

**TOWN OF TIMNATH, COLORADO**

**RESOLUTION NO. 71, SERIES 2010**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH  
ALLOWING THE CITY OF FORT COLLINS TO PARTICIPATE IN THE  
CONSERVATION OF SPECIFIC LAND WITHIN THE TOWN OF TIMNATH GROWTH  
MANAGEMENT AREA**

**WHEREAS**, the Town of Timnath (hereinafter referred to as "Town") and the City of Fort Collins (hereinafter referred to as "City") have entered into an Intergovernmental Agreement (herein referred to as "IGA") on February 17, 2009; and

**WHEREAS**, Section 2.1(b) of the IGA specifies that the City may not acquire any property within the Town's Growth Management Area for the purpose of future community separators, natural areas, community parks, recreation or open space, without the consent of the Town, either in fee or through conservation or other easements, either under its own authority or through participation with or financial contribution to third parties or entities; and

**WHEREAS**, the City is interested in participating in the conservation of property known as the "Three Bell Property", of which phase two is located within the Town's Growth Management Area, more particularly described in **Exhibit A**; and

**WHEREAS**, the Town supports the conservation of this land and has provided a letter to the Great Outdoors Colorado Board on November 20, 2009 in support of the easement.

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

**Section 1.**

Pursuant to Article 2, Section 2.1(b) of the Intergovernmental Agreement, dated the 17th day of February, 2009 and entered into between the Town of Timnath and the City of Fort Collins, the Town of Timnath consents to the City of Fort Collins participating in the funding and joint acquisition of a conservation easement to be administered by Larimer County, State of Colorado, such conservation easement to be located and involving property commonly known as the "Three Bell Property" and with a legal description as further set forth on **Exhibit A**, attached hereto and incorporated herein by reference.


**Section 2. Effective Date**

This Resolution shall be effective upon adoption.

DB

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of August, 2010.

**TOWN OF TIMNATH, COLORADO**

  
\_\_\_\_\_  
Donna Benson, Mayor

**ATTEST:**

  
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Milissa McGuire, Town Clerk

## EXHIBIT A

### Legal description of property

That portion of the Southeast Quarter of Section 11, and a portion of the Southwest Quarter of Section 12, both being in Township 6 North, Range 68 West of the 6<sup>th</sup> Prime Meridian, Larimer County, Colorado being more particularly described as follows: Considering the East line of the Southeast Quarter of said Section 11, as bearing South 00°46'18" East and with all bearings contained herein relative thereto; Beginning at the East One Quarter Corner of said Section 11, thence along the East-West centerline of said Section 12, South 88°31'55" East 30.59 feet; thence South 00°46'18" East 720.88 feet; thence North 90°00'00" West 30.56 feet to the East line of the Southeast Quarter of said Section 11; thence along said East line South 00°46'18" East 296.52 feet; thence South 44°10'10" East 1166.02 feet; thence South 35°01'46" East 853.53 feet; thence South 02°44'09" East 110.94 feet; to the South line of the Southwest Quarter of Section 12; thence along said South line North 89°12'19" West 1285.89 feet to the Southwest Corner of said Section 12; thence along the South line of the Southeast Quarter of said Section 11, South 88°27'06" West 2670.75 feet to the South One Quarter Corner of said Section 11; thence along the North-South centerline of said Section 11, North 00°29'59" East 2652.71 feet to the center Section Corner of said Section 11, thence along the East-West centerline of said Section 11, North 88°33'13" East 2611.82 feet to the East One Quarter Corner of said Section 11, and the Point of Beginning. Except that portion conveyed to John D. Graves and Brenda K. Graves in Deed recorded December 9, 1993 at Reception No. 93093437.