

**TOWN OF TIMNATH COLORADO  
RESOLUTION 31, SERIES 2022**

**A RESOLUTION MAKING CERTAIN FINDINGS OF FACT AND DECLARING  
ELIGIBILITY OF THE PROPOSED ANNEXATION OF PARCELS OF LAND TO THE  
TOWN OF TIMNATH, COLORADO, KNOWN AS THE DREHLE ANNEXATION**

**WHEREAS**, the Town Council of the Town of Timnath, Colorado, has found a petition for the annexations of the hereinafter described parcels of land to be in substantial compliance with the requirements of Section 31-12-107(1), Colorado Revised Statutes; and

**WHEREAS**, the Town has provided notice of public hearing on the proposed annexations by publication once per week for four successive weeks and by registered mail to the Clerk of the Board of County Commissioners, the County Attorney, the school district and to any special district having property in the area to be annexed; and

**WHEREAS**, the Town has prepared an Annexation Impact Report per C.R.S. 31-12-108.5, as the area being annexed is more than 10 acres in size; and

**WHEREAS**, the Town Council has completed a public hearing to determine if the proposed annexation complies with Sections 31-12-104 and 105, Colorado Revised Statutes, to establish eligibility for annexation.

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

**Section 1. Findings.**

A. The Town Council hereby finds and concludes with regard to the annexation of the property described in **Exhibit A** attached hereto and incorporated herein, that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the property proposed to be annexed and the Town; the property proposed to be annexed is urban or will be urbanized in the near future, and that the property proposed to be annexed is integrated or is capable of being integrated with the Town.

B. The Town Council hereby finds and concludes that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; that the annexation will not result in the detachment of the area from a school district; that the annexation will not result in the extension of a municipal boundary more than three miles; that the Town has in place a plan for said three mile area; and that in establishing the boundaries of the area to be annexed the entire width of any street or alley is included within the area annexed.

C. The Town Council hereby finds and concludes that an election is not required, and no additional terms or conditions are to be imposed upon the area to be annexed other than set forth in the Intergovernmental Agreement attached hereto as **Exhibit B**.

**Section 2. Effective Date**

This Resolution shall be effective upon adoption.

PASSED, APPROVED AND ADOPTED THIS 28<sup>th</sup> DAY OF JUNE, 2022. THE VOTE UPON  
ROLL CALL BEING AS FOLLOWS:

For: <sup>5</sup> \_\_\_\_\_

Against: <sup>0</sup> \_\_\_\_\_

Abstain: <sup>0</sup> \_\_\_\_\_

FOR THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO

TOWN OF TIMNATH

DocuSigned by:  
*Mark Soukup*  
By: \_\_\_\_\_  
Mark J. Soukup, Mayor

ATTEST:

DocuSigned by:  
*Milissa Peters-Garcia*  
\_\_\_\_\_  
Milissa Peters-Garcia, CMC  
Town Clerk

**EXHIBIT A**

**Legal Description of Proposed Annexation**

(See Attached)

**Annexation 1:**

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, IN TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6<sup>TH</sup> PM, LARIMER COUNTY, COLORADO, DESCRIBED AS FOLLOWS;

COMMENCING AT THE EAST SIXTEENTH CORNER COMMON WITH SECTION 2 AND 11, MONUMENTED WITH A NO. 6 REBAR WITH 3" ALUMINUM CAP IN A RANGE BOX, STAMPED LS 37911;

THENCE N02°06'32"W, A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT OF WAY OF LARIMER COUNTY ROAD 36 AND NORTH LINE OF BRUNNER FARM ANNEXATION RECORDED IN THE LARIMER COUNTY CLERK AND RECORDERS OFFICE AT RECEPTION NUMBER 2014009366 TO THE POINT OF BEGINNING;

THENCE N02°06'32"W, A DISTANCE OF 1164.79 FEET ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE FELDMAN ANNEXATION RECORDED IN THE LARIMER COUNTY CLERK AND RECORDERS OFFICE AT RECEPTION NUMBER 20180016894;

THENCE N88°14'44"E, A DISTANCE OF 1253.51 FEET ON THE SOUTH LINE OF SAID FELDMAN ANNEXATION TO THE SOUTHEAST CORNER THEREOF AND THE WEST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3, MONUMENTED WITH A NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP, STAMPED PLS 37065;

THENCE S01°28'56"E, A DISTANCE OF 1164.44 FEET ON SAID WEST RIGHT OF WAY LINE TO THE NORTH RIGHT OF WAY OF LARIMER COUNTY ROAD 36 AND NORTH LINE OF BRUNNER FARM ANNEXATION;

THENCE S88°13'46"W, A DISTANCE OF 1240.77 FEET ON SAID NORTH RIGHT OF WAY LINE AND NORTH LINE OF BRUNNER FARM ANNEXATION TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,452,417 SQUARE FEET OR 33.343 ACRES

**EXHIBIT B**

**Annexation Agreement**

(See Attached)



## **PETITION FOR ANNEXATION**

### **PETITION FOR ANNEXATION TO THE TOWN OF TIMNATH, COLORADO**

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THE UNDERSIGNED, being "landowners" as defined in C.R.S. § 31-12-103(6), hereby Petition the Town of Timnath, Colorado (the "Town") for annexation for the following described property and further state:

1. The legal description of the land which Landowners request to be annexed to the municipality is attached hereto as **Exhibit "A"**, hereinafter referred to as the "Property."
2. It is desirable and necessary that the Property be annexed to the Town.
3. The following requirements of C.R.S. § 31-12-104 exist or have been met:
  - a. Not less than 1/6th of the perimeter of the Property is contiguous with the Town.
  - b. A community of interest exists between the Property and the Town. The Property is urban or will be urbanized in the near future; and the Property is capable of being integrated into the Town.
4. None of the limitations provided in C.R.S. § 31-12-105 are applicable and the requirements of that statute have been met because of the following:
  - a. The annexation of the Property will not result in the Property being divided into separate parts or parcels under identical ownership;
  - b. No land area within the Property held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate comprising 20 acres or more and having a valuation for assessment in excess of \$200,000 for ad valorem tax purposes has been included in the area of the Property to be annexed without the written consent of the landowners thereof;
  - c. No annexation proceedings have been commenced for annexation of any part of the Property by any other municipality;
  - d. The entire width of all streets and alleys to be included within the area annexed are included;
  - e. The annexation of the Property will not result in the detachment of area from any school district or the attachment of same to another school district; and
  - f. Annexation by the Town of the Property will not have the effect of, and will not result in, the denial of reasonable access to landowners, owners of an

easement, or owners of a franchise adjoining a platted street or alley, inasmuch as annexation of the Property will not result in annexation of a platted street or alley which is not bounded on both sides by the Town.

5. The annexation of the Property will not have the effect of extending a boundary of the Town more than three miles in any direction from any point of the municipal boundary in the past 12 months.

6. The Petitioners comprise the owners in fee of more than 50 percent of the area of the Property, exclusive of public streets and alleys, and comprise more than 50 percent of the landowners of the Property. The legal description of the land owned by each signer of this petition is shown on **Exhibit A**.

7. The Petitioners request that the Town Council approve the annexation of the Property.

8. This Petition is accompanied by four (4) copies of an annexation boundary map in the form required by C.R.S. § 31-12-102(1)(d) and attached as **Exhibit B**.

9. The Petitioners reserve the right to withdraw this Petition in the event the Property is not zoned in accordance with the Annexation Agreement, if any.

10. This instrument may be executed in one or more counterparts, all of which taken together shall constitute the same document.

PETITIONERS:

By: Edwin Drehte

Mailing Address: 130 P.O. Box 388  
PINE CO 80470

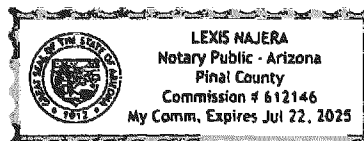
Arizona  
STATE OF COLORADO )  
COUNTY OF LARIMER Pinal ) s.s.

Subscribed and sworn to before me this 20 day of April, 2022 by Karel Drehte and Edwin Drehte

Witness my hand and official seal.

My commission expires: 7/22/25

Lexis Najera  
Notary Public



PETITIONERS:

JAMES R. DREHLE TRUST

By: [Signature] TRUSTEE  
EXECUTOR

Mailing Address: P.O. Box 338  
PINE CO 80470

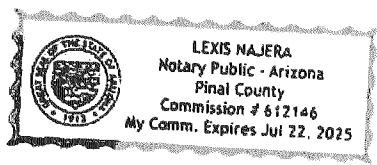
ARIZONA  
STATE OF COLORADO )  
COUNTY OF ~~LARIMER~~ Pinal ) s.s.

Subscribed and sworn to before me this 20 day of April, 2022, by  
Karel Drehte and Edwin Drehte

Witness my hand and official seal.

My commission expires: 7/22/25

[Signature]  
Notary Public



PETITIONERS:

By: Karel Drehte

Mailing Address: P.O. Box 388  
Pine Co. S.W.T.O.

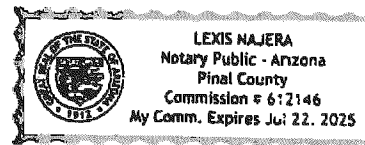
ARIZONA  
STATE OF COLORADO )  
Pinal ) s.s.  
COUNTY OF LARIMER )

Subscribed and sworn to before me this 20 day of April, 2022, by  
Karel Drehte and Edwin Drehte

Witness my hand and official seal.

My commission expires: 1/22/25

Lexis Najera  
Notary Public





**AFFIDAVIT OF CIRCULATOR IN SUPPORT OF PETITION**  
[Required for all petitions, including those signed by a single owner]

STATE OF COLORADO )  
 )  
COUNTY OF LARIMER ) ss.

James David Thorpe, being first duly sworn states as follows:

- a. I have circulated the foregoing Petition for Annexation to the Town of Timnath set forth herein.
- b. I know the persons whose names are subscribed to the foregoing Petition on behalf of the Petitioners.
- c. The signatures on the foregoing Petition were affixed in my presence and each signature is a true, genuine and correct signature of the person it purports to be.
- d. To the best of my knowledge and belief, the persons whose names are affixed to the foregoing Petition are authorized to sign such document on behalf of Petitioners.

CIRCULATOR

[Handwritten Signature]

STATE OF COLORADO )  
 )  
COUNTY OF LARIMER ) ss.

Subscribed and sworn to before me this 20<sup>th</sup> day of April, 2022 by  
James David Thorpe

Witness my hand and official seal.

My commission expires: 1-23-2026

Jennifer Pierce  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID# 20184003996  
MY COMMISSION EXPIRES 01/23/2026

Jennifer Pierce  
Notary Public

**EXHIBIT A  
LEGAL DESCRIPTION OF  
PROPERTY PROPOSED FOR ANNEXATION**

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, IN TOWNSHIP 6 NORTH, RANGE 65 WEST OF THE 6<sup>TH</sup> PM, LARIMER COUNTY COLORADO, DESCRIBED AS FOLLOWS;

COMMENCING AT THE EAST SIXTEENTH CORNER COMMON WITH SECTION 2 AND 11, MONUMENTED WITH A NO. 6 REBAR WITH 3" ALUMINUM CAP IN A RANGE BOX, STAMPED LS 37911;

THENCE N02°06'32"W, A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT OF WAY OF LARIMER COUNTY ROAD 36 AND NORTH LINE OF BRUNNER FARM ANNEXATION RECORDED IN THE LARIMER COUNTY CLERK AND RECORDERS OFFICE AT RECEPTION NUMBER 20140019166 TO THE POINT OF BEGINNING;

THENCE N02°06'32"W, A DISTANCE OF 1164.79 FEET ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE FELDMAN ANNEXATION RECORDED IN THE LARIMER COUNTY CLERK AND RECORDERS OFFICE AT RECEPTION NUMBER 20180016884;

THENCE N88°14'44"E, A DISTANCE OF 1253.51 FEET ON THE SOUTH LINE OF SAID FELDMAN ANNEXATION TO THE SOUTHEAST CORNER THEREOF AND THE WEST RIGHT OF WAY LINE OF LARIMER COUNTY ROAD 3, MONUMENTED WITH A NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP, STAMPED PLS 37055;

THENCE S01°28'56"E, A DISTANCE OF 1164.44 FEET ON SAID WEST RIGHT OF WAY LINE TO THE NORTH RIGHT OF WAY OF LARIMER COUNTY ROAD 36 AND NORTH LINE OF BRUNNER FARM ANNEXATION;

THENCE S88°13'46"W, A DISTANCE OF 1240.77 FEET ON SAID NORTH RIGHT OF WAY LINE AND NORTH LINE OF BRUNNER FARM ANNEXATION TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1,452,417 SQUARE FEET OR 33.343 ACRES

**EXHIBIT B**

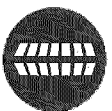
**ANNEXATION BOUNDARY MAP**

[Attached]



Galloway  
 8300 North Douglas Blvd., Suite 100  
 Aurora, CO 80016  
 (303) 759-3300  
 www.gallowayinc.com

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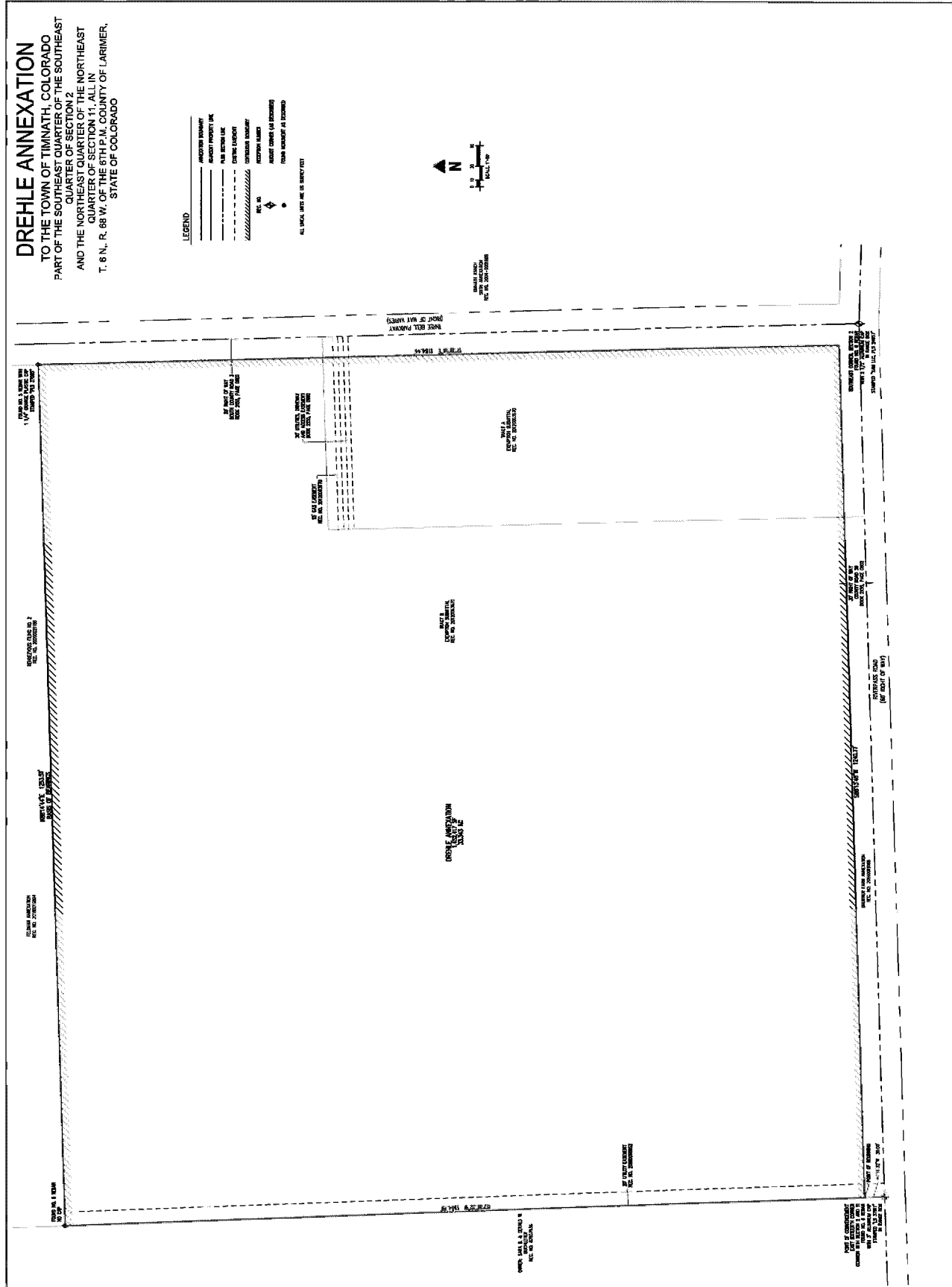


**DREHLE ANNEXATION**  
 TO THE TOWN OF TIMNATH, COLORADO  
 PART OF THE SOUTHEAST QUARTER OF THE  
 SOUTHEAST QUARTER OF SECTION 2 AND THE  
 SOUTHWEST QUARTER OF SECTION 2 AND THE  
 NORTHWEST QUARTER OF SECTION 2  
 OF SECTION 11, ALL IN T.6 N., R. 68 W., OF THE 6TH P.M.  
 COUNTY OF LARIMER, STATE OF COLORADO

DATE: 7/27/2022  
 TIME: 1:17:31 PM  
 BY: ANGELO MYERS  
 FOR: ANGELA MYERS, CLERK & RECORDER  
 COUNTY: LARIMER, CO  
 DOCUMENT: 2022047003

APPROVED: [Signature]  
 DATE: [Date]  
 COUNTY: LARIMER, CO

2  
 SHEET(S)



**DREHLE ANNEXATION**  
 TO THE TOWN OF TIMNATH, COLORADO  
 PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST  
 QUARTER OF SECTION 2  
 AND THE NORTHWEST QUARTER OF THE NORTHEAST  
 QUARTER OF SECTION 11, ALL IN  
 T. 6 N., R. 68 W., OF THE 6TH P.M. COUNTY OF LARIMER,  
 STATE OF COLORADO

**LEGEND**

- ANNEXATION BOUNDARY
- PROPERTY BOUNDARY
- EASEMENT
- RECORDING INFORMATION



FOR A COMPLETE  
 LIST OF RECORDS  
 CONTACT THE CLERK & RECORDER  
 AT 8300 NORTH DOUGLAS BOULEVARD  
 SUITE 100 AURORA, CO 80016  
 (303) 759-3300