

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 1, SERIES 2018**

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN REAL PROPERTY TO BE KNOWN AS THE SOUTHSIDE 2nd ANNEXATION TO THE TOWN OF TIMNATH, COLORADO, GENERALLY LOCATED SOUTH OF 3rd AVE AND WEST OF AND ADJACENT TO THE TIMNATH LANDING SUBDIVISION

WHEREAS, the Southside 2nd Annexation property more particularly described in **Exhibit A** (legal description and **Exhibit B** (annexation map), attached hereto and incorporated herein by this reference (the "Property") is owned by the Town of Timnath; and

WHEREAS, pursuant to § 31-12-106(3), C.R.S., a petition for annexation and a properly noticed Planning Commission public hearing are not required because the Property is owned by the Town of Timnath; and

WHEREAS, pursuant to § 31-12-108.5(1), C.R.S., an impact report concerning the proposed annexation is not required because the Property includes less than ten acres; and

WHEREAS, the contiguity required by C.R.S. § 31-12-104(1)(a) exists in that the property annexed hereby has at least one-sixth boundary contiguity with a present municipal boundary of the Town; and

WHEREAS, the Town Council finds the Property is eligible for annexation and should be annexed to the Town of Timnath.

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

Section 1. Findings.

The contiguity required by CRS Sec. 31-12-104(1)(a) exists in that the property annexed hereby has at least one-sixth boundary contiguity with a present municipal boundary of the Town. The Property is eligible for annexation and should be annexed to the Town of Timnath.

Section 2. Annexation Approved.

The annexation to the Town of the following described real property is hereby approved (see attached):

**Exhibit A – Property Description
Exhibit B – Annexation Map**

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 Town Council hereby declares

Please Return to:
Town of Timnath
4800 Goodman Street
Timnath, CO 80547

that it would have adopted this Ordinance and each part or parts hereof irrespective of the fact than 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 DECEMBER 12, 2017, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON JANUARY 9, 2018 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 12TH DAY OF DECEMBER, 2017.

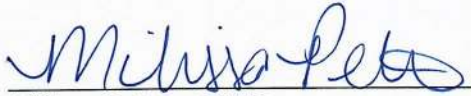
MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 9TH DAY OF JANUARY, 2018.

TOWN OF TIMNATH



Jill Grossman-Belisle, Mayor

ATTEST:



Milissa Peters, CMC
Town Clerk

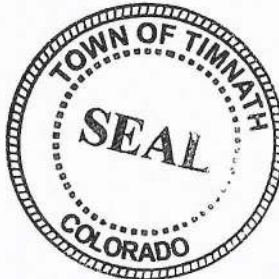


EXHIBIT A

Legal Description of Property Annexed

[attached]

A parcel of land lying in Lots 24, 25, 26 and 27, Block 2 of the Deannexed Portion of The Town of Timnath and a portion of the vacated Kern Street in the Town of Timnath, all being located in the NW1/4 of the SW1/4 of Section 35, Township 7 North, Range 68 West of the 6th P.M., Larimer County, Colorado, described as follows:

BEGINNING at a point on the centerline of Kern Street whence the Northwest corner of the NW1/4 of the SW1/4 of said Section 35 bears N 39°55'56" W 732.42 feet;

Thence S 00°11'44" W along the centerline of Kern Street 204.92 feet to the Northeasterly right-of-way boundary of the Colorado and Southern Railroad;

Thence N 50°08'13" W along the Colorado and Southern Railroad Right-of-way 285.40 feet;

Thence N 00°11'44" E 25.98 feet;

Thence S 50°08'13" E 110.31 feet;

Thence N 63°50'34" E 150.75 feet, more or less, to the Point of Beginning.
County of Larimer, State of Colorado.

EXHIBIT B

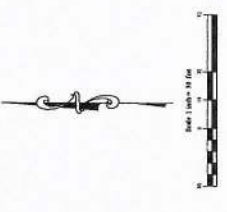
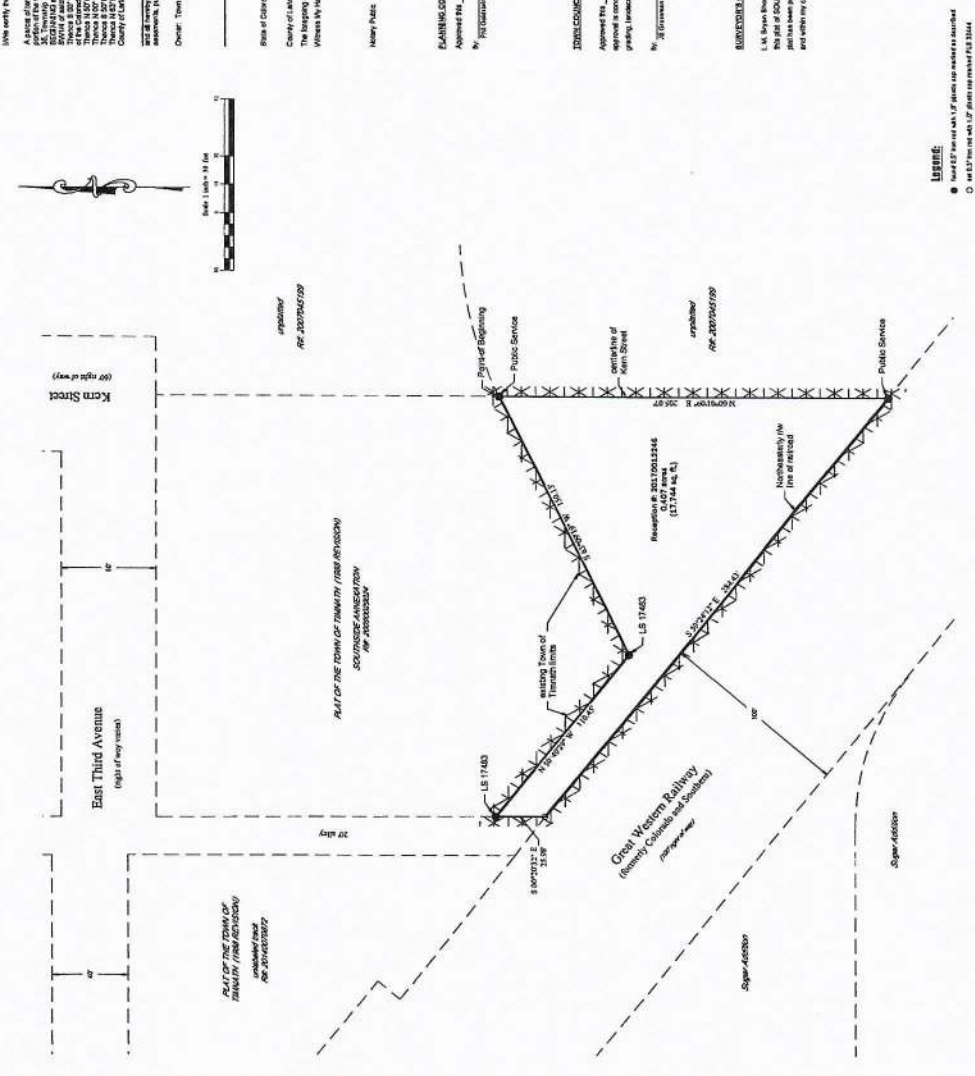
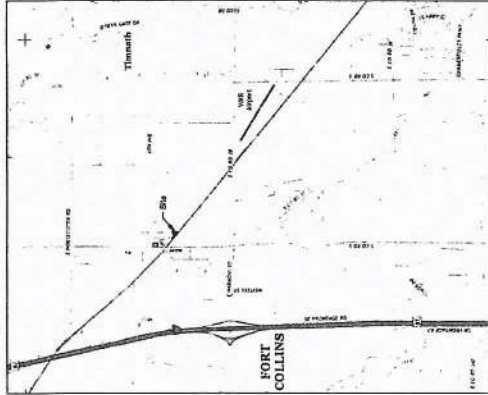
Annexation Map

[attached]

SOUTH SIDE 2ND ANNEXATION

TO THE TOWN OF TIMMATH, COLORADO

A part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 35, Township 7 North, Range 68 West of the 6th P.M., Town of Timmath, Colorado
0.407 acres



CERTIFICATE OF ADOPTION:

I, the undersigned, Clerk of the Board of Commissioners of the Town of Timmath, Colorado, do hereby certify that the foregoing plat was approved by the Board of Commissioners of the Town of Timmath, Colorado, on this _____ day of _____, A.D. 2011, at a regular meeting of the Board of Commissioners of the Town of Timmath, Colorado, held at the Town Office, Timmath, Colorado, and that the same was duly recorded in the Public Records Office of Larimer County, Colorado, on this _____ day of _____, A.D. 2011, at _____ o'clock of the day of the month of _____, A.D. 2011.

PLATING COMMISSIONER CERTIFICATE:

I, the undersigned, Clerk of the Board of Commissioners of the Town of Timmath, Colorado, do hereby certify that the foregoing plat was approved by the Board of Commissioners of the Town of Timmath, Colorado, on this _____ day of _____, A.D. 2011, at a regular meeting of the Board of Commissioners of the Town of Timmath, Colorado, held at the Town Office, Timmath, Colorado, and that the same was duly recorded in the Public Records Office of Larimer County, Colorado, on this _____ day of _____, A.D. 2011, at _____ o'clock of the day of the month of _____, A.D. 2011.

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TOWN COUNCIL CERTIFICATE:

I, the undersigned, Clerk of the Board of Commissioners of the Town of Timmath, Colorado, do hereby certify that the foregoing plat was approved by the Board of Commissioners of the Town of Timmath, Colorado, on this _____ day of _____, A.D. 2011, at a regular meeting of the Board of Commissioners of the Town of Timmath, Colorado, held at the Town Office, Timmath, Colorado, and that the same was duly recorded in the Public Records Office of Larimer County, Colorado, on this _____ day of _____, A.D. 2011, at _____ o'clock of the day of the month of _____, A.D. 2011.

RESOLUTION CERTIFICATE:

I, the undersigned, Clerk of the Board of Commissioners of the Town of Timmath, Colorado, do hereby certify that the foregoing plat was approved by the Board of Commissioners of the Town of Timmath, Colorado, on this _____ day of _____, A.D. 2011, at a regular meeting of the Board of Commissioners of the Town of Timmath, Colorado, held at the Town Office, Timmath, Colorado, and that the same was duly recorded in the Public Records Office of Larimer County, Colorado, on this _____ day of _____, A.D. 2011, at _____ o'clock of the day of the month of _____, A.D. 2011.

LEGEND:

- Part of Plat No. 117 of 118 of the 1st Series of the 6th P.M. of the 6th P.M.
- Part of Plat No. 117 of 118 of the 1st Series of the 6th P.M.
- Separation Line
- Boundary Line
- Boundary Line

NOTES:

- This is a plat of a portion of the 6th P.M. of the 6th P.M.
- The area shown on this plat is a portion of the 6th P.M. of the 6th P.M.
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CONTRACT NO.	PLS-08-0100	PROJECT NO.	5709-L001
SHEET NO.	1	TOTAL SHEETS	1
CLIENT PLS Group, 8843 North Franklin Avenue, Loveland, Colorado 80538, Phone: 970.699.2100 - Email: info@plsgroup.com			
TITLE SOUTH SIDE 2ND ANNEXATION, Section 35, Township 7 North, Range 68 West, 6th P.M., Larimer County, Colorado			
DATE		SCALE	STATIONING
2011		AS SHOWN	ST 100', PL 100'
DRAWN BY	PLS Group	CHECKED BY	
DATE		DATE	