

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 18, SERIES 2022**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF
TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY TO BE
KNOWN AS THE GRAVES PROPERTY LOCATED WEST OF THREE BELL
PARKWAY AND SOUTH OF SUMMERFIELDS PARKWAY**

WHEREAS, Hartford Homes has submitted a request for zoning of real property within the Town of Timnath more particularly described in **Exhibit A** and attached hereto and incorporated herein by this reference; and

WHEREAS, the Town Council finds the location of the zoning to be appropriate and in conformance with the Town Comprehensive Plan; and

WHEREAS, the zone change was recommended for approval to R-2 – Single Family Residential at a public hearing held by the Town of Timnath Planning Commission on Tuesday, September 20, 2022.

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:

R-2 – Single Family Residential – See attached **Exhibit A** (legal description) and **Exhibit B** (zoning map)

Section 2. Public Hearing

The Town Council held a public hearing on Tuesday, October 11, 2022 regarding the zoning of the property.

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 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 4. Effective Date

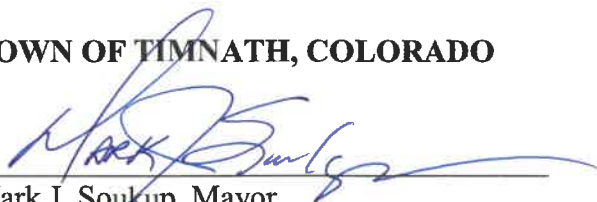
This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this ordinance and make not less

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 SEPTEMBER 27, 2022, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON OCTOBER 11, 2022 AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 27TH DAY OF SEPTEMBER, 2022.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 11TH DAY OF OCTOBER, 2022.

TOWN OF TIMNATH, COLORADO


Mark J. Soukup, Mayor

ATTEST:



Milissa Peters-Garcia, CMC
Town Clerk



EXHIBIT A

Legal Description of Property Proposed for Zoning

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, IN TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH 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 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°29'56"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 S85°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

Zoning Map

[attached]

NOTICE: The Town of Timnath is not responsible for any errors or omissions in this map. The user of this map is responsible for their own actions based on the information provided here. This map is for informational purposes only and does not constitute a warranty of any kind.

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GRAVES REZONING MAP

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12 AND THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO

PROPERTY DESCRIPTION:
A parcel of land being portion of the Southeast Quarter of Section 11 and the Southwest Quarter of Section 12, Township 6 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado, and being more particularly described as follows:

Considering the North line of the Southeast Quarter of Section 12 as bearing South 89° 01' 01" East one mile with all bearings contained therein relative thereto:

BEGINNING at the West Quarter corner of Section 12;

THENCE along the North line of the Southeast Quarter of Section 12 South 60° 17' 31" East a distance of 730.38 feet;

THENCE South 89° 01' 01" East a distance of 246.09 feet;

THENCE South 89° 01' 01" East a distance of 246.09 feet;

THENCE North 89° 01' 01" West a distance of 246.09 feet;

THENCE North 89° 01' 01" West a distance of 246.09 feet;

THENCE North 89° 01' 01" West a distance of 246.09 feet;

THENCE North 89° 01' 01" East a distance of 246.09 feet to the **POINT OF BEGINNING**.

The above-described parcel of land contains 11.515 acres, more or less (±), and may be subject to encumbrances and rights-of-way shown on records on file in this office.

CERTIFICATE OF OWNERSHIP:
I, _____, do hereby certify that I am the owner of the property, and that I have consented to the recording of this map and plan, and to the conveyance and dedication of all streets, roads, alleys, easements, public ways, and public facilities, in which I have an interest, as shown hereon and as shown on the records of Larimer County, Colorado.

OWNER: Graves Farm, LLC

Date: _____, 2022.

Signature: _____, Manager.

NOTARIAL CERTIFICATE:
I, _____, Notary Public, do hereby certify that I am a Notary Public in and for the State of Colorado, and that I am duly qualified to perform the duties of a Notary Public, and that I have read and understand the contents of the foregoing map and plan, and that the signatures of the persons who appear thereon are the signatures of the persons named therein, and that they have consented to the recording of this map and plan, and to the conveyance and dedication of all streets, roads, alleys, easements, public ways, and public facilities, in which I have an interest, as shown hereon and as shown on the records of Larimer County, Colorado.

My commission expires: _____.

The foregoing instrument was acknowledged before me by _____, 2022, by the Town Council, Timnath, Colorado, of Larimer County, Colorado, this _____ day of _____, 2022.

TOWNSHIP COMMISSION CERTIFICATE:
Approved this _____ day of _____, 2022, by the Town Planning Commission, Timnath, Colorado.

By: _____, Chairperson.

By: _____, Chairperson.

PLANNING COMMISSION CERTIFICATE:
Approved this _____ day of _____, 2022, by the Town Planning Commission, Timnath, Colorado.

By: _____, Chairperson.

NOTES:

- The final plat of measurement for this plat is U.S. Survey Feet.
- This survey does not constitute a title search by Northern Engineering to determine encumbrance or other matters affecting the property. The user of this map is responsible for their own actions based on the information provided here. This map is for informational purposes only and does not constitute a warranty of any kind.
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- This is not a statutory boundary survey; lines shown hereon have not been evaluated for title rights either within or without.

LEGEND:

- Proprietary Line
- Boundary Line
- Section Line
- Range Section Corner
- Current Zoning
- Proposed Zoning

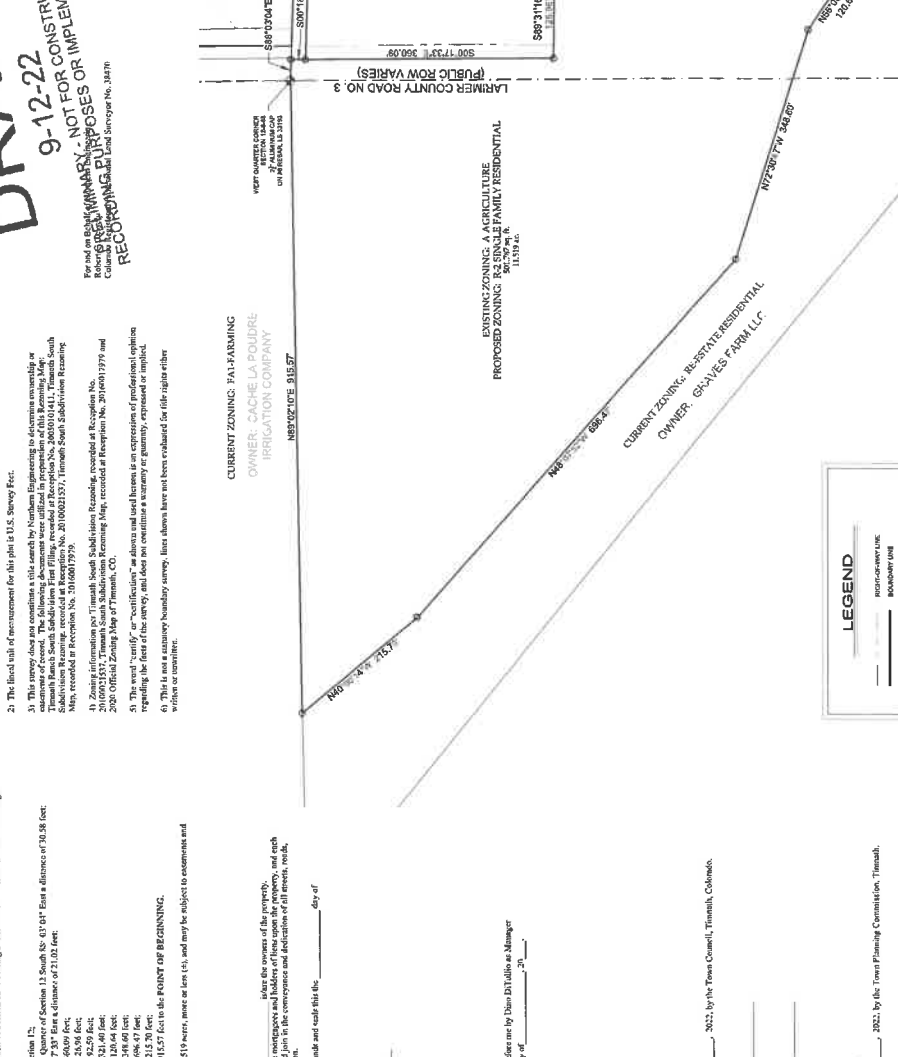
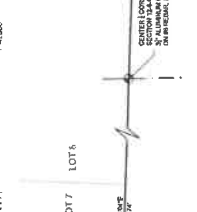
DRIFT

9-12-22

NOT FOR CONSTRUCTION, REPRODUCTION, OR IMPLEMENTATION

RECORDED FOR PURPOSES OF IMPLEMENTATION

SURVEYOR'S STATEMENT
I, Robert C. Tenney, a Registered Land Surveyor in the State of Colorado, do hereby certify that I have surveyed and plotted the above-described parcel of land, and that the bearings and distances shown hereon are true to the best of my knowledge and belief. My commission expires _____.



NE
NORTHERN ENGINEERING

1523 W. 10th St. Ste. 200
Timnath, CO 80458
781-555-1000

GRAVES REZONING MAP
TOWN OF TIMNATH
LARIMER COUNTY, COLORADO

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Of 1 Sheet