

## **ORDINANCE NO. 1170**

### **AN ORDINANCE ANNEXING TO THE CITY OF FORT MORGAN THAT AREA KNOWN AS THE FM SOUTHRIDGE II ANNEXATION AS DESCRIBED HEREIN**

**WHEREAS**, the City Council of the City of Fort Morgan on February 17, 2015, adopted a resolution finding that the FM Southridge II Annexation petition for annexation was in substantial compliance with C.R.S. §31-12-107, and set a hearing date of April 7, 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 April 7, 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 LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 57 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7, WHENCE THE CENTER ONE-QUARTER CORNER OF SAID SECTION 7, BEARS S 89° 12' 07" W FORMING THE BASIS OF BEARING USED IN THIS DESCRIPTION WITH ALL BEARINGS SHOWN RELATIVE THERETO;

THENCE N 00° 52' 29" W, ALONG A LINE CURRENTLY REPRESENTING THE FT. MORGAN CITY LIMIT BOUNDARY (AS SHOWN ON THE PIONEER ADDITION TO THE CITY OF FT. MORGAN) AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7, A DISTANCE OF 299.56 FEET; THENCE DEPARTING SAID PIONEER ADDITION BOUNDARY S 89° 07' 31" W, A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING;

THENCE THE FOLLOWING SEVEN (7) COURSES;

- 1) N 00° 52' 29" W, 30.00 FEET;
- 2) N 89° 07' 31" E, 75.00 FEET;
- 3) N 00° 52' 29" W, 20.00 FEET;
- 4) S 89° 07' 31" W, 75.00 FEET;
- 5) N 00° 52' 29" W, 30.00 FEET;
- 6) S 89° 07' 31" W, 345.00 FEET TO THE EAST RIGHT-OF-WAY OF SOUTH MAIN STREET (SAID RIGHT-OF-WAY BEING 30.00 FEET EAST AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 7);
- 7) ALONG SAID RIGHT-OF-WAY S 00° 52' 29" E, 80.00 FEET;  
THENCE DEPARTING SAID RIGHT-OF-WAY N 89° 07' 31" E, 345.00 FEET TO THE POINT OF BEGINNING.

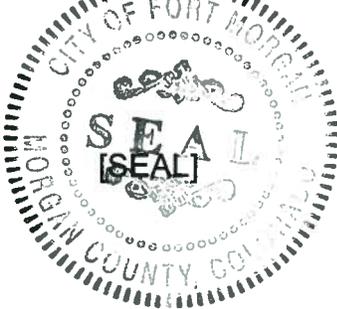
CONTAINING AN AREA OF 29,100 SQ. FT. OR 0.67 ACRES, MORE OR LESS.

**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.

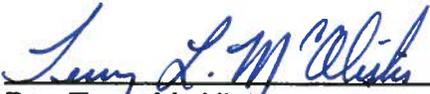
**SECTION 3.** The City Clerk shall be, and is hereby authorized and directed to file an original copy of this **Ordinance** and one copy of the **Map of Annexation** in the office of the City Clerk of the City of Fort Morgan, Colorado, and two certified copies of said **Ordinance** and **Map of Annexation** 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 7th day of April, 2015.



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

  
By: Terry McAlister  
Mayor

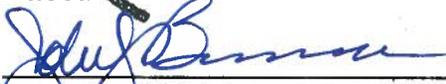
Attest:   
John Brennan  
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED this 21<sup>st</sup> day of April, 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. 1170** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 7th day of April, 2015. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 10th day of April, 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 21<sup>st</sup> day of April, 2015. Within five (5) days after its final passage, said **Ordinance No. 1170** 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