

ORDINANCE NO. 1095

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

WHEREAS, the City Council of the City of Fort Morgan on July 7, 2009, adopted a resolution finding that the Salud Petition for Annexation was in substantial compliance with C.R.S. §31-12-107 and set a hearing date of August 18, 2009 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, the City Council of Fort Morgan held on August 18, 2009, a hearing pertaining to said annexation; and

WHEREAS, owners of more than fifty percent (50%) 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 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 SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 57 WEST OF TH 6TH P.M., MORGAN COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 5;

THENCE ALONG THE NORTH LINE OF THE SOUTH HALF OF SECTION 5, N 88°50'03" E A DISTANCE OF 30.00 FEET TO A POINT OF INTERSECTION WITH THE EXTENDED EASTERLY R.O.W. LINE OF SHERMAN STREET AS ESTABLISHED BY LOCAL MONUMENTATION RECOVERED IN THE AREA;

THENCE S 01°04'30" E, ALONG SAID EASTERLY R.O.W. LINE, A DISTANCE OF 1648.98 FEET TO THE POINT OF BEGINNING;

THENCE N 88°50'03", ALONG THE SOUTHERLY LINE OF SHERMAN PARK SCHOOL AND THE SUBDIVISION EXEMPTION PLAT RECORDED AT RECEPTION NO. 764293, A DISTANCE OF 1065.00 FEET;

THENCE N 85°30'05" E, A DISTANCE OF 414.02 FEET,

THENCE S 01°04'30" E, ALONG THE WESTERLY LINE OF SUBDIVISION EXEMPTION PLAT RECORDED AT RECEPTION NO. 783669, A DISTANCE OF 300.00 FEET;

THENCE S 85°55'30" W, ALONG THE NORTHERLY R.O.W. LINE OF EAST RAILROAD AVENUE, A DISTANCE OF 666.19 FEET;

THENCE S 88°55'30" W, ALONG THE NORTHERLY R.O.W. LINE OF EAST RAILROAD AVENUE, A DISTANCE OF 813.00 FEET;

THENCE N 01°04'30" W, ALONG THE EASTERLY R.O.W. LINE OF SHERMAN STREET, A DISTANCE OF 308.46 FEET TO THE POINT OF BEGINNING.

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.

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 2nd day of February, 2010.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

/s/ Terry L. McAlister
Mayor

ATTEST:

/s/ Andrea Strand
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED
PUBLISHED the 16th day of February, 2010.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

[SEAL]

/s/ Terry L. McAlister
Mayor

ATTEST:

/s/ Andrea Strand
City Clerk

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

I, Andrea Strand, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Ordinance No. 1095** was, as a proposed **Ordinance** duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a regular meeting on the 2nd day of February, 2010. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 5th day of February, 2010 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 16th day of February, 2010. Within five (5) days after its final passage, said **Ordinance** 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/ Andrea Strand
City Clerk