

**TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 43, SERIES 2022**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH FINDING
A PETITION FOR ANNEXATION OF THE PROPERTY KNOWN AS THE
CONNELL ANNEXATION 3 & 4 TO BE IN SUBSTANTIAL COMPLIANCE WITH
THE PROVISIONS OF THE ACT, INITIATING ANNEXATION PROCEEDINGS AND
SETTING A PUBLIC HEARING THEREON**

WHEREAS, the Town Council for the Town of Timnath, Colorado has received a Petition for Annexation of certain property, signed by at least 50% of the land owners owning at least 50% of the land of said property, exclusive of public streets and alleys moreover to be in substantial compliance with the requirements of Section 31-12-107(1), Colorado Revised Statutes and Article 13 of the Timnath Land Use Code; and

WHEREAS, the Town Council for the Town of Timnath, Colorado has reviewed the draft Annexation Agreement; and

WHEREAS, the Town Council wishes to initiate annexation proceedings for the Property and set a public hearing to determine if the proposed annexation of the Property complies with the applicable requirements of the Municipal Annexation Act of 1965, CRS 31-12-101 et. seq. and Article 10 of the Timnath Land Use Code.

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

Section 1. Annexation Proceedings Initiated

Annexation proceedings are hereby initiated upon the Petition for Annexation of the following described property to the Town, which Petition appears to be in substantial compliance with the applicable provisions of Chapter 31, Article 12, Colorado Revised Statutes:
Description of property proposed for annexation: See, attached: **EXHIBIT A**

Section 2. Public Hearing

The Council hereby sets and gives notice of a public hearing for 6 P.M. on November 8, 2022 at the Timnath Town Center, 4750 Signal Tree Drive, in Timnath, Colorado, to determine if the proposed annexation complies with Sections 31-12-104 and 31-12-105, C.R.S. or such parts thereof as may be required to establish eligibility under Part 1 of Chapter 31, Article 12 of said statutes.

**INTRODUCED, MOVED, AND ADOPTED THIS 13TH DAY OF SEPTEMBER, 2022,
THE VOTE UPON ROLL CALL BEING AS FOLLOWS:**

For: 5

Against: 0

Abstain: 0

FOR THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO


Milissa Peters-Garcia-CMC, Town Clerk

By: 
Mark J. Soukup, Mayor

NOTICE IS HEREBY GIVEN that a Petition for Annexation of property hereinafter described has been presented to the Town Council of the Town of Timnath, Colorado and found to be in apparent compliance with the applicable provisions of law. The Town Council has adopted a Resolution setting a public hearing to be held at 6 P.M. on November 8, 2022 at the Timnath Town Center, 4750 Signal Tree Drive, Timnath, Colorado, to determine if the proposed annexation complies with the applicable requirements of the law.

Any person may appear at the hearing and present evidence upon any matter to be considered by the Council.

Published in the Fort Collins Coloradoan:

Published Weekly:

First Publication:	September 16, 2022
Second Publication:	September 23, 2022
Third Publication:	September 30, 2022
Fourth Publication:	October 7, 2022

EXHIBIT A

Legal Description of Property Proposed for Annexation

Annexation 3

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3 AND THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., LARIMER COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER FOR SAID SECTION 3 AND CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3 TO HAVE AN ASSUMED BEARING OF N 2°05'50" W, MONUMENTED AT THE SOUTHEAST CORNER OF SECTION 3 BY NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ATTACHED ILLEGIBLE 2-1/2" ALUMINUM CAP AND TO THE EAST QUARTER CORNER BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH ATTACHED 3-1/4" ALUMINUM CAP STAMPED "LS 25384", AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 5, N00°10'35"W, A DISTANCE OF 854.47 FEET TO THE POINT OF BEGINNING;

THENCE S10°13'29"W, A DISTANCE OF 158.83 FEET;

THENCE N12°51'01"W, A DISTANCE OF 160.53 FEET TO THE WEST RIGHT OF WAY LINE OF COUNTY ROAD 5;

THENCE S89°49'25"E, A DISTANCE OF 63.90 FEET TO THE EAST RIGHT OF WAY OF COUNTY ROAD 5 TO THE POINT OF BEGINNING.

PARCEL CONTAINS 4,997 SQUARE FEET OR 0.115 ACRES, MORE OR LESS.

Annexation 2

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 3, SOUTHWEST QUARTER OF SECTION 2, NORTHWEST QUARTER OF SECTION 11 AND THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., LARIMER COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3 AND CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3 TO HAVE AN ASSUMED BEARING OF N 2°05'50" W, MONUMENTED AT THE SOUTHEAST CORNER OF SECTION 3 BY NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ATTACHED ILLEGIBLE 2-1/2" ALUMINUM CAP IN A MONUMENT BOX AND TO THE EAST QUARTER CORNER OF SAID SECTION 3, BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH ATTACHED 3-1/4" ALUMINUM CAP STAMPED "LS 25384", AS SHOWN HEREON AND WITH ALL OTHER BEARINGS RELATIVE THERETO;

THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, N02°05'50"W, A DISTANCE OF 698.62 FEET TO THE POINT OF BEGINNING;

THENCE N10°13'29"E, A DISTANCE OF 158.83 FEET TO THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 5 AS RECORDED AT RECEPTION NO. 20040086310 IN THE LARIMER COUNTY CLERK AND RECORDERS OFFICE;

THENCE N00°10'31"E, A DISTANCE OF 691.15 FEET ON SAID EASTERLY RIGHT OF WAY;

THENCE N05°25'31"W, A DISTANCE OF 102.55 FEET CONTINUING ON SAID EASTERLY RIGHT OF WAY;

THENCE S84°34'29"W, A DISTANCE OF 66.59 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 5 RECORDED AT RECEPTION NO. 20040086310 AND TO A NON-TANGENT CURVE TO THE LEFT;

THENCE ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1190.00 FEET, A CENTRAL ANGLE OF 04°57'45", A DISTANCE OF 103.07 FEET, A CHORD BEARING OF N09°32'37"W WITH A CHORD DISTANCE OF 103.04 FEET;

THENCE CONTINUING ON SAID WESTERLY RIGHT OF WAY LINE, N11°59'35"W, A DISTANCE OF 840.02 FEET TO A NON-TANGENT CURVE TO THE RIGHT;

THENCE ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1160.00 FEET, A CENTRAL ANGLE OF 08°11'03", A DISTANCE OF 165.70 FEET, A CHORD BEARING OF N07°58'04"W WITH A CHORD DISTANCE OF 165.56 FEET;

THENCE N80°33'45"E, A DISTANCE OF 106.09 FEET TO THE EASTERLY RIGHT OF WAY OF COUNTY ROAD 5;

THENCE ON THE SAID EASTERLY RIGHT OF WAY FOR THE FOLLOWING 7 COURSES:

1. THENCE S08°27'24"E, A DISTANCE OF 109.36 FEET;
2. THENCE S07°53'33"E, A DISTANCE OF 58.97 FEET;
3. THENCE S11°41'22"E, A DISTANCE OF 552.57 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
4. THENCE ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 5791.08 FEET, A CENTRAL ANGLE OF 03°47'57", A DISTANCE OF 383.99 FEET, A CHORD BEARING OF S10°21'36"E WITH A CHORD DISTANCE OF 383.92 FEET;
5. S05°25'30"E, A DISTANCE OF 114.22 FEET;
6. S00°10'41"W, A DISTANCE OF 1546.35 FEET;
7. S00°01'50"W, A DISTANCE OF 50.98 FEET;

THENCE N89°21'24"W, A DISTANCE OF 90.01 FEET TO A POINT ON THE INTERSECTION OF THE WESTERLY RIGHT OF WAY OF SAID COUNTY ROAD 5 AND THE SOUTHERLY RIGHT OF WAY OF COUNTY ROAD 36 (KECHTER ROAD);

THENCE N00°01'37"W, A DISTANCE OF 79.94 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 5 RECORDED AT RECEPTION NO. 20040086310;

THENCE N00°05'01"W, A DISTANCE OF 824.05 FEET ON SAID WESTERLY RIGHT OF WAY;

THENCE S12°51'01"E, A DISTANCE OF 160.53 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 217,743 SQUARE FEET OR 4.999 ACRES, MORE OR LESS.