

ORDINANCE NO. 1031

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF FORT MORGAN, COLORADO

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:

That part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 3 North, Range 57 West of the 6th P.M. described as follows: Commencing at the SE corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 3 North, Range 57 West of the 6th P.M., thence North 230 feet parallel to and coinciding with the East side of said Section 5 to a point; thence West 260 feet parallel to the South side of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5 to a point; thence South 230 feet parallel to the East side of said Section 5 to a point on the center line and South side of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5; thence 260 feet East parallel to and coinciding with the South boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5 to the point of beginning, **EXCEPT:**

The East 30 feet as deeded to the County of Morgan in Deed recorded in Book 603 at Page 18 of the Morgan County, Colorado records; **BUT INCLUDING,**

Parcel deeded to Morgan County, Colorado in Deed recorded in Book 746 at Page 381, described as follows: A parcel of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, Township 3 North, Range 57 West of the 6th P.M., more particularly described as follows: Commencing at a point 30 feet North and 30 feet West of the SE corner of the said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5; thence West 15 feet; thence Northeasterly to a point 30 feet West and 45 feet North of said SE corner; thence South 15 feet to the point of beginning; **AND INCLUDING,**

Parcel deeded to the City of Fort Morgan, Colorado in **Corrective Warranty Deed** recorded in Book 1134 at Pages 771 – 775 of the Morgan County, Colorado records, described as follows: A PART OF THE NORTHEAST ONE QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 57 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT MORGAN, COUNTY OF MORGAN, STATE OF COLORADO, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE QUARTER OF SAID SECTION 5 AND CONSIDERING THE EAST LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 5 TO BEAR NORTH 01 DEGREES 26 MINUTES 32 SECONDS EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO; THENCE NORTH 44 DEGREES 19 MINUTES 36 SECONDS WEST, A DISTANCE OF 41.87 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN DEED RECORDED IN BOOK 746 AT PAGE 381 IN THE RECORDS OF MORGAN COUNTY; THENCE ALONG THE SOUTH LINE OF SAID PARCEL, SOUTH 89 DEGREES 54 MINUTES 16 SECONDS WEST, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING AND BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF STATE HWY. 34; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, SOUTH 89 DEGREES 54 MINUTES 16 SECONDS WEST,

A DISTANCE OF 10.00 FEET; THENCE NORTH 45 DEGREES 40 MINUTES 26 SECONDS EAST, A DISTANCE OF 21.49 FEET; THENCE NORTH 01 DEGREES 26 MINUTES 32 SECONDS EAST, A DISTANCE OF 185.07 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 16 SECONDS EAST A DISTANCE OF 10.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF BARLOW ROAD; THENCE SOUTH 01 DEGREES 26 MINUTES 32 SECONDS WEST ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 185.07 FEET TO THE NORTHERLY CORNER OF SAID PARCEL OF LAND DESCRIBED IN BOOK 746 AT PAGE 381; THENCE ALONG THE NORTHWESTERLY LINE OF SAID PARCEL SOUTH 45 DEGREES 40 MINUTES 26 SECONDS WEST, A DISTANCE OF 21.49 FEET TO THE POINT OF BEGINNING, CONTAINING 2,001 SQUARE FEET OR 0.046 ACRES, MORE OR LESS;

TOGETHER with all water and water rights appurtenant thereto;

Section 2. The owners of one-hundred percent (100%) of the area described above have petitioned for such annexation

Section 3. The City Clerk be, and she 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.

READ, PASSED ON FIRST READING AND ORDERED PUBLISHED the 5th day of July, 2006.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

/s/ Jack L. Darnell
Mayor

[SEAL]

ATTEST:

/s/ Nancy J. Lockwood
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED the 18th day of July, 2006.

THE CITY COUNCIL OF THE CITY
OF FORT MORGAN, COLORADO

/s/ Jack L. Darnell
Mayor

[SEAL]

ATTEST:

/s/ Nancy J. Lockwood
City Clerk

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

CERTIFICATE

I, Nancy J. Lockwood, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Ordinance No. 1031** 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 5th day of July, 2006. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 7th day of July, 2006 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 18th day of July, 2006. 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/ *Nancy J. Lockwood*
City Clerk