

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 10, SERIES 2026**

**AN ORDINANCE INCLUDING CERTAIN PROPERTY
INTO THE BOUNDARIES OF THE LADERA BUSINESS
IMPROVEMENT DISTRICT**

WHEREAS, the Timnath Town Council received a Petition for Inclusion of Property (“Petition”) filed pursuant to Section 31-25-1220, C.R.S., for the inclusion of certain property described in the Petition attached and made a part of this Ordinance as Exhibit “A” (the “Property”) into the Ladera Business Improvement District (“District”); and

WHEREAS, in accord with the law, a public notice of the Petition has been given and published in the Fort Collins Coloradoan on May 20, 2026, calling for a public hearing on the inclusion request set forth in the Petition, proof of publication for which is attached and made a part of this Ordinance as Exhibit “B”; and

WHEREAS, Town Council has conducted a Public Hearing and heard all persons having objections to the inclusion of the Property into the District; and

WHEREAS, the area sought to be included into the District is located entirely within the Town of Timnath, Larimer County, Colorado, and does not include property within any other county or within any other incorporated city, town, or city and county.

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

Section 1. Town Council finds and determines that it has jurisdiction in this matter pursuant to the Business Improvement District Act, Part 12 of Article 25 of Title 31, C.R.S.

Section 2. Town Council finds and determines that the Petition meets the requirements of Section 31-25-1220, C.R.S.

Section 3. Town Council finds and determines that the change in boundaries of the Ladera Business Improvement District as proposed in the Petition does not adversely affect the District.

Section 4. Pursuant to Section 31-25-1220, C.R.S., Town Council hereby grants the Petition and orders the inclusion of the Property into the boundaries of the District.

Section 5. The Town Clerk is directed to file a certified copy of this Ordinance with the County Clerk and Recorder of Larimer County, Colorado.

Section 6. This Ordinance shall be in full force and effect upon adoption at second reading, as provided by Section 3.5.5 of the Town of Timnath Charter.

Section 7. Council deems it appropriate that this Ordinance be published by title and summary prepared by the Town Clerk and that this Ordinance shall be available for inspection and acquisition in the office of the Town Clerk.

INTRODUCED, MOVED, ADOPTED AND ORDERED PUBLISHED BY TITLE BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON MAY 26, 2026, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON JUNE 9, 2026, 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 JUNE 9, 2026.

TOWN OF TIMNATH, COLORADO

Robert Axmacher, Mayor

ATTEST:


Kaitlyn Bernhoft, CMC, Town Clerk



Exhibit A
[copy of Petition for Inclusion of Property]

Exhibit B
[Proof of publication]

**PETITION FOR INCLUSION OF PROPERTY
INTO
LADERA BUSINESS IMPROVEMENT DISTRICT**

TO: Town Council, Town of Timnath, Colorado.

The undersigned, Connell LLC, hereby respectfully petitions the Town Council of the Town of Timnath ("Town Council") in accordance with the provisions of Section 31-25-1220, C.R.S., for the inclusion of the hereinafter described property into the Ladera Business Improvement District ("District").

The undersigned hereby requests that the property described in **Exhibit A**, attached hereto and incorporated herein (the "Property"), be included in the District and that an Ordinance be adopted by the Town Council including the Property into the District, and that from and after the effective date of such Ordinance, the Property shall be liable for assessments and other obligations of the District.

The undersigned represents to the Town Council it is the owner of the Property and that no other persons, entity or entities own an interest therein except as beneficial holders of encumbrances.

Acceptance of the Petition shall be deemed to have occurred at that time when the Town Council sets the date for the public hearing for consideration of the Petition.

The undersigned agrees that it shall pay or provide in full the fees and costs the Town incurs for the publication of notice of the hearing on inclusion, publication of the ordinance approving the inclusion (if any), filing and recording fees, and all other costs of inclusion of the land into said District, whether or not such inclusion is approved.

The legal description of said property situated in the County of Larimer, State of Colorado, is attached hereto as **Exhibit A**.

This is a verified petition.

[Signature page to follow]

Petitioner:
CONNELL LLC

By: Shari C. Welch

Name: Shari C. Welch

Its: Manager

Petitioner's Address: 7785 Highland Meadows Parkway, Suite 100
Fort Collins, CO 80528

STATE OF Colorado)
)ss.
COUNTY OF Larimer)

The foregoing instrument was acknowledged before me this 14th day of April, 2026, by Shari C Welch as manager of CONNELL LLC, Petitioner.

Witness my hand and official seal.

My Commission Expires: 05/09/2027

Janessa Ekberg
Notary Public

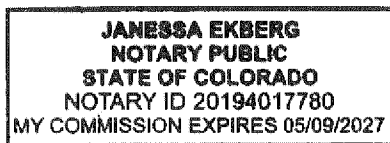


EXHIBIT A

**Ladera Business Improvement District
Petition for Inclusion**

LEGAL DESCRIPTION

LOT 9, LADERA SOUTH SUBDIVISION, ACCORDING TO THE PLAT THEREOF
RECORDED WITH THE LARIMER COUNTY CLERK AND RECORDER ON MAY 15, 2026
AT RECEPTION NUMBER 20260023158;

AND THE PROPERTY DESCRIBED ON THE FOLLOWING PAGES:

EXHIBIT B-1
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION 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 PLAT, RECORDED OCTOBER 26, 2021 AT RECEPTION NO. 20210098821 IN THE LARIMER COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN OF TIMNATH, LARIMER COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3 AND CONSIDERING THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 3 TO HAVE AN ASSUMED BEARING OF N02°05'50"W, MONUMENTED ON THE SOUTH BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ATTACHED ILLEGIBLE 2-1/2" ALUMINUM CAP, AND ON THE NORTH AT THE EAST QUARTER CORNER OF SAID SECTION 3 BY A NO. 6 REBAR OF UNKNOWN LENGTH WITH AN ATTACHED 3-1/4" ALUMINUM CAP STAMPED "LS 25384", WITH ALL OTHER BEARINGS RELATIVE THERETO.

THENCE N12°55'20"W, A DISTANCE OF 270.11 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 5 AND THE **POINT OF BEGINNING**;

THENCE N89°49'25"W, A DISTANCE OF 877.29 FEET;

THENCE N00°10'35"E, A DISTANCE OF 530.00 FEET;

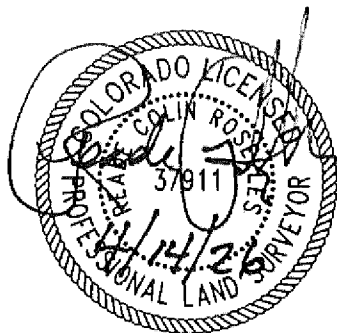
THENCE S89°49'25"E, A DISTANCE OF 296.50 FEET;

THENCE S00°10'35"W, A DISTANCE OF 93.00 FEET;

THENCE S89°49'25"E, A DISTANCE OF 578.80 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE;

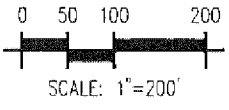
THENCE S00°05'01"E, A DISTANCE OF 437.00 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 410,515 SQUARE FEET OR 9.424 ACRES, MORE OR LESS.



PREPARED FOR AND ON BEHALF OF GALLOWAY
BY READE COLIN ROSELLES, PLS# 37911




EXHIBIT B-2
 DEPICTION



EAST QUARTER CORNER
 SECTION 3, T. 6 N., R. 68 W.
 FOUND NO. 6 REBAR WITH
 3-1/4" ALUMINUM CAP
 STAMPED 'LS 25384'

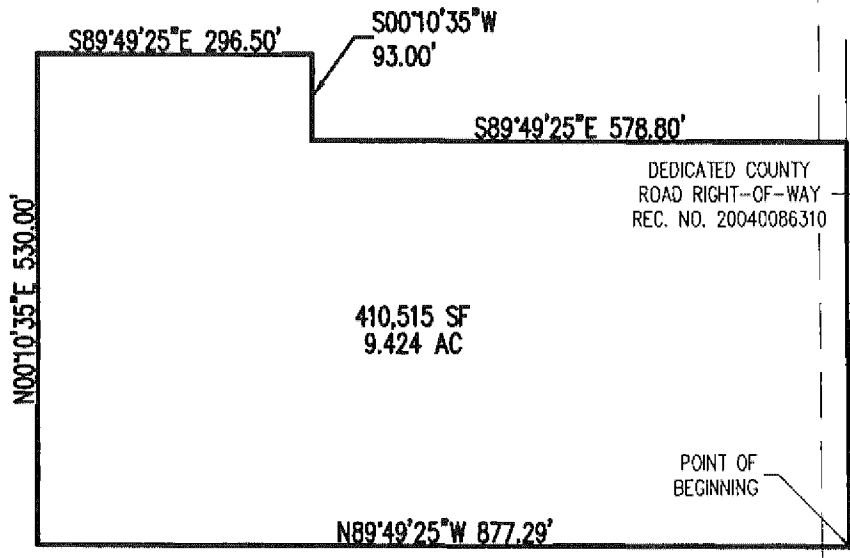
SOUTHEAST QUARTER OF
 SECTION 3, T. 6 N., R. 68 W.

LEGEND

-  ALIQUOT CORNER (AS DESCRIBED)
 -  LOT LINE
 -  PLSS ALIQUOT LINE
- ALL LINEAL UNITS ARE
 US SURVEY FEET

LOT 3
 AMENDED PLAT OF TRACT A, JOHN W.
 SWETS FARM CORP. EXEMPTION PLAT AND
 CWH PROPERTY LLC BOUNDARY LINE
 ADJUSTMENT-FILE # 21-LAND4085
 REC. NO. 20210098821

30' SANITARY
 SEWER EASEMENT
 REC. NO. 20070061478



NOTE: THIS LEGAL AND DEPICTION
 WAS PERFORMED WITHOUT THE
 BENEFIT OF A TITLE REPORT TO
 EXAMINE ENCUMBRANCES TO THE
 PROPERTY. THE SURVEYOR DID NOT
 PERFORM ANY ADDITIONAL RESEARCH
 OF THE PROPERTY BEYOND THE
 CURRENT SUBDIVISION PLAT, IF
 AVAILABLE. FOR ADDITIONAL
 ENCUMBRANCE INFORMATION, THE
 SURVEYOR RECOMMENDS A TITLE
 REPORT BE OBTAINED.

PORTION OF SOUTHEAST QUARTER OF
 SECTION 3, T. 6 N., R. 68 W OF THE 6TH P.M.,
 TOWN OF TIMNATH, COUNTY OF LARIMER, STATE OF COLORADO

LAND DESCRIPTION

Project No:	CNL00006.11
Drawn By:	AN
Checked By:	RCR
Date:	4/14/2026

Galloway

5235 Ronald Reagan Blvd., Suite 200
 Johnstown, CO 80534
 970.800.3300 • GallowayUS.com

USA TODAY CO.



PO Box 631823 Cincinnati, OH 45263-1823

AFFIDAVIT OF PUBLICATION


TOWN OF TIMNATH
Town Of Timnath Legals
4750 Signal Tree Dr
Timnath CO 80547

STATE OF WISCONSIN, COUNTY OF BROWN


The Fort Collins Coloradoan, a daily newspaper printed and published in the city of Fort Collins, Larimer County, State of Colorado, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

FTC coloradoan.com 05/20/2026
FTC Fort Collins Coloradoan 05/20/2026

and that the fees charged are legal.
Sworn to and subscribed before on 05/20/2026



Legal Clerk



Notary, State of WI, County of Brown
9-3-29

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KONGMENG YANG
Notary Public
State of Wisconsin

NOTICE OF PETITION FOR INCLUSION LADERA BUSINESS IMPROVEMENT DISTRICT

NOTICE IS HEREBY GIVEN that there has been filed with the Town Council of the Town of Timnath, Colorado, a petition praying for the inclusion of certain land into the Ladera Business Improvement District (the "District").

1. The name and address of the petitioner and the description of the property mentioned in such petition are as follows:

Petitioner: CONNELL LLC, a Colorado limited liability company
Address: 7785 Highland Meadows Parkway, Unit 100, Windsor, CO 80528

General Description: Generally located northwest of the intersection of South County Road 5 and East County Road 36 and is located within Larimer County Parcel Identification Number 8603405003. A full legal description of the property is on file with the Town and available from the Town Clerk at 4750 Signal Tree Dr, Timnath, CO 80547, (970) 224-3211.

2. The prayer of the Petition is that the above property be included within the boundaries of the District.

3. The property sought to be included into the District is located entirely within the Town of Timnath, County of Larimer, State of Colorado, and the same is not included within any other county or within any other incorporated city, town, or city and county.

Accordingly, notice is hereby given to all interested persons to appear at the public hearing before the Town Council of the Town of Timnath, to be held at Town Hall, 4750 Signal Tree Drive, Timnath, Colorado, on Tuesday, the 9th day of June, 2026, at 5:00 p.m. and show cause, if any they have, why such petition should not be granted. The failure of any person in the existing District to show cause shall be taken as an assent on their part to the inclusion of the area described in this notice.
TOWN OF TIMNATH, COLORADO
By: /s/ Kaitlyn Bernhoft, CMC
Town Clerk
May 20, 2026