

ORDINANCE NO. 1098

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 Riverside Park North 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 **E-1: Very Low Density Residential**; and,

WHEREAS, a E-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 Riverside Park North Annexation, the legal description of which is set forth in Exhibit A attached hereto and incorporated herein by this reference, is hereby zoned E1: Very Low Density Residential 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 March, 2010.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister
Mayor

ATTEST:

/s/ Cheryl Winberg
Deputy City Clerk

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

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Terry L. McAlister
Mayor

ATTEST:

/s/ Cheryl Winberg
Deputy City Clerk

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

CERTIFICATE

I, Cheryl Winberg, the duly appointed, qualified and acting Deputy City Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Ordinance No. 1098** 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 March, 2010. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 5th day of March, 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 March, 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/ Cheryl Winberg
Deputy City Clerk

EXHIBIT "A"

PARCEL A

PART OF THE NORTHEAST QUARTER OF SECTION 31 AND PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31, MONUMENTED WITH A 3 ¼", BUREAU OF LAND MANAGEMENT BRASS CAP;

THENCE SOUTH 01°22'28" WEST FOR 647.83 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE SOUTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;

THENCE SOUTH 81°27'19" EAST FOR 72.06 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A 5/8" REBAR WITH 1 ¾" RED PLASTIC CAP STAMPED PLS 7735 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 81°27'19" EAST FOR 1438.80 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED LS 11399;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 11574.16 FEET AND A LONG CHORD BEARING SOUTH 84°15'43" EAST FOR 1120.57 FEET) FOR AN ARC LENGTH OF 1121.01 FEET CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 31;

THENCE NORTH 01°05'10" EAST FOR 150.06 FEET ALONG THE SAID EAST LINE OF SECTION 31 TO THE NORTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD MONUMENTED WITH A ½" REBAR;

THENCE SOUTH 87°34'37" EAST FOR 5318.30 FEET ALONG THE SAID NORTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SECTION 32;

THENCE SOUTH 00°13'11" WEST FOR 1578.95 FEET ALONG THE EAST LINE OF SAID SECTION 32 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER THEREOF MOMUMENTED WITH A 3 ¼", BUREAU OF LAND MANAGEMENT BRASS CAP;

THENCE SOUTH 89°59'27" WEST FOR 7914.84 FEET ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 32 AND THE SOUTH LINE OF

THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE EAST RIGHT OF WAY OF COLORADO STATE HIGHWAY 52;

THENCE NORTH 01°55'45 EAST FOR 1981.95 FEET ALONG SAID EAST RIGHT OF WAY TO THE POINT OF BEGINNING.

CONTAINS 305.969 ACRES.

EXCEPTING THEREFROM PARCEL B AND PARCEL C DESCRIBED AS FOLLOWS:

PARCEL B

PART OF THE NORTH HALF OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE SOUTH 01°05'10" WEST FOR 821.07 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 32 TO A ½" REBAR ON THE NORTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;

THENCE SOUTH 87°34'37" EAST FOR 692.12 FEET ALONG SAID NORTH RIGHT OF WAY LINE;

THENCE SOUTH 02°59'13" WEST FOR 78.55 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399 IN THE POINT OF BEGINNING;

THENCE SOUTH 87°54'10" EAST FOR 2963.03 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE 07°48'59" WEST FOR 101.47 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 87°34'01" WEST FOR 2954.27 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 02°59'13" EAST FOR 83.67 FEET TO THE POINT OF BEGINNING.

CONTAINS 6.271 ACRES.

PARCEL C

PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 57 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31, MONUMENTED WITH A 3 ¼", BUREAU OF LAND MANAGEMENT BRASS CAP;

THENCE SOUTH 01°22'28" WEST FOR 647.83 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE SOUTH RIGHT OF WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD;

THENCE SOUTH 81°27'19" EAST FOR 1510.86 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 11574.16 FEET AND A LONG CHORD BEARING SOUTH 84°15'43" EAST FOR 1120.57 FEET) FOR AN ARC LENGTH OF 1121.01 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE EAST LINE OF THE NORTHEAST QUARTER SAID SECTION 31;

THENCE SOUTH 01°05'10" WEST FOR 298.90 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 01°05'10" WEST FOR 75.49 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED THOMAS 11399;

THENCE NORTH 80°10'30" WEST FOR 237.49 FEET TO A ½" REBAR WITH 1" YELLOW PLASTIC CAP STAMPED PLS 11399;

THENCE NORTH 01°05'10" EAST FOR 75.49 FEET PARALLEL WITH AND 234.73 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE SOUTH 80°10'30" EAST FOR 237.49 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.407 ACRES

BASIS OF BEARINGS:

THE WEST LINE OF THE EAST HALF OF SECTION 31 IS ASSUMED TO BEAR
SOUTH 01°22'28" WEST.