

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 13, SERIES 2025**

AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY

WHEREAS, The Town of Timnath (the "Town") is a home rule municipality operating under the Timnath Home Rule Charter (the "Charter") adopted on November 7, 2006, and the Town's Municipal Code (the "Code"). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, a public Right-of-Way was dedicated to the Town;

WHEREAS, the Town has determined that it no longer has need for such right-of-way, as shown on **Exhibit A**, attached hereto and incorporated herein (such portion is referred to herein as the "Subject Right-of-Way"), and the applicant has applied for vacation of the Subject Right-of-Way; and

WHEREAS, the Town has determined that the following public utilities have facilities located within the Subject Right-of-Way and any shall reserve easements for such utilities upon vacation of the Subject Right-of-Way;

WHEREAS, the Town of Timnath Planning Commission held a properly noticed public hearing on the proposed vacation of the Subject Right-of-Way on August 5, 2025, and the Planning Commission recommended that the Town Council approve vacation of the Subject Right-of-Way, by vote of (5-0); and

WHEREAS, the Town Council held a properly noticed public hearing on the proposed vacation and upon hearing the statements of staff, the applicant, and any public comments and giving consideration to the recommendation of the Planning Commission and considering the Review Criteria set forth in Section 2.9.12.9 of the Town's Land Use Code, the Town Council determines as provided below.

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

Section 1. Approval

The Town Council hereby approves the application for vacation of the Subject Right-of-Way, finding that the review criteria set forth in Section 2.9.12.9 of the Town's Land Use Code are satisfied. The Town hereby vacates the Subject Right-of-Way, effective upon adoption of this Ordinance, reserving a drainage, utility, and access agreement and an Emergency Access Easement, in the location shown on the attached County Road Right-of-Way 3F Vacation Plat.

The Town hereby approves the attached County Road 3F Right-of-Way Vacation Plat in substantially the form attached hereto, subject to technical or otherwise non-substantive modifications, as deemed necessary by the Town Manager in consultation with the Town Planner, Engineer, Legal Counsel, and other applicable staff or consultants.

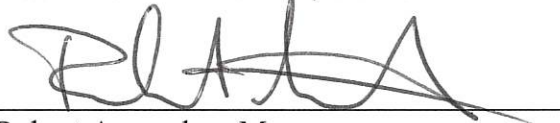
Section 2. Effective Date

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, ADOPTED AND ORDERED PUBLISHED BY TITLE BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON AUGUST 12, 2025, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON AUGUST 26, 2025 AT THE TIMNATH ADMINISTRATION BUILDING, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON AUGUST 26, 2025.

TOWN OF TIMNATH, COLORADO



Robert Axmacher, Mayor

ATTEST:



Milissa Peters-Garcia, MMC
Town Clerk



COUNTY ROAD 3F RIGHT-OF-WAY VACATION

VACATION ACCESS EASEMENT EXHIBIT

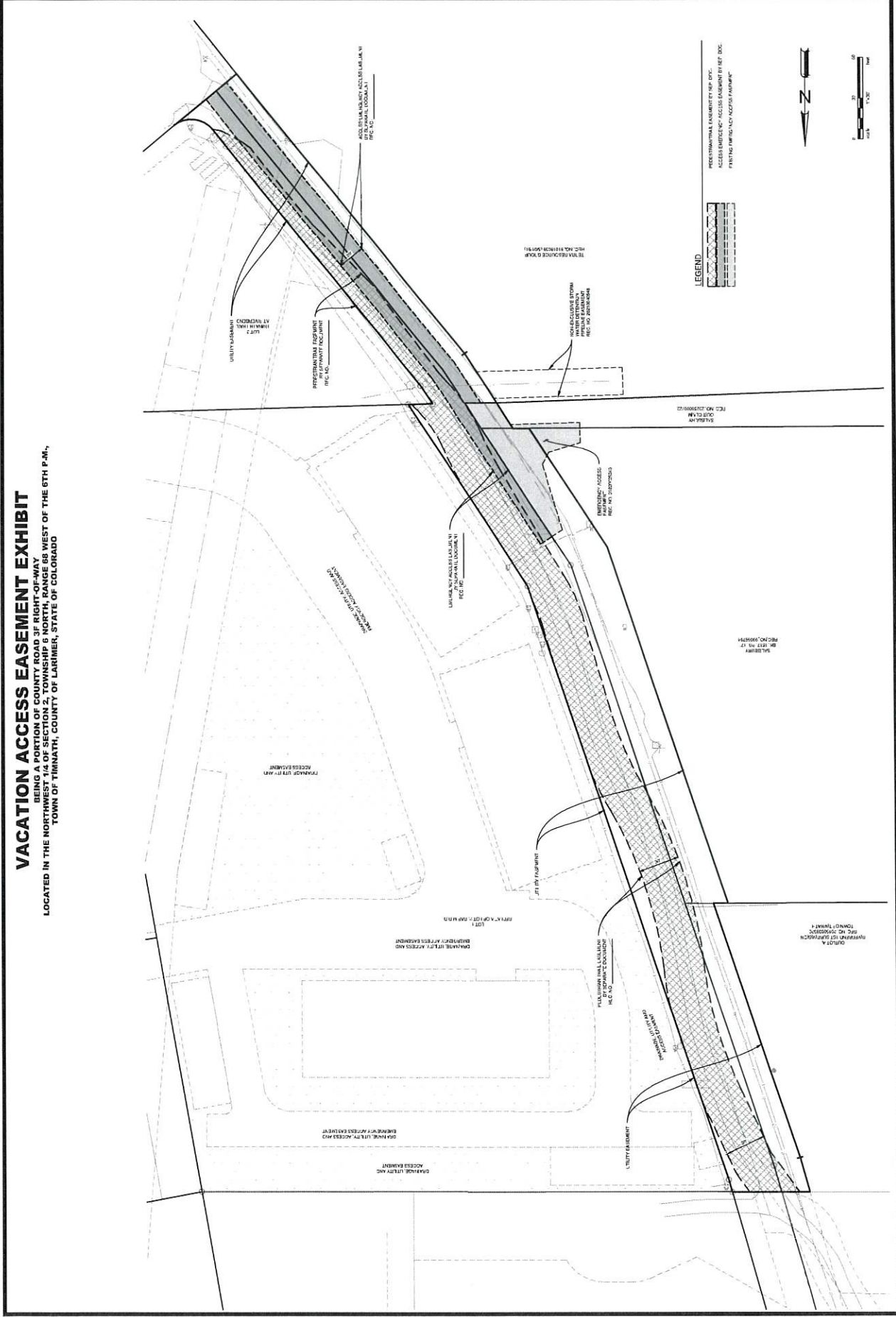
BEING A PORTION OF COUNTY ROAD 3F RIGHT-OF-WAY
LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF TRINATH, COUNTY OF LARIMER, STATE OF COLORADO

Project No.	2307-002
Requester	WACZ
Checked By	WACZ
Date	07/20/23
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Project No. 2307-002
Requester WACZ
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VACATION ACCESS EASEMENT EXHIBIT
BEING A PORTION OF COUNTY ROAD 3F RIGHT-OF-WAY
LOCATED IN THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M.,
TOWN OF TRINATH, COUNTY OF LARIMER, STATE OF COLORADO

1st E. GARDEN DRIVE
970614102
RIDGE TOP
ENGINEERING & SURVEYING
WINDSOR, CO 80550



LEGEND

- VACATION ACCESS EASEMENT
- UTILITY EASEMENT
- EMERGENCY ACCESS
- PEDIESTRIAN EASEMENT
- ACCESS EASEMENT
- FUTURE EASEMENT

SCALE: 1" = 20'

North Arrow

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