

## ORDINANCE NO. 1159

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

**WHEREAS**, the City Council of the City of Fort Morgan on September 16, 2014, adopted a resolution finding that the Peif petition for annexation was in substantial compliance with C.R.S. §31-12-107, and set a hearing date of October 21, 2014, for the Fort Morgan City Council to consider the annexation of the area set forth below; and

**WHEREAS**, pursuant to the notice required under C.R.S. §31-12-108, the Municipal Annexation Act of 1965 as amended, hereinafter referred to as the Annexation Act, the City Council of Fort Morgan held on October 21, 2014 a hearing pertaining to said annexation; and

**WHEREAS**, owners of one hundred percent (100%) of the area have petitioned for such annexation; and

**WHEREAS**, the City Council of the City of Fort Morgan has by resolution made findings of fact and conclusions of law based thereon and determinations pertaining to said annexation, and has determined said area should be annexed forthwith as part of the City of Fort Morgan.

**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:

A PARCEL OF LAND SITUATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF MORGAN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SW1/4 BEING N 0°17'00" E A DISTANCE OF 1281.90 FEET FROM THE SW CORNER OF SAID SECTION 33, ALSO BEING THE NW CORNER OF LEGAL DESCRIPTION CONTAINED IN SCHEDULE C OF TITLE ORDER No. NCT17431, NORTHERN COLORADO TITLE SERVICES CO., INC. ; THENCE N 00° 17' 00" E ALONG SAID WEST LINE A DISTANCE OF 4.22 FEET THENCE S 89° 43' 00" E AT RIGHT ANGLES TO THE WEST LINE OF SAID SW1/4 A DISTANCE OF 44.87 FEET; THENCE S 88°27'58" E A DISTANCE OF 262.91 FEET; THENCE S 01° 45' 42" E A DISTANCE OF 362.10 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE HIGHWAY No. 76 AS MONUMENTED THENCE N 81° 21' 33" W ALONG SAID RIGHT-OF-WAY A DISTANCE OF 32.41 FEET TO THE SE CORNER OF SAID PARCEL DESCRIBED IN SCHEDULE C OF SAID TITLE ORDER No. NCT17431; THENCE N 00° 28' 27" E ALONG THE EAST LINE OF SAID PARCEL A DISTANCE OF 354.42 FEET TO THE NE CORNER THEREOF, BEING A FOUND PIN AND CAP L.S. 13895; THENCE N 88° 52' 17" W A DISTANCE OF 289.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.23 ACRES MORE OR LESS.

**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 21st day of October, 2014.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

/s/ Terry McAlister  
By: Terry McAlister  
Mayor

Attest:

/s/ John Brennan  
John Brennan  
City Clerk

**PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED** this 4<sup>th</sup> day of November, 2014.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

/s/ Terry 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. 1159** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 21st day of October, 2014. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 24th day of October, 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 4<sup>th</sup> day of November, 2014. Within five (5) days after its final passage, said **Ordinance No. 1159** 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