

ORDINANCE NO. 1165

AN ORDINANCE ANNEXING TO THE CITY OF FORT MORGAN THAT AREA KNOWN AS THE FORT MORGAN FARMS III ANNEXATION AS DESCRIBED HEREIN.

WHEREAS, the City Council of the City of Fort Morgan on December 2, 2014, adopted a resolution finding that the Fort Morgan Farms LLC and Morgan County School District RE-3 petition for annexations was in substantial compliance with C.R.S. §31-12-107, and set a hearing date of January 20, 2015, 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 January 20, 2015, 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 in the SW 1/4 of Section 7, Township 3 North, Range 57 West of the 6th P.M., Morgan County, Colorado, said parcel being more particularly described as follows:

Commencing at the SW corner of said Section 7; Thence N00°44'10"W along the West line of said Section 7 a distance of 30.00 feet to the Point of Beginning; thence S89°03'50"W, a distance of 30.00 feet; thence N00°44'10"W, a distance of 1826.90 feet; thence S89°03'50"W, a distance of 2106.28 feet to a point on the centerline of the Fort Morgan Reservoir and Irrigation Company Canal; thence S27°52'55"E along said centerline of the Fort Morgan Reservoir and Irrigation Company Canal a distance of 136.47 feet; thence S16°42'20"E along said centerline of the Fort Morgan Reservoir and Irrigation Company Canal a distance of 278.69 feet to a point on a horizontal circular curve concave Northeasterly, whose delta and is 19°25'19" and whose radius is 545.00 feet; thence along the arc of said curve being along said centerline of the Fort Morgan Reservoir and Irrigation Company Canal a distance of 184.74 feet (the chord of said arc

bears S26°25'00"E a distance of 183.86 feet); thence S36°07'40"E along said centerline of the Fort Morgan Reservoir and Irrigation Company Canal a distance of 493.79 feet to a point on the West right of way line of County Road 18.5; thence S00°58'40"E along the West right of way line of said County Road 18.5 a distance of 230.50 feet; thence S89°01'21"W along the North line of a parcel of land described in Book 920 at Page 418 of the Morgan County records and the Easterly extension thereof a distance of 158.24 feet to the NW corner of said parcel of land described in Book 920 at Page 418; thence S00°58'39"E along the West line of said parcel of land described in Book 920 at Page 418 a distance of 266.12 feet; thence N89°01'21"E, a distance of 9.34 feet; thence S00°50'00"E, a distance of 28.34 feet; thence N89°10'00"E, a distance of 148.97 feet to a point on the West right of way line of said County Road 18.5; thence S00°58'40"E along the West right of way line of said County Road 18.5, a distance of 342.08 feet; thence S89°03'50"W, a distance of 2584.55 feet to the Point of Beginning.

Containing 102.07 acres more or less. Subject to a county road right of way along the West line of said Section 7 and to the Fort Morgan Reservoir and Irrigation Company Canal right of way. Further subject to any existing easements or rights of way.

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 20th day of January, 2015.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO


By: Terry McAlister
Mayor

Attest:


John Brennan
City Clerk

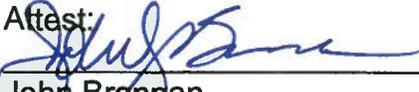
PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED
PUBLISHED this 3rd day of February, 2015.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO




By: Terry McAlister
Mayor

Attest:


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. 1165** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 20th day of January, 2015. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 23rd day of January, 2015, 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 3rd day of February, 2015. Within five (5) days after its final passage, said **Ordinance No. 1165** 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.


John Brennan
City Clerk