TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 12, SERIES 2015

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH APPROVING THE FINAL PLANNED DEVELOPMENT OVERLAY FOR WILDWING SUBDIVISION, GENERALLY LOCATED WEST OF AND ADJACENT TO CR 1/MAIN LATHAM PARKWAY, AND SOUTH OF AND ADJACENT TO WILDWING DRIVE

WHEREAS, WW Development, LLC (the "Developer") has submitted a Final Planned Development Overlay for the Wildwing Subdivision, more particularly described in Exhibit A (legal description) and Exhibit B (Final Planned Development Overlay) and attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, a properly noticed public hearing was held on December 1, 2015, and the above described Final Planned Development Overlay was recommended for approval to the Town Council by the Town of Timnath Planning Commission with the following conditions:

1. Allow staff to continue to work with applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies

WHEREAS, a properly noticed public hearing with the Town Council was held on December 8, 2015 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below.

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

Section 1. Property Zoned
That Article 3 of the Timnath Land Use Codes and the map referred to therein as the "Official Zoning Map of the Town of Timnath", said map being part of said Zoning Code and showing the boundaries of the district specified, shall be and the same is hereby amended in the following particulars, to wit:

The existing R-2 zoning is amended with the addition of a Planned Development Overlay – See attached Exhibit A

Section 2. Public Hearing
The Town Council held a public hearing on Tuesday, December 8, 2015 regarding the zoning of the property.

Section 3. Severability
If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

Section 4. Effective Date
This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this ordinance and make not less
than one copy of the adopted Ordinance available for inspection by the public during regular business hours.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON NOVEMBER 10, 2015, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON DECEMBER 8, 2015 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 8TH DAY OF DECEMBER, 2015.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON DECEMBER 8, 2015.

TOWN OF TIMNATH, COLORADO

[Signature]
Jill Grossman-Belisle, Mayor

ATTEST:

[Signature]
Milissa Peters, CMC
Town Clerk
EXHIBIT A

Legal Description of Property Proposed for Final Planned Development Overlay

Lots One (1) through Lot Ten (10), Block 1, Wildwing Subdivision Replat D recorded May 17, 2013 as Reception No. 20130037421 of the Records of Larimer County and Wildwing Final Plat Filing No. 1 Amendment No. 2 recorded November 25, 2008 as Reception No. 20080072667 of the Records of Larimer County, situated in the South Half of Section Twenty-four (24) and the North Half of Section Twenty-five (25), Township Seven North (T.7N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), Town of Timnath, County of Larimer, State of Colorado.

EXCEPTING THEREFROM Lots 1 through Lot 11, Block 1, Lots 1 through Lot 7, Block 1, Lots 1 through Lot 10, Block 1, Lots 2 through Lot 3, Block 2, Lots 1 through Lot 8, Block 6, Lots 1 through Lot 4, Block 7, Lots 1 through Lot B, Block 8, Lots 1 through Lot 3, Block 24, Tracts A, B, C, E, F, V, H–4, O–1, O–2, O–3, O–4, O–5, MM, LL, KK, L–1, JJ, Wildshore Drive Right of Way, Majestic View Drive Right of Way, Thunderbird Drive Right of Way, Chandra Street Right of Way, Summerwind Court Right of Way, White Snow Court Right of Way, Water View Court Right of Way, Wildwing Drive Right of Way, Winterpeak Court Right of Way and Boundless Lane Right of Way, Wildwing Final Plat Filing No. 1 Amendment No. 2.

EXCEPTING THEREFROM Wildwing Subdivision Replat E recorded April 24, 2014 as Reception No. 2014002041B of the Records of Larimer County, Wildwing Subdivision Replat C recorded December 19, 2012 as Reception No. 20120081430 of the Records of Larimer County, Wildwing Subdivision Replat A – Corrected recorded December 12, 2012 as Reception No. 20120089533 of the Records of Larimer County, and Wildwing Subdivision Replat B recorded October 17, 2012 as Reception No. 20120072516 of the Records of Larimer County.

Said described parcel of land contains 180.737 Acres, more or less (±).
EXHIBIT B

Final Planned Development Overlay

[attached]