 FEET TO AN ANGLE POINT IN THE SOUTHERLY LINE OF TRACT H-4, WILDWING FINAL PLAT FILING NO. 1 AMENDMENT NO. 1 AS RECORDED AT RECEPTION NO. 20070089387 OF THE LARIMER COUNTY RECORDS;
- THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID FINAL PLAT THE FOLLOWING FOURTEEN (14) COURSES::

1. S20° 41'22"E, 138.74 FEET;
 2. S03° 26'26"W, 101.73 FEET;
 3. S52° 55'27"W, 456.71 FEET;
 4. S80° 08'06"W, 199.73 FEET;
 5. S42° 57'24"W, 300.18 FEET;
 6. S00° 20'40"E, 338.65 FEET;
 7. S33° 49'28"W, 1,215.00 FEET;
 8. S65° 50'32"E, 805.00 FEET;
 9. N81° 14'28"E, 968.00 FEET;
 10. N68° 09'28"E, 249.00 FEET;
 11. N89° 39'28"E, 615.00 FEET;
 12. N71° 39'28"E, 434.00 FEET;
 13. N65° 59'28"E, 373.60 FEET;
 14. N89° 39'28"E, 15.01 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD NO. 1;
- THENCE ALONG SAID RIGHT-OF-WAY LINE S00° 12'37"W, 1,414.17 FEET TO A

POINT ON THE NORTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 309967 OF THE LARIMER COUNTY RECORDS;
THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID PARCEL THE FOLLOWING NINE (9) COURSES:

1. N89° 48'28"W, 15.00 FEET;
3. N58° 28'28"W, 620.00 FEET;
3. S38° 11'32"W, 164.00 FEET;
4. S88° 21'32"W, 491.00 FEET;
5. N74° 08'28"W, 445.00 FEET;
6. S59° 21'32"W, 447.00 FEET;
7. S09° 28'28"E, 360.00 FEET;
8. S16° 11'32"W, 279.00 FEET;
9. S50° 28'28"E, 515.00 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 20070023360 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE NORTHWESTERLY LINES OF SAID PARCEL THE FOLLOWING FOUR (4) COURSES:

1. S26° 11'32"W, 511.00 FEET;
2. N61° 48'28"W, 673.00 FEET;
3. S60° 21'32"W, 210.00 FEET;
4. S27° 11'32"W, 88.00 FEET TO THE NORTHERLY CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO.2006-0044427 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG THE WESTERLY LINES OF SAID PARCEL THE FOLLOWING FIVE (5) COURSES:

1. S27° 11'32"W, 172.00 FEET;
2. S68° 21'32"W, 317.00 FEET;
3. S24° 08'28"E, 380.00 FEET;
4. S10° 41'32"W, 161.00 FEET;
5. S00° 11'32"W, 1,045.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF LARIMER COUNTY ROAD 40;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE N89° 48'28"W, 2,375.12 FEET;
THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S89° 44'08"W, 1,331.60 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 26 ALSO BEING THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 20080062682 OF THE LARIMER COUNTY RECORDS;

THENCE ALONG SAID EAST LINE N00° 19'35"W, 1,290.62 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26 ALSO BEING THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 89052719 OF THE LARIMER COUNTY RECORDS;
THENCE ALONG THE EAST, NORTH, AND WEST LINES OF SAID PARCEL THE FOLLOWING THREE (3) COURSES:

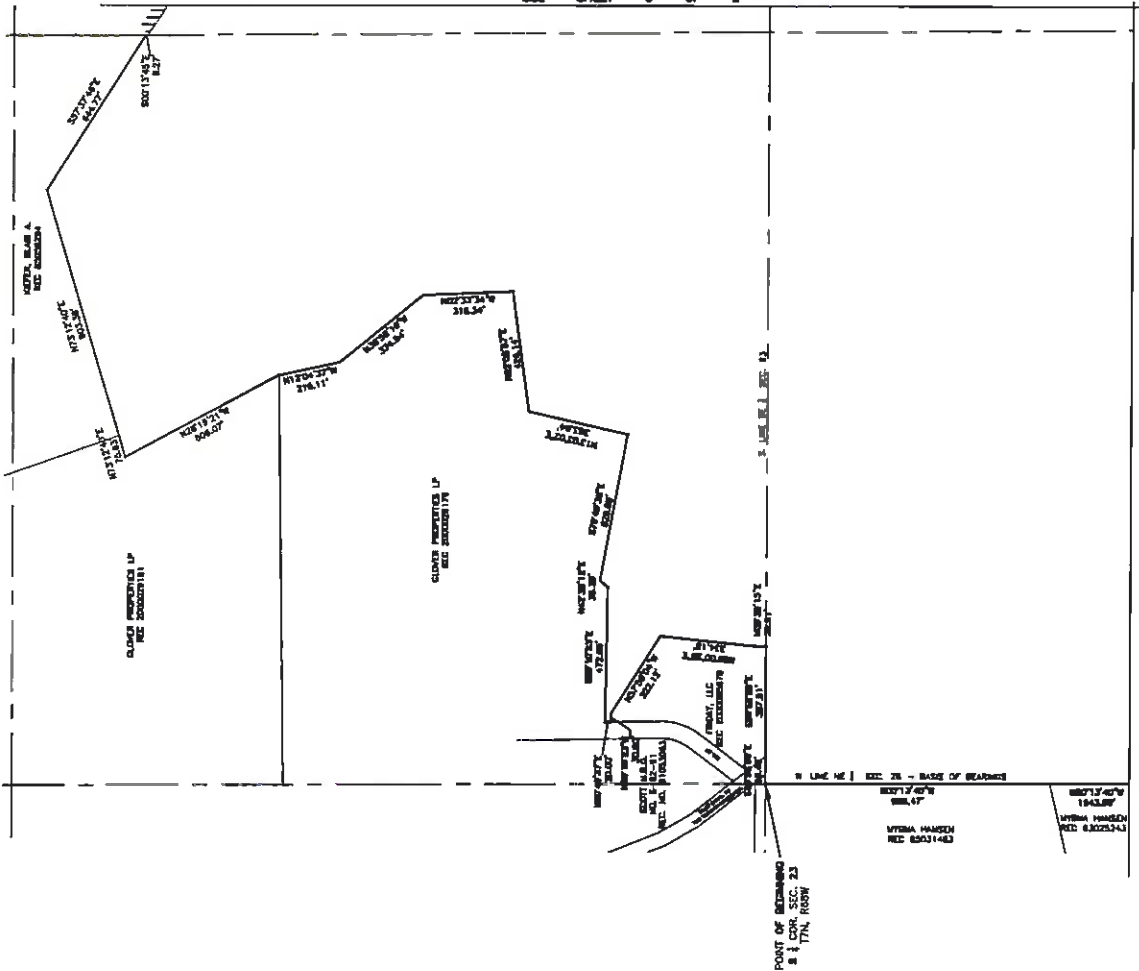
1. N00° 19'35"W, 200.00 FEET;

2. S89° 50'34"W, 200.00 FEET;
3. S00° 19'35"E, 200.00 FEET TO A POINT ON THE NORTH LINE SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26 ALSO BEING THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED AT RECEPTION NO. 20080062682; THENCE ALONG SAID NORTH LINE S89° 50'34"W, 1,119.99 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26 ALSO BEING A POINT ON THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED AT BOOK 2246, PAGE 1497 OF THE LARIMER COUNTY RECORDS; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF SECTION 26, SAID EAST LINE OF THAT PARCEL OF LAND DESCRIBED AT BOOK 2246, PAGE 1497, AND THE EAST LINE OF THAT PARCEL DESCRIBED AT BOOK 186, PAGE 27 N00° 13'39"W, 1,323.24 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 26; THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26 AND ALONG THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 93025243 OF THE LARIMER COUNTY RECORDS N00° 13'40"W, 1,643.99 FEET; THENCE CONTINUING ALONG SAID WEST LINE AND ALONG THE EAST LINE OF THAT PARCEL OF LAND DESCRIBED AT RECEPTION NO. 95031483 OF THE LARIMER COUNTY RECORDS N00° 13'40"W, 999.47 FEET TO THE POINT OF BEGINNING, CONTAINING 37,016,614 SQUARE FEET OR 849.785 ACRES, MORE OR LESS.

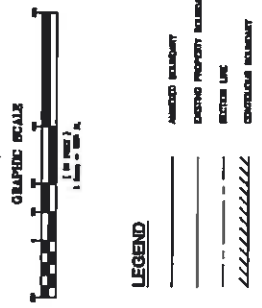
EXHIBIT B
ANNEXATION BOUNDARY MAP

[Attached]

TIMNATH RESERVOIR ANNEXATION TO THE TOWN OF TIMNATH, COLORADO



KEY MAP
1" = 200'



EMK CONSULTANTS, INC.
ENGINEERS • SURVEYORS

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DENVER, COLORADO 80231-2018
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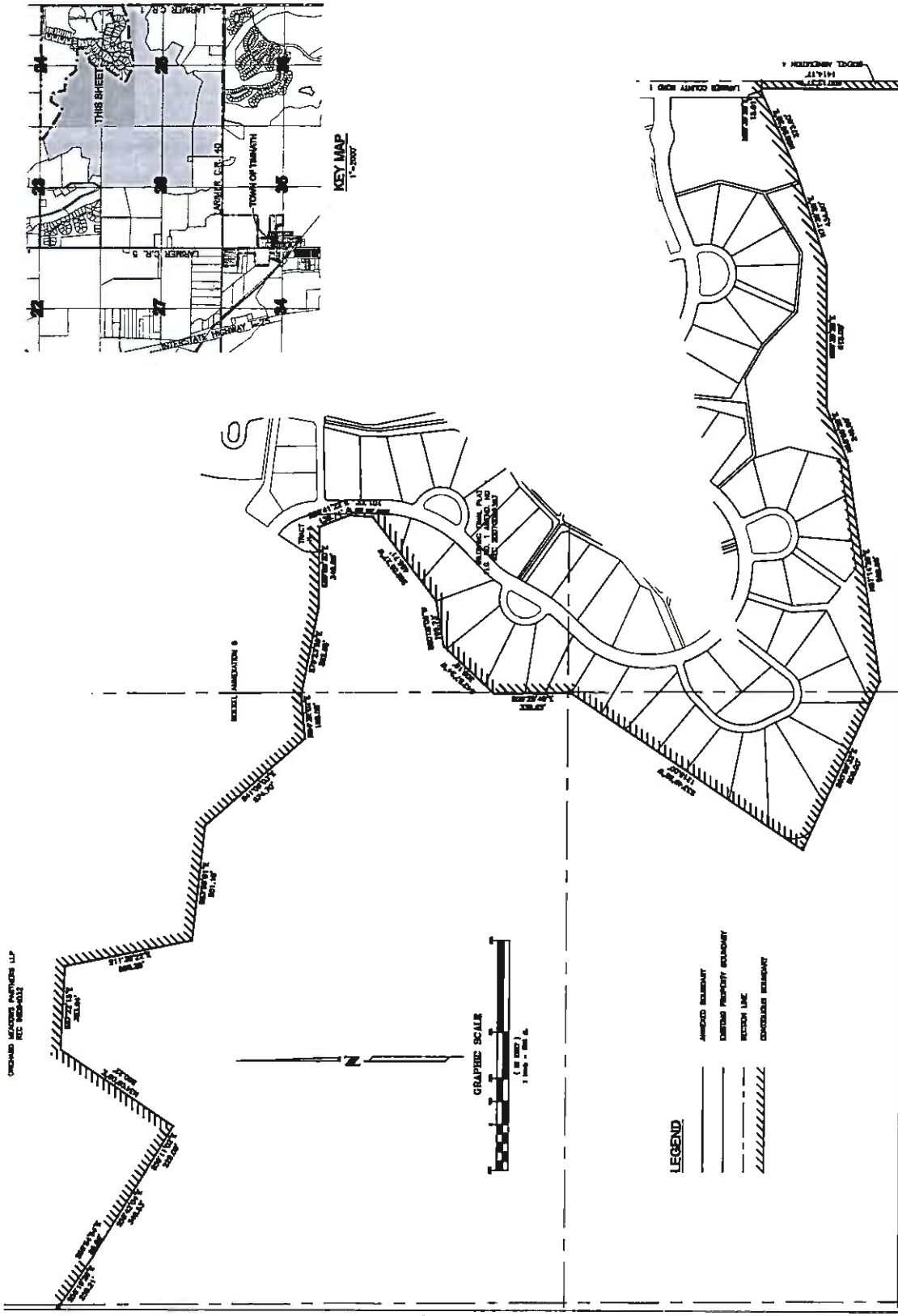
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NO.	DATE	REVISION

TIMNATH RESERVOIR

A PORTION OF LAND LOCATED IN THE
SECTION 23 AND THE E 1/4 SECTION 24
OF THE 8TH T10N RANGE, T49N R69W
OF THE 6TH PLAT COUNTY OF LAMAR,
STATE OF COLORADO

TIMNATH RESERVOIR ANNEXATION TO THE TOWN OF TIMNATH, COLORADO



EMK
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DENVER, COLORADO 80202-1518
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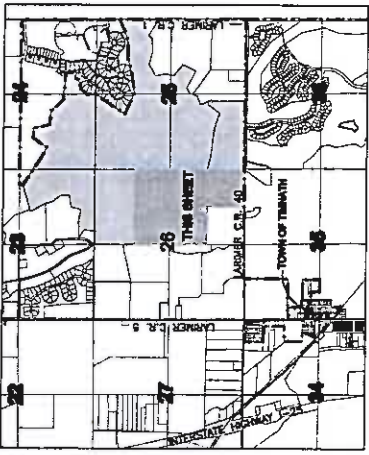
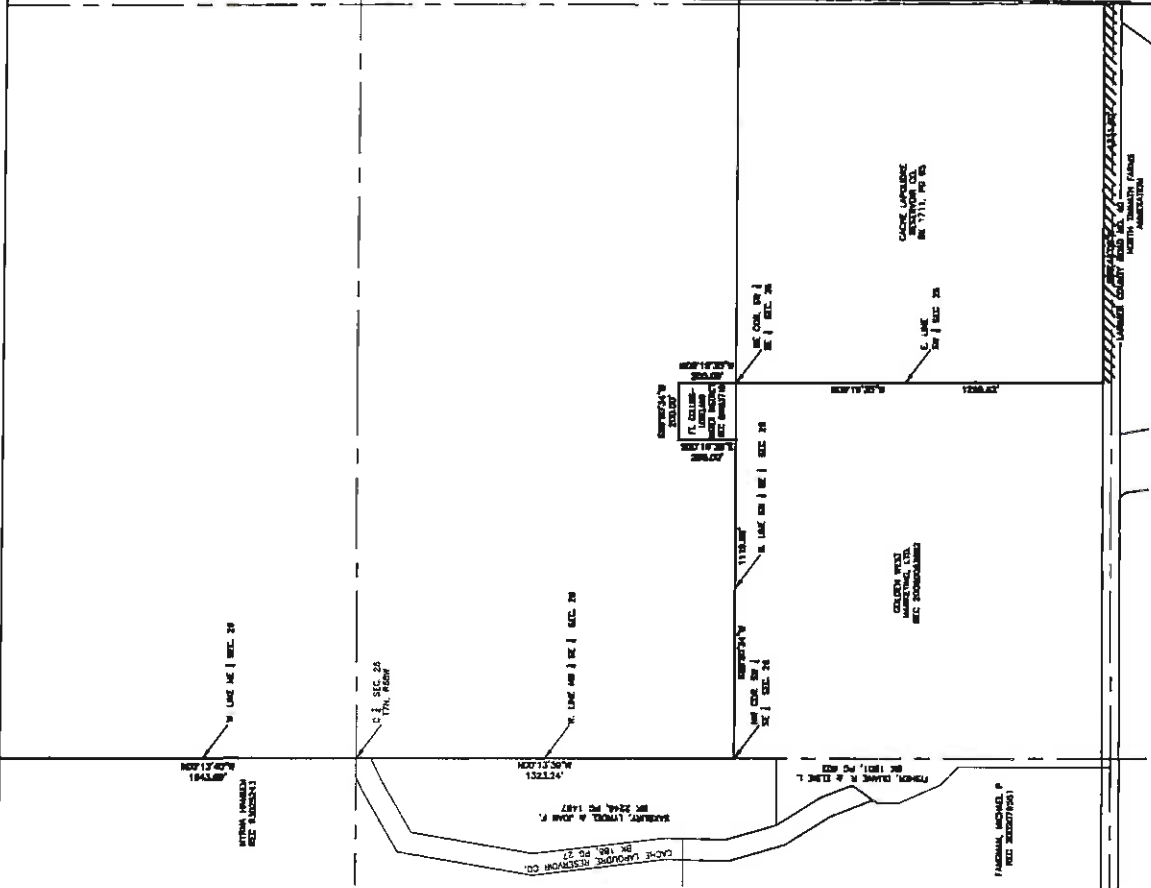
DATE: 11-08-2008
DRAWN BY: J. HARRIS
CHECKED BY: J. HARRIS
SCALE: AS SHOWN

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8	ISSUED FOR PERMITTING	11/08/08
9	ISSUED FOR PERMITTING	11/08/08
10	ISSUED FOR PERMITTING	11/08/08

TIMNATH RESERVOIR ANNEXATION TO THE TOWN OF TIMNATH, COLORADO

SEE SHEET 2 OF 5

SEE SHEET 4 OF 5



KEY MAP
1-2007



- LEGEND**
- ADJACENT JURISDICTION
 - EXISTING PROPERTY BOUNDARY
 - EXTENSION LINE
 - ////// CONTIGUOUS BOUNDARY

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8	FOR RECORD	08/11/11	EMK
9	FOR RECORD	08/11/11	EMK
10	FOR RECORD	08/11/11	EMK

A PORTION OF LAND LOCATED IN THE
TOWNSHIP 7 NORTH, RANGE 65 WEST
OF THE 6TH 24E COUNTY OF LARIMER,
STATE OF COLORADO
SECTION 26, AND THE E 1/4 SEC. 26
SECTION 27, AND THE E 1/4 SEC. 24
SECTION 28, SECTION 29, SECTION 30,
SECTION 31, SECTION 32, SECTION 33,
SECTION 34, SECTION 35, SECTION 36
TOWNSHIP 7 NORTH, RANGE 65 WEST
OF THE 6TH 24E COUNTY OF LARIMER,
STATE OF COLORADO

SHEET 2 OF 5