TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 52, SERIES 2018

A RESOLUTION VACATING THAT CERTAIN EASEMENT CREATED IN THE
FINAL PLAT OF RIVERBEND 1ST FILING

WHEREAS, the Town Council of the Town of Timnath (the “Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, the Final Plat of Riverbend 1st Filing was recorded June 23, 2015 at Reception No. 20150039320 (the “Final Plat”); and

WHEREAS, the Final Plat created an easement more specifically described in the legal description and map which are included here as part of the Easement Vacation Certificate attached hereto as Exhibit A (the “Prior Easement”); and

WHEREAS, the Town has already approved the Dedication of Stormwater Drainage Easement dated July 6, 2018 signed by Timnath Lands LLC and Dedication of Stormwater Detention Pipeline Easement dated July 6, 2018 signed by Terra Resource Corporation (collectively, the “Replacement Easements”); and

WHEREAS, the Replacement Easements are for a more defined easement area than the Prior Easement; and

WHEREAS, the Town desires to vacate the Prior Easement by signing and recording the Easement Vacation Certificate because the Prior Easement has been replaced by the more specific Replacement Easements; and

WHEREAS, the Town Council is familiar with the Prior Easement and Replacement Easements and finds it to be in the best interest of the Town, its residents, and the general public to vacate the Prior Easement and approve the Replacement Easements.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO AS FOLLOW:

Section 1. Approval of Easement Vacation Certificate

The Easement Vacation Certificate is hereby approved in substantially the form attached hereto as Exhibit A, with such modifications and additions as the Town Manager in consultation with legal
counsel, determines to be necessary and appropriate to protect the interests of the Town or effectuate the purposes set forth herein and not otherwise inconsistent with this resolution.


TOWN OF TIMNATH, COLORADO

________________________
Jill Grossman-Belisle, Mayor

ATTEST:

________________________
Milissa Peters-Garcia, CMC
Town Clerk
EXHIBIT A

Easement Vacation Certificate

WHEREAS, there is an easement more specifically described in Exhibit A attached hereto and created by the Final Plat of Riverbend 1st Filing recorded on June 23, 2015 at Reception No. 20150039320; and

WHEREAS, the property owners desire to vacate the easement identified in Exhibit A by signature of this Easement Vacation Certificate.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

The easements identified in Exhibit A is hereby vacated.

APPROVED this 24th day of July, 2018.

TOWN OF TIMNATH, COLORADO

[Signature]
Jill Grossman-Belisle, Mayor

ATTEST:

[Signature]
Milissa Peters-Garcia, CMC
Town Clerk
EXHIBIT A

A TRACT OF LAND SITUATE IN NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, RAE MRD 97-EX1013
THENCE S 89°21'40" W A DISTANCE OF 68.07 FEET;
THENCE S 13°17'50" W A DISTANCE OF 208.73 FEET;
THENCE S 39°07'20" E A DISTANCE OF 8.19 FEET;
THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 89°59'27", AN ARC LENGTH OF 31.42 FEET, AND A CHORD THAT BEARS S84°07'35"E A DISTANCE OF 28.29 FEET;
THENCE N 50°52'10" E A DISTANCE OF 100.51 FEET;
THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 37°30'04", AN ARC LENGTH OF 199.63 FEET, AND A CHORD THAT BEARS N89°37'12"E A DISTANCE OF 196.08 FEET;
THENCE N 88°22'14" E A DISTANCE OF 68.57 FEET;
THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 28°02'18", AN ARC LENGTH OF 172.69 FEET, AND A CHORD THAT BEARS N75°21'05"E A DISTANCE OF 171.21 FEET;
THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 9°37'25", AN ARC LENGTH OF 47.03 FEET, AND A CHORD THAT BEARS N57°31'14"E A DISTANCE OF 46.07 FEET;
THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 45°50'50", AN ARC LENGTH OF 76.02 FEET, AND A CHORD THAT BEARS N29°47'06"E A DISTANCE OF 74.01 FEET;
THENCE S 89°21'40" W A DISTANCE OF 497.23 FEET;
THENCE S 9°54'20" E A DISTANCE OF 40.42 FEET TO THE POINT OF BEGINNING

SAID TRACT CONTAINS 1.72 ACRES (74,956 SQUARE FEET) MORE OR LESS AND IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS NOW IN USE OR OF RECORD.
EXHIBIT A

POINT OF BEGINNING
S88°21'40"W 497.23'

SUBJECT PARCEL

N88°22'14"E 68.57'

CURVE TABLE

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LINE TABLE

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EXHIBIT A
DATE: JULY 16, 2018
JOB NO. 876.00004.00
SHEET 2 OF 2

TST, INC. Consulting Engineers
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Fort Collins, Colorado
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