

ORDINANCE NO. 1077

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 Underwood 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 R-2: **Residential District**; and,

WHEREAS, a R-2 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 Underwood Annexation, the legal description of which is set forth in Exhibit A attached hereto and incorporated herein by this reference, is hereby zoned R-2: 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 18th day of November, 2008.

THE CITY COUNCIL OF THE CITY OF

FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack L. Darnell
Mayor

ATTEST:

/s/ Andrea J. Strand
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED
PUBLISHED by title only the 2nd day of December, 2008.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack L. Darnell
Mayor

ATTEST:

/s/ Andrea J. 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. 1077** 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 18th day of November, 2008. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 21st day of November, 2008, 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 2nd day of December, 2008. 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 J. Strand
City Clerk

EXHIBIT A
Attached to Ordinance 1077

A PARCEL OF LAND IN THE NE ¼ OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORGAN COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 146.5 FEET SOUTH AND 30 FEET WEST OF THE NORTH AND NE CORNER OF SAID SECTION 12, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH P.M., SAID POINT BEING ON THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE C.B. AND Q. RAILROAD;

THENCE RUNNING SOUTH 226 FEET;

THENCE WEST 258 FEET TO THE RIGHT-OF-WAY OF THE FORT MORGAN CANAL;

THENCE ALONG SAID RIGHT-OF-WAY NORTH 35° 00' WEST, 253 FEET TO INTERSECT THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE SAID C.B. AND Q. RAILROAD;

THENCE SOUTH ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT-OF-WAY NORTH 87° 15' EAST, 403 FEET TO THE PLACE OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS THE PROPERTIES FILED UNDER BOOK 973, PAGE 767 AND UNDER RECEPTION NUMBER 846504 AND CONTAINS 72,308 SQUARE FEET, MORE OR LESS.