

## ORDINANCE NO. 1150

### AN ORDINANCE ANNEXING TO THE CITY OF FORT MORGAN THAT AREA KNOWN AS THE RAINBOW BRIDGE ANNEXATION AS DESCRIBED HEREIN

**WHEREAS**, the Colorado State Statutes provide a process for annexation of unincorporated property owned solely by a municipality in C.R.S. § 31-12-106(3); and

**WHEREAS**, the area sought to be annexed is eligible for annexation in accordance with Colo. Const. Art. II Sec. 30(1)(c) and C.R.S. §§31-12-104(1)(a) and 31-12-105; and

**WHEREAS**, the City of Fort Morgan owns one hundred percent (100%) of the area for such annexation; and

**WHEREAS**, the area proposed to be annexed is not solely a public street or a right-of-way.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:**

**SECTION 1.** The following described territory is hereby annexed to and made a part of the City of Fort Morgan, Colorado:

Part of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado, described as follows:

Commencing at the North Quarter Corner of said Section 31 monumented with a 3 1/4" brass cap dated 1949 (no LS number) and assuming the west line of the East Half of said Section 31 bears South 1°22'28" West with all bearing herein relative thereto;  
Thence South 1°22'28" West for 958.05 feet on the west line of the East Half of said Section 31;  
Thence South 88°37'32" East for 43.25 feet to the TRUE POINT OF BEGINNING;  
Thence South 88°04'15" East for 25.32 feet to the computed east right of way line of Colorado State Highway 52;  
Thence South 1°55'45" West for 1681.72 feet on said computed east right of way line to an angle point therein;  
Thence South 1°38'22" West for 995.82 feet on said computed east right of way line;  
Thence North 88°21'38" West for 18.75 feet;  
Thence North 3°50'17" West for 266.48 feet to a point of non tangent curve;  
Thence along a curve to the right (having a radius of 2337.00 feet and a long chord bearing North 1°35'17" West for 159.84 feet) for an arc length of 159.87 feet;  
Thence North 2°11'13" East for 39.05 feet;  
Thence North 29°59'34" West for 34.41 feet;  
Thence North 0°30'55" West for 115.61 feet;  
Thence South 88°02'36" East for 8.00 feet;  
Thence North 1°57'24" East for 93.76 feet;  
Thence South 88°02'36" East for 7.64 feet to a point 5.00 feet west of the southwest corner of Rainbow Bridge;  
Thence North 1°57'24" East for 1219.23 feet on a line 5.00 feet west of and parallel with a line between the southwest and northwest corners of Rainbow Bridge;  
Thence North 88°37'32" West for 13.56 feet;  
Thence North 2°13'04" East for 20.02 feet;  
Thence North 5°31'38" East for 299.77 feet to a point of non tangent curve;  
Thence along a curve to the left (having a radius of 18775.00 feet and a long chord bearing North 5°22'17" East for 437.93 feet) for an arc length of 437.94 feet to the point of beginning.

Containing 140,992 Square Feet (3.237 Acres).

Basis of Bearings: The west line of the East Half of Section 31, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado bears South 1°22'28" West between the North Quarter Corner of said Section 31 monumented with a 3 1/4" brass cap in range box dated 1949 (no LS number) and the South Quarter Corner of said Section 31 monumented with a 3 1/4" aluminum cap in range box dated 2001 (PLS 23516) with all other bearings relative thereto.

**SECTION 2.** When this annexation is complete, said area shall become a part of the City of Fort Morgan for all intents and purposes on the effective date of this ordinance, with the exception of general taxation, in which respect said annexation shall not be effective until on or after January 1 next ensuing.

**SECTION 3.** The City Clerk shall be, and is hereby authorized and directed to file an original copy of this **Ordinance** and one copy of the **Map of Annexation** in the office of the City Clerk of the City of Fort Morgan, Colorado, and two certified copies of said **Ordinance** and **Map of Annexation** in the office of the Clerk and Recorder of Morgan County, Colorado.

**SECTION 4.** The ordinance shall be in full force and effect from and after its passage and publication as provided by the City Charter.

**INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED PUBLISHED** on the 18th day of March, 2014.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

\_\_\_\_\_  
By: Terry McAlister  
Mayor

Attest:

/s/ John Brennan  
John Brennan  
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED this 1<sup>st</sup> day of April 2014.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

/s/ Terry L. McAlister  
By: Terry McAlister  
Mayor

Attest:

/s/ John Brennan  
John Brennan  
City Clerk

STATE OF COLORADO )  
COUNTY OF MORGAN ) ss. **CERTIFICATE**  
CITY OF FORT MORGAN )

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1150** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 18th day of March, 2014. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 21st day of March, 2014, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 1<sup>st</sup> day of April, 2014. Within five (5) days after its final passage, said **Ordinance No. 1150** was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.

/s/ John Brennan

John Brennan  
City Clerk