TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 5
Series of 2008

AN RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF TIMNATH, COLORADO, REZONING
PROPERTY FROM 4TH STREET TO THE SOUTHERN
BOUNDARY OF THE FAIRVIEW VILLAGE SUBDIVISION
AND ADJACENT TO MAIN STREET (LARIMER COUNTY
ROAD 5) FROM R-1, OLD TOWN RESIDENTIAL, TO B,
DOWNTOWN BUSINESS

WHEREAS, the Planning Commission of the Town of Timnath ("Town") held a
properly noticed Public Hearing on February 12, 2008 and has recommended approval of
re zoning the property from 4th Street to the southern boundary of the Fairview Village
Subdivision and adjacent to Main Street (Larimer County Road 5) from R-1, Old Town
Residential, to B, Downtown Business; and

WHEREAS, it is the desire of Town Council to provide for expanded uses on
properties adjacent to Main Street located between 4th Avenue to the south boundary of the
Fairview Village Subdivision; and

WHEREAS, the Town Council believes that to maintain and enhance the vibrancy of
Main Street, this rezoning is desirable; and

WHEREAS, the Town Council has held a properly noticed Public Hearing on February
20, 2008, and all persons interested in such rezoning were provided an opportunity to be
heard; and

WHEREAS, Section 16.3.10 of the Timnath Municipal Code authorizes the Town
Council to amend zoning designations by resolution.

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Timnath,
Colorado, as follows:

Section 1. The existing R-1 zoning designation is hereby changed to B zoning on the
properties described in Exhibit A, attached hereto.

Section 2. Upon passage of this Resolution, the Mayor and Town Clerk are authorized
and directed to complete all the necessary procedures required for the rezoning of said
properties in the Town including: (1) filing certified copies of the rezoning resolution and map
of the area with the Larimer County Clerk and Recorder; (2) filing of the original of this
rezoning resolution with the Town Clerk; and (3) amending the Zoning Map of the Town to
conform to the zoning of the Property as provided herein.

Section 3. This resolution shall be effective upon adoption.
ADOPTED, by the Town Council of the Town of Timnath, Colorado on the 6th day of March 2008, with a motion made by Councilmember Moon and seconded by Councilmember Hesser and a by a vote of 4 in favor and 0 opposed and 1 Recused.

TOWN OF TIMNATH, COLORADO

[Signature]
Charlie Snider, Mayor Pro-Tem

ATTEST:

[Signature]
Linda N. Salas, Town Clerk
EXHIBIT A

PARCEL DESCRIPTIONS INCLUDED IN RE-ZONING FROM R-1 (RESIDENTIAL-1) TO B (BUSINESS)

1. TR IN NE 1/4 34-7-68 DESC AS FOLS: BEG AT PT WH BEARS S 892.86 FT, N 87 54' W 50.03 FT FROM NE COR, N 87 54' W 80 FT, N 200 FT, S 87 54' E 80 FT, S 200 FT TPOB CONT 15.989 SQ FT; ALSO BEG AT PT WH BEARS N 1747.43 FT FROM E 1/4 COR 34-7-68, N 87 54' W 220 FT, N 200 FT, S 87 54' E 220.14 FT, S 200 FT TPOB CONT 1 AC M/L, TIMNATH; LESS 1683-915, RD PER 1561-187 (AD)

2. THAT PORTION LOCATED WITHIN THE TOWN OF TIMNATH LOCATED IN TR IN NE 34-7-68 DESC AS BEG AT PT WH BEARS S 1092.86 FT, N 87 54' W 50.03 FT FROM NE COR, N 87 54' W 80 FT, N 200 FT, S 87 54' E 80 FT, S 200 FT TPOB; ALSO PAR DESC: BEG AT PT WH BEARS S 1092.86 FT, N 87 54' W 130.03 FT FROM NE COR, TH N 87 54' W 217.95 FT, N 200.00 FT, S 87 54' E 217.95 FT, S 200 FT TPOB, TIMNATH (SPLIT FROM 87340 00 020)(C11S00E)

3. THAT PORTION LOCATED WITHIN THE TOWN OF TIMNATH LOCATED IN BEG AT PT WH BEARS N 1235.50 FT FROM E 1/4 COR 34-7-68, S 89 22' W 796.59 FT TO PT ON C/L SAND DIKE DITCH, TH ALG SD C/L N 38 W 457.18 FT, S 87 54' E 1078.73 FT TO PT ON E LN NE, S 311.93 FT TO BEG 7.182 AC M/L; LESS BLK 19, LESS CROSS GATES ANNEX, TIMNATH

4. ALL BLK 19; ALSO BEG AT PT WH BEARS N 1542.43 FT FROM E1/4 COR 34-7-68, S 21.43 FT, W 220 FT, N 21.43 FT, E 220 FT TPOB, TIMNATH

5. THAT PORTION LOCATED WITHIN THE TOWN OF TIMNATH LOCATED IN ALL BLK 18, TIMNATH

6. LOT 3, BLK 10, TIMNATH
7. LOT 2, BLK 10, TIMNATH
8. LOT 1, BLK 10, TIMNATH
9. LOT 17, BLK 9, TIMNATH
10. S 7 1/3 FT OF LOT 10, ALL OF LOTS 11-14, BLK 8, TIMNATH
11. N 40 FT OF S 47 1/3 FT OF LOT 10, BLK 8, TIMNATH
12. S 36 FT OF LOT 8, ALL OF 9 & N 2 2/3 FT OF LOT 10, BLK 8, TIMNATH
13. PT OF BLK 8, TIM DESC AS BEG AT PT 366 FT N OF SW COR NW 35-7-68, N 58 FT, E 130 FT, S 8 FT, E 86 FT, S 50 FT, W 216 FT M/L TPOB; LESS 1736-603, TIMNATH
14. COM AT W 1/4 COR 35-7-68, N 366 FT, E 216 FT TPOB, N 50 FT, E 50 FT, S 50 FT, W 50 FT TPOB; LESS 1533-637, BLK 8, TIMNATH; ALSO COM AT W 1/4 COR 35-7-68, N 366 FT, E 182 FT TPOB, E 34 FT, N 50 FT, W 34 FT, S 50 FT M/L TPOB, BLK 8, TIMNATH
15. COM AT SW COR NW 1/4 35-7-68, N 366 FT TPOB, E 216 FT, N 50 FT, E 50 FT, N 50 FT, W 266 FT, S 100 FT TPOB; EX 1533-636 & 92039910, BEING POR OF BLK 8, TIMNATH
16. LOTS 2,3,4, BLK 8, TIMNATH
17. BEG AT PT WH BEARS N 680 FT & E 42 FT FROM W 1/4 COR 35-7-68, BEING SW COR OF LOT 1, BLK 8, TIM; TH E ALG S LN OF SD LOT & EXTENSION THEREOF OF 400 FT; TH N 180 FT, W 400 FT, S 180 FT; EX ANY PORTION OUTSIDE CITY LIMITS OF TIMNATH (TD 1000)