

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 4, SERIES 2023**

**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 WILLIS FARM PROPERTY LOCATED WEST OF MAIN STREET
AND NORTH OF CR 42-E**

WHEREAS, Jon Turner 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 I-1 – Industrial at a public hearing held by the Town of Timnath Planning Commission on Tuesday, December 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:

I-1 – Industrial – See attached **Exhibit A** (legal description) and **Exhibit B** (zoning map)

Section 2. Public Hearing

The Town Council held a public hearing on Tuesday, January 24, 2023 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 JANUARY 10, 2023, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON JANUARY 24, 2023 AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 10TH DAY OF JANUARY, 2023.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 24TH DAY OF JANUARY, 2023.

TOWN OF TIMNATH, COLORADO


Mark J. Soukup, Mayor

ATTEST:


Milissa Peters-Garcia, CMC
Town Clerk



EXHIBIT A

Legal Description of Property Proposed for Zoning

A parcel of land, situate in the Northeast Quarter (NE1/4) of Section Twenty-two (22), Township Seven North (T.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 22 and assuming the East line of said NE1/4 as bearing South 00°20'03" West, being monumented by a #6 rebar with 2.5" aluminum cap LS 5028 at the East Quarter corner and a #6 rebar with an illegible 2.5" aluminum cap at the Northeast corner of Section 22, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2640.52 feet and with all other bearings contained herein relative thereto;

THENCE North 89°56'34" West along the South line of said NE1/4 a distance of 20.00 feet to West Right of Way of Larimer County Road 5 as dedicated by Book R, Page 53 of the Larimer County Clerk & Recorder (LCCR) and to the POINT OF BEGINNING;

THENCE North 89°56'34" West along said South line a distance of 2611.11 feet to the Southwest corner of said NE1/4;

THENCE North 00°11'00" East along the West line of said NE1/4 a distance of 1851.49 feet to the center of Lake Canal and to the Southwest corner of Lot 1, Hacienda De Arboles M.R.D as recorded June 23, 2000 at Reception No. 2000041979 of the LCCR;

Thence along the center of said Lake Canal and the South line of said Hacienda De Arboles M.R.D. the following three courses:

THENCE South 85°25'11" East a distance of 173.79 feet;

THENCE South 65°10'53" East a distance of 299.43 feet;

THENCE South 69°27'25" East a distance of 663.06 feet to the Southwest corner of The Homestead Estates Subdivision (THES) as recorded October 19, 1964 as Reception No. 876678 and Correction thereof recorded as Reception No. 939 (Book 1463 Page 852) of the LCCR;

Thence along the center of said Lake Canal and the South line of said THES the following three courses:

THENCE South 75°07'21" East a distance of 228.94 feet to the beginning point of a curve, non-tangent to the aforesaid line;

THENCE along the arc of a curve concave to the Southwest a distance of 98.27 feet, having a Radius of 161.80 feet, a Delta of 34°47'53" and is subtended by a Chord that bears South 57°39'57" East a distance of 96.76 feet;

THENCE South 40°40'20" East along a line non-tangent to the aforesaid curve a distance of 620.67 feet to the corner common to Lots 43 and 44 of THES;

THENCE North 19°50'49" East along said common line a distance of 4.25 feet to a line 4.00 feet North of and parallel to, the South line of THES;

THENCE South 89°59'37" East along said parallel line a distance of 815.58 feet to the East line of Lot 48 THES;

THENCE South 00°20'03" West along said East line a distance of 4.00 feet to the Southeast corner of said Lot 48;

THENCE South 89°59'37" East a distance of 20.00 feet to the West Right of Way line of said Larimer County Road 5;

THENCE South 00°20'03" West along said West line a distance of 900.50 feet to the POINT OF BEGINNING.

Said described parcel of land contains 3,447,679 Square Feet or 79.148 Acres, more or less (±).

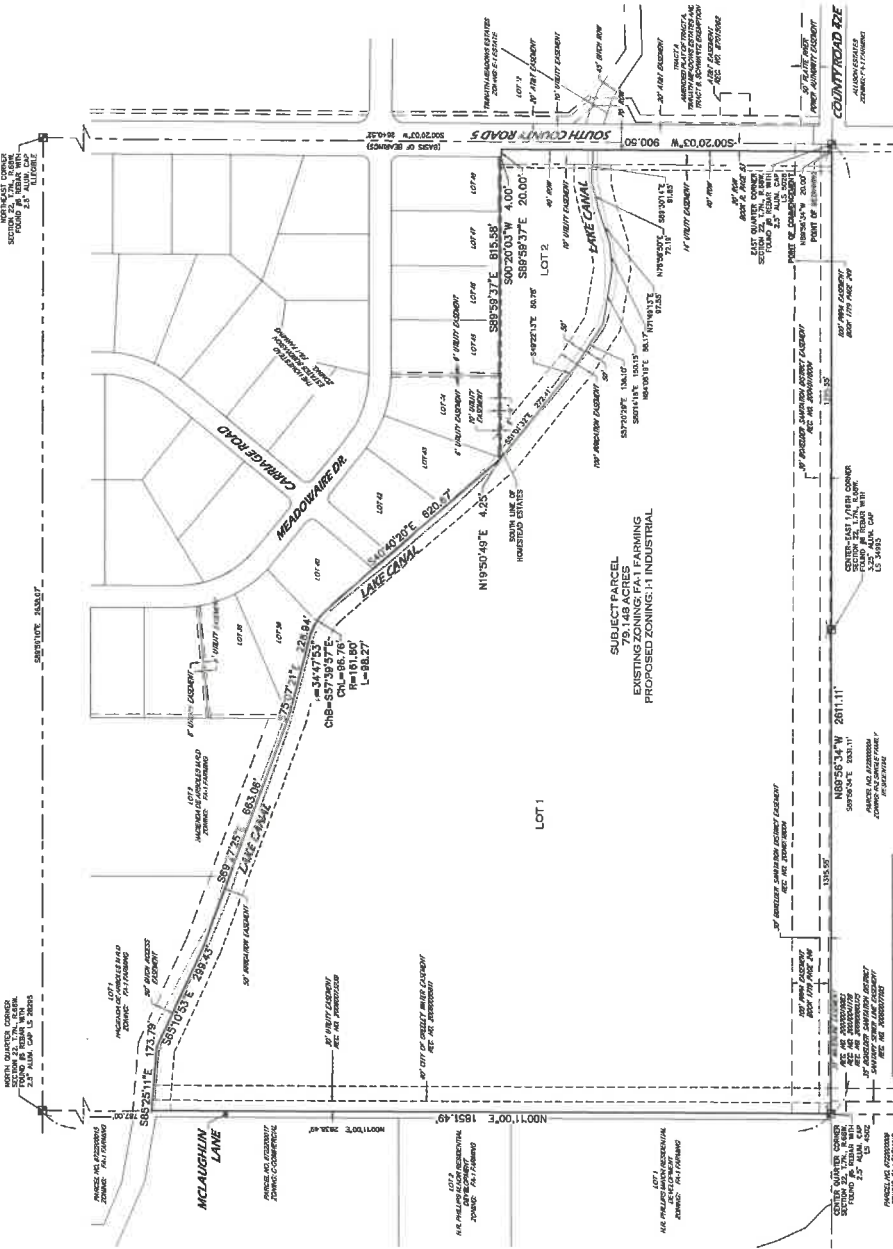
EXHIBIT B

Zoning Map

[attached]

WILLIS FARM ZONING MAP

SITUATE IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M. TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO



PROPERTY DESCRIPTION
A parcel of land shown in the Northeast Quarter of Section Twenty-two (22), Township Seven North (7N), Range Sixty-eight West (68W) of the Sixth Principal Meridian (66° 30' 00\"/>

Subjacent parcel 70.148 Acres more or less by this survey.

MATERIAL AND FINANCIAL DESCRIPTION
A parcel of land, shown in the Northeast Quarter of Section Twenty-two (22), Township Seven North (7N), Range Sixty-eight West (68W) of the Sixth Principal Meridian (66° 30' 00\"/>

COMMENTS
This map is a preliminary zoning map and is not intended to be used for any other purpose. It is subject to change without notice. The Town Council reserves the right to amend this map at any time. The Town Council also reserves the right to require the applicant to provide additional information or to conduct a public hearing on this map. The Town Council's decision on this map is final.

TOWNSHIP COUNCIL CERTIFICATE
I, _____, Mayor of the Town of Timnath, Colorado, do hereby certify that this map of Willis Farm Zoning is a true and correct copy of the original map as filed with me. I have examined the original map and find it to be a true and correct copy of the original map as filed with me. I have also examined the original map and find it to be a true and correct copy of the original map as filed with me. I have also examined the original map and find it to be a true and correct copy of the original map as filed with me.

PLANNING COMMISSION CERTIFICATE
I, _____, Chair of the Planning Commission of the Town of Timnath, Colorado, do hereby certify that this map of Willis Farm Zoning is a true and correct copy of the original map as filed with me. I have examined the original map and find it to be a true and correct copy of the original map as filed with me. I have also examined the original map and find it to be a true and correct copy of the original map as filed with me.

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PRELIMINARY
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REVISION	DATE
1	2-24-20

PROJECT NO. 201804	PROJECT NAME WILLIAMS
DATE 1-9-2020	CITY/TOWN/REGIONAL DIV.
DRAWN BY SP	FILE NAME 201804
CHECKED BY SP	SCALE 1" = 80'



NOTE
According to Colorado law, you must commence any legal action based upon any defect in this survey within three years from the date of recording of this map. The statute of limitations for this type of action is three years from the date of recording of this map. The statute of limitations for this type of action is three years from the date of recording of this map.

