

**OWN OF TIMNATH, COLORADO
ORDINANCE NO. 15, SERIES 2025**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF
TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY KNOWN
AS TIMNATH SHORES
TO THE TOWN OF TIMNATH, COLORADO, LOCATED AT THE SOUTHEAST
CORNER OF COUNTY ROAD 42E AND COUNTY ROAD 3E**

WHEREAS, Cottonwood Development Partners, LLC (the “owner”) 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 Estate Residential R-E and Single-Family Residential R-2 uses at a public hearing held by the Town of Timnath Planning Commission on Tuesday, August 19, 2025.

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:

24.6 acres to be zoned R-E Estate Residential and 51.4 acres to be zoned 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, September 9, 2025 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 AUGUST 26, 2025, SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON SEPTEMBER 9, 2025, AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH, COLORADO AND ORDERED PUBLISHED BY TITLE THIS 26TH DAY OF AUGUST, 2025.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON THE 9TH DAY OF SEPTEMBER, 2025.

TOWN OF TIMNATH, COLORADO

A handwritten signature in black ink, appearing to read "Robert Axmacher", written over a horizontal line.

Robert Axmacher, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Milissa Peters-Garcia", written over a horizontal line.

Milissa Peters-Garcia, MMC
Town Clerk

EXHIBIT A

Legal Description of Property Proposed for Zoning

DESCRIPTION

A PARCEL OF LAND BEING PORTIONS OF TRACTS 1, 2, 3 AND 4, SCOTT M.R.D. NO. 5-62-91 RECORDED UNDER RECEPTION NO. 91053063 IN THE RECORDS OF THE LARIMER COUNTY CLERK AND RECORDER, A PORTION OF COUNTY ROAD 3E, A PORTION OF COUNTY ROAD 42E, A PORTION OF THE PROPERTY DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 20100031164 AND THE PROPERTY DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 20230042343, LOCATED IN SECTION 23, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, MONUMENTED AT THE NORTH END BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 4502" AND AT THE SOUTH END BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 28657", BEARING S0010'39"E AS REFERENCED TO COLORADO STATE PLANE NORTH ZONE.

COMMENCING AT THE CENTER QUARTER CORNER OF SECTION 23, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, N0010'19"W A DISTANCE OF 30.00 FEET, TO THE POINT OF BEGINNING;

THENCE CONTINUING ON SAID WEST LINE, N0010'19"W A DISTANCE OF 471.89 FEET;

THENCE DEPARTING SAID WEST LINE, S88°26'53"E A DISTANCE OF 371.96 FEET;

THENCE N47°19'55"E A DISTANCE OF 249.50 FEET;

THENCE S44°04'50"E A DISTANCE OF 676.14 FEET;

THENCE S20°30'23"E A DISTANCE OF 585.80 FEET;

THENCE S73°29'49"W A DISTANCE OF 75.45 FEET;

THENCE S28°13'25"E A DISTANCE OF 606.11 FEET;

THENCE S11°59'16"E A DISTANCE OF 219.06 FEET;

THENCE S38°53'07"E A DISTANCE OF 374.55 FEET;

THENCE S02°26'46"E A DISTANCE OF 318.40 FEET;

THENCE S82°14'23"W A DISTANCE OF 426.08 FEET;

THENCE S13°07'42"W A DISTANCE OF 353.95 FEET;

THENCE N79°34'47"W A DISTANCE OF 520.40 FEET;

THENCE S42°32'45"W A DISTANCE OF 36.39 FEET;

THENCE N89°05'13"W A DISTANCE OF 470.56 FEET, TO A POINT ON THE EASTERLY LINE OF COUNTY ROAD 3E AS SHOWN ON THE PLAT OF SCOTT M.R.D. NO. 5-62-91 RECORDED UNDER RECEPTION NO. 91053063 IN THE RECORDS OF THE LARIMER COUNTY CLERK AND RECORDER;

THENCE S89°26'18"W A DISTANCE OF 60.00 FEET, TO A POINT OF THE WESTERLY LINE OF SAID COUNTY ROAD 3E;

THENCE ON SAID WESTERLY LINE OF COUNTY ROAD 3E THE FOLLOWING NINE (9) COURSES:

1. N00°33'42"W A DISTANCE OF 676.70 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 42°23'23" AND AN ARC LENGTH OF 125.77 FEET, TO A POINT OF TANGENT;
3. N42°57'05"W A DISTANCE OF 114.35 FEET, TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 44°16'23" AND AN ARC LENGTH OF 177.72 FEET, TO A POINT OF TANGENT;
5. N01°19'18"E A DISTANCE OF 216.44 FEET, TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 25°20'26" AND AN ARC LENGTH OF 75.19 FEET, TO A POINT OF TANGENT;
7. N24°01'08"W A DISTANCE OF 123.48 FEET, TO A POINT OF CURVE;
8. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 24°32'26" AND AN ARC LENGTH OF 98.51 FEET, TO A POINT OF TANGENT;
9. N00°31'18"E A DISTANCE OF 516.75 FEET, TO THE SOUTHERLY LINE OF COUNTY ROAD 42E AS SHOWN ON THE PLAT OF SCOTT M.R.D. NO. 5-62-91;

THENCE ON SAID SOUTHERLY LINE AND ITS EXTENSION, BEING 30.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, N89°46'56"W A DISTANCE OF 1164.85 FEET, TO THE SOUTHERLY LINE OF COUNTY ROAD 42E AS SHOWN ON THE PLAT OF ALLISON ESTATES RECORDED UNDER RECEPTION NO. 2000062742;

THENCE ON SAID SOUTHERLY LINE, S13°13'15"E A DISTANCE OF 5.14 FEET;

THENCE CONTINUING ON SAID SOUTHERLY LINE, BEING 35.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, N89°46'56"W A DISTANCE OF 1317.48 FEET, TO THE EASTERLY LINE OF SOUTH COUNTY ROAD 5 ALSO BEING THE EASTERLY LINE OF THE TOWN OF TIMNATH AS DESCRIBED IN THE ANNEXATION TO THE TOWN OF TIMNATH ORDINANCE NO. 4-2005 RECORDED UNDER RECEPTION NO. 20050067349;

THENCE ON SAID EASTERLY LINE, N00°03'08"W A DISTANCE OF 35.20 FEET;

THENCE CONTINUING ON SAID EASTERLY LINE, N00°02'30"E A DISTANCE OF 34.80 FEET, TO A POINT ON THE NORTHERLY LINE OF COUNTY ROAD 42E;

THENCE ON SAID NORTHERLY LINE AS SHOWN ON THE PLAT OF TIMNATH MEADOWS ESTATES RECORDED UNDER RECEPTION NO. 95029562 AND THE DEED OF DEDICATION RECORDED UNDER RECEPTION NO. 850011719, S89°46'56"E A DISTANCE OF 1330.61 FEET;

THENCE CONTINUING ON SAID NORTHERLY LINE, S11°50'26"E A DISTANCE OF 5.11 FEET;

THENCE ON THE NORTHERLY LINE OF COUNTY ROAD 42E, BEING 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23, S89°46'56"E A DISTANCE OF 1247.89 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 3,537,848 SQUARE FEET OR 81.2178 ACRES.

EXHIBIT B

Zoning Map

[attached]

