

**TOWN OF TIMNATH, COLORADO  
RESOLUTION NO. 76, SERIES 2023**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH FINDING  
A PETITION FOR ANNEXATION OF THE PROPERTY KNOWN AS THE  
LADERA ANNEXATION 3  
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 January 23, 2024 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, and a public hearing on February 13, 2024 on an Ordinance Regarding Annexation of the Property


INTRODUCED, MOVED, AND ADOPTED THIS 12<sup>TH</sup> DAY OF DECEMBER, 2023, THE VOTE UPON ROLL CALL BEING AS FOLLOWS:

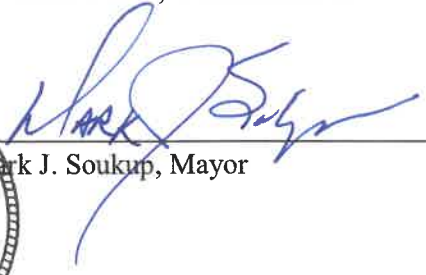
For: 4


Against: 0

Abstain: 0

FOR THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO

  
Milissa Peters-Garcia, CMC  
Town Clerk

  
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 March 14, 2023 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.

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- Second Publication: December 26, 2023
- Third Publication: January 2, 2023
- Fourth Publication: January 9, 2024

## EXHIBIT A

### Legal Description of Property Proposed for Annexation

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 3 AND THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., LARIMER COUNTY, STATE OF COLORADO.

BEGINNING AT THE NORTHWEST CORNER OF LOT 3, AMENDED PLAT OF TRACT A, JOHN W. SWETS FARM CORP. EXEMPTION PLAT AND CWH PROPERTIES LLC BOUNDARY LINE ADJUSTMENT-FILE #21-LAND4085 RECORDED AT RECEPTION NO. 20210098821 IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON THE NORTHERLY AND EASTERLY LINES OF SAID LOT 3 FOR THE FOLLOWING SIX (6) COURSES;

1. N88°43'55"E, A DISTANCE OF 921.34 FEET TO A NON-TANGENT CURVE;
2. ON SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 860.00 FEET, A CENTRAL ANGLE OF 12°24'23", A DISTANCE OF 186.22 FEET, A CHORD BEARING OF S23°38'11"E WITH A CHORD DISTANCE OF 185.85 FEET;
3. S29°50'22"E, A DISTANCE OF 1077.98 FEET;
4. ON A CURVE TO THE LEFT, HAVING A RADIUS OF 860.00 FEET, A CENTRAL ANGLE OF 60°14'38", A DISTANCE OF 904.25 FEET, A CHORD BEARING OF S59°57'42"E WITH A CHORD DISTANCE OF 863.17 FEET;
5. N89°54'59"E, A DISTANCE OF 399.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 5 AS DEDICATED IN THE COUNTY ROAD DEDICATION RECORDED AT RECEPTION NO. 20040086310;
6. S00°05'01"E, A DISTANCE OF 485.00 FEET TO THE SOUTHWESTERLY CORNER OF CONNELL LLC ANNEXATION NO. 2 RECORDED AT RECEPTION NO. 20210106092 IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON THE SOUTHERLY, EASTERLY, NORTHERLY AND WESTERLY LINES OF SAID CONNELL LLC ANNEXATION NO. 2 FOR THE FOLLOWING SIX (6) COURSES;

1. S89°49'25"E, A DISTANCE OF 63.90 FEET;
2. N00°10'31"E, A DISTANCE OF 691.15 FEET ON SAID WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 5;
3. N05°25'31"W, A DISTANCE OF 102.55 FEET ON SAID WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 5;
4. S84°34'29"W, A DISTANCE OF 66.59 FEET TO A NON-TANGENT CURVE;
5. ON SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1190.00 FEET, A CENTRAL ANGLE OF 06°58'29", A DISTANCE OF 144.86 FEET, A CHORD BEARING OF S03°34'30"E WITH A CHORD DISTANCE OF 144.77 FEET;
6. S00°05'01"E, A DISTANCE OF 37.26 FEET TO THE SOUTHEAST CORNER OF LOT 2A, AMENDED PLAT OF TRACT A, JOHN W. SWETS FARM CORP. EXEMPTION PLAT AND CWH PROPERTIES LLC BOUNDARY LINE ADJUSTMENT-FILE #21-LAND4085 RECORDED AT RECEPTION NO. 20210098821 IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON THE SOUTHERLY, WESTERLY AND NORTHERLY LINES OF SAID LOT 2A FOR THE FOLLOWING SEVEN (7) COURSES;

1. S89°54'59"W, A DISTANCE OF 399.00 FEET;
2. ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 740.00 FEET, A CENTRAL ANGLE OF 60°14'38", A DISTANCE OF 778.08 FEET, A CHORD BEARING OF N59°57'42"W WITH A CHORD DISTANCE OF 742.73 FEET;
3. N29°50'22"W, A DISTANCE OF 1077.98 FEET;
4. ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 740.00 FEET, A CENTRAL ANGLE OF 09°41'37", A DISTANCE OF 125.20 FEET, A CHORD BEARING OF N24°59'34"W WITH A CHORD DISTANCE OF 125.05 FEET;
5. N88°43'55"E, A DISTANCE OF 988.41 FEET;
6. N01°16'05"W, A DISTANCE OF 1339.12 FEET;
7. N89°31'11"E, A DISTANCE OF 579.30 FEET TO THE NORTHEAST CORNER OF SAID LOT 2A;

THENCE N02°06'01"W, A DISTANCE OF 111.88 FEET ON THE EAST LINE OF NORTHEAST QUARTER OF SAID SECTION 3 SAID LINE ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 5 AS SHOWN ON THE DOCUMENT RECORDED AT RECEPTION NO. 86042107, BOOK 4, PAGE 266 TO THE SOUTHERLY LINE OF RIVERBEND ANNEXATION RECORDED AT RECEPTION NO. 20090001237 IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE N89°44'53"E, A DISTANCE OF 96.79 FEET ON SAID SOUTHERLY LINE TO THE EASTERLY LINE OF A RIGHT-OF-WAY DEED RECORDED AT RECEPTION NO. 99066794 IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE S03°56'21"E, A DISTANCE OF 350.19 FEET ON SAID EASTERLY LINE;

THENCE ON THE EASTERLY RIGHT-OF-WAY OF COUNTY ROAD 5 BEING 30 FEET EASTERLY OF THE EXISTING CENTERLINE OF SAID COUNTY ROAD 5 FOR THE FOLLOWING THREE (3) COURSES;

1. S03°56'21"E, A DISTANCE OF 251.68 FEET TO A NON-TANGENT CURVE;
2. ON SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1143.65 FEET, A CENTRAL ANGLE OF 16°14'57", A DISTANCE OF 324.34 FEET, A CHORD BEARING OF S06°21'32"W WITH A CHORD DISTANCE OF 323.25 FEET;
3. S15°59'29"W, A DISTANCE OF 220.58 FEET TO EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3;

THENCE S02°06'01"E, A DISTANCE OF 42.78 FEET ON SAID EAST LINE TO THE NORTHEAST CORNER OF THE RIGHT-OF-WAY AS DEDICATED ON THE DEED RECORDED AT RECEPTION NO. 2004-0086310 IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ON SAID EASTERLY LINE FOR THE FOLLOWING THREE (3) COURSES;

1. S16°20'10"W, A DISTANCE OF 161.52 FEET;
2. ON A CURVE TO THE LEFT, HAVING A RADIUS OF 652.44 FEET, A CENTRAL ANGLE OF 24°47'33", A DISTANCE OF 282.32 FEET, A CHORD BEARING OF S03°56'23"W WITH A CHORD DISTANCE OF 280.12 FEET;
3. S08°27'24"E, A DISTANCE OF 109.36 FEET TO EASTERLY LINE OF COUNTY ROAD 5 BEING 30 FEET EASTERLY OF THE EXISTING CENTERLINE OF SAID COUNTY ROAD 5;

THENCE ON EASTERLY RIGHT-OF-WAY FOR THE FOLLOWING FIVE (5) COURSES;

1. S07°53'33"E, A DISTANCE OF 58.97 FEET;
2. S11°41'22"E, A DISTANCE OF 552.57 FEET TO A NON-TANGENT CURVE;
3. ON 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;
4. S05°25'30"E, A DISTANCE OF 114.22 FEET;
5. S00°10'41"W, A DISTANCE OF 1546.35 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY FOR COUNTY ROAD 5, S00°01'50"W, A DISTANCE OF 50.98 FEET;

THENCE N89°21'24"W, A DISTANCE OF 90.01 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 36 (KECHTER ROAD) RECORDED AT RECEPTION NO. 20090052522;

THENCE N89°21'24"W, A DISTANCE OF 2060.60 FEET ON SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE SOUTHERLY LINE OF I-25 THIRD ANNEXATION TO THE CITY OF FORT COLLINS RECORDED AT RECEPTION NO.20170080965;

THENCE ON THE SOUTHERLY AND EASTERLY LINES OF SAID ANNEXATION FOR THE FOLLOWING EIGHT (8) COURSES;

1. N86°13'03"E, A DISTANCE OF 259.25 FEET;
2. N00°38'33"E, A DISTANCE OF 30.00 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER;
3. N89°22'07"W, A DISTANCE OF 199.97 FEET ON SAID SOUTH LINE;
4. N00°45'22"E, A DISTANCE OF 30.27 FEET;
5. N83°32'48"W, A DISTANCE OF 415.38 FEET;
6. N20°11'09"W, A DISTANCE OF 537.06 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3;
7. N02°03'44"W, A DISTANCE OF 2051.93 FEET ON SAID WEST LINE TO THE CENTER QUARTER CORNER OF SAID SECTION 3;
8. N02°04'13"W, A DISTANCE OF 201.50 FEET ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 3 TO THE POINT OF BEGINNING.

PARCEL CONTAINS 8,211,041 SQUARE FEET OR 188.500 ACRES, MORE OR LESS.