TOWN OF TIMNATH, COLORADO  
ORDINANCE NO. 10, SERIES 2016

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH APPROVING THE  
AMENDED PLANNED DEVELOPMENT OVERLAY FOR WILDWING SUBDIVISION,  
generally located west of and adjacent to Latham Parkway, and south of and adjacent to Wildshore Drive

WHEREAS, The Town of Timnath (the "Town") is a home rule municipality operating under the  
Timnath Home Rule Charter (the "Charter") adopted on November 7, 2001 and the Town's  
Municipal Code (the "Code"). Pursuant to the Charter, the Code and the authority given home  
rule municipalities, the Town may adopt and amend ordinances; and

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

WHEREAS, a properly noticed public hearing was held on September 6, 2016, 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
2. The staff report be revised regarding the Preliminary PD Overlay Review Criteria

WHEREAS, a properly noticed public hearing with the Town Council was held on September  
27, 2016 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 Exhibits A&B

Section 2. Conditions
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

Section 3. Public Hearing
The Town Council held a public hearing on Tuesday, September 27, 2016 regarding the zoning  
of the property.

Please Return to:  
Town of Timnath  
4800 Goodman Street  
Timnath, CO 80547
Section 4. 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 5. 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, SEPTEMBER 13, 2016, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON SEPTEMBER 27, 2016 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 27 DAY OF SEPTEMBER, 2016.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON SEPTEMBER 27, 2016.

TOWN OF TIMNATH, COLORADO

[Signature]
Bryan Voronin, Mayor Pro Tem

ATTEST:

[Signature]
Milissa Peters, CMC
Town Clerk
EXHIBIT A

Legal Description of Property Proposed for Amended Planned Development Overlay

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF SECTION 24 AND THE NORTH HALF OF SECTION 25, TOWNSHIP 7 NORTH, RANGE 88 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 24, WHENCE THE EAST QUARTER CORNER THEREOF BEARS N00°00'00"W; THENCE S95°59'54"W, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 901, BEING THE POINT OF BEGINNING;
THENCE S00°00'07"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 281.08 FEET;
THENCE N95°05'50"W, A DISTANCE OF 15.51 FEET; THENCE S66°23'10"W, A DISTANCE OF 373.80 FEET;
THENCE S72°00'10"W, A DISTANCE OF 454.00 FEET; THENCE N99°59'50"W, A DISTANCE OF 615.00 FEET;
THENCE S08°30'10"W, A DISTANCE OF 249.00 FEET; THENCE S61°35'10"W, A DISTANCE OF 968.00 FEET;
THENCE N65°29'50"W, A DISTANCE OF 805.00 FEET; THENCE N34°10'10"E, A DISTANCE OF 1215.00 FEET;
THENCE N00°00'02"E, A DISTANCE OF 336.65 FEET; THENCE N31°18'06"E, A DISTANCE OF 300.18 FEET;
THENCE N80°26'48"E, A DISTANCE OF 180.73 FEET; THENCE N53°16'09"E, A DISTANCE OF 456.71 FEET;
THENCE N03°47'08"E, A DISTANCE OF 101.73 FEET; THENCE N20°20'49"E, A DISTANCE OF 138.74 FEET;
THENCE N89°37'49"W, A DISTANCE OF 346.88 FEET; THENCE N70°00'17"W, A DISTANCE OF 392.85 FEET;
THENCE S84°52'44"W, A DISTANCE OF 188.58 FEET; THENCE N40°48'21"W, A DISTANCE OF 547.70 FEET;
THENCE S83°38'10"W, A DISTANCE OF 501.10 FEET; THENCE N11°17'40"W, A DISTANCE OF 580.28 FEET;
THENCE N87°01'33"W, A DISTANCE OF 563.04 FEET; THENCE S34°29'51"W, A DISTANCE OF 590.22 FEET;
THENCE N58°50'20"W, A DISTANCE OF 229.00 FEET; THENCE N58°21'22"W, A DISTANCE OF 346.53 FEET; THENCE N58°24'12"W, A DISTANCE OF 99.88 FEET; THENCE N58°59'47"W, A DISTANCE OF 250.21 FEET TO A POINT ON THE WESTERLY LINE OF A PARCEL OF LAND DESCRIBED IN BOOK 1420 AT PAGE 602; THENCE N00°06'57"E, ALONG SAID WESTERLY LINE, A DISTANCE OF 456.27 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 24; THENCE S89°49'11"E, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 2660.30 FEET TO THE CENTER OF SAID SECTION 24; THENCE S88°48'33"E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 2620.76 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 901; THENCE N00°00'16"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 2654.83 FEET TO THE POINT OF BEGINNING, CONTAINING 12,399.766 SQUARE FEET OR 263.262 ACRES MORE OR LESS.
EXHIBIT B

Amended Planned Development Overlay

[attached]