

ORDINANCE NO. 1096

AN ORDINANCE ESTABLISHING A ZONING DISTRICT IN AND UPON LANDS ANNEXED TO THE CITY OF FORT MORGAN, COLORADO, AND FOR SAID PURPOSE REVISING AND SUPPLEMENTING THE ZONING DISTRICT MAP OF SAID CITY

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

WHEREAS, a petition for annexation of certain property described in Exhibit A, attached hereto and made a part hereof, and known as the Salud Annexation, was filed with the City Council of the City of Fort Morgan; and,

WHEREAS, said property was annexed to the City by Ordinance; and,

WHEREAS, the City Council must provide for the zoning of said property; and,

WHEREAS, the City Council provided notice of the public hearing on said zoning by publication as provided by law; and,

WHEREAS, no protests were received by the City pursuant to C.R.S. §31-23-305; and,

WHEREAS, the landowners of said property have requested the same to be zoned B-1: **Business District**; and,

WHEREAS, a B-1 zoning classification for residential uses is consistent with the City's plan for the area; and,

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

SECTION 1. That certain property known as the Salud Annexation, the legal description of which is set forth in Exhibit A attached hereto and incorporated herein by this reference, is hereby zoned B-1: Business District as permitted and that the Zoning District Map of the City of Fort Morgan, Colorado, be amended accordingly.

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]

BY: /s/ Terry L. McAlister
Mayor

ATTEST:

/s/ Andrea Strand
City Clerk

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

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister
Mayor

ATTEST:

/s/ Andrea Strand
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN)
CITY OF FORT MORGAN)

CERTIFICATE

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. 1096** 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

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ZONING DISTRICT MAP OF SAID CITY**

Salud Annexation Exhibit A

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.