

ORDINANCE NO. 1137

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

WHEREAS, the City Council of the City of Fort Morgan on April 16, 2013, adopted a resolution finding that the Fort Morgan Farms LLC petition for annexation was in substantial compliance with C.R.S. §31-12-107, and set a hearing date of May 21, 2013, 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, hereinafter referred to as the Annexation Act, the City Council of Fort Morgan held on May 21, 2013 a hearing pertaining to said annexation; and

WHEREAS, owners of one hundred percent (100%) 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 THE CITY 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 SITUATED IN THE SW1/4 SECTION 5, TOWNSHIP 3 NORTH, RANGE 57 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORGAN COUNTY, COLORADO AND BEING A PORTION OF THAT PARCEL OF REAL PROPERTY DESCRIBED IN THE DOCUMENT AT RECEPTION #841642 OF THE OFFICIAL RECORDS OF MORGAN COUNTY, AND BEING BOUNDED ON THE NORTH BY THE NORTH RIGHT-OF-WAY OF BEAVER AVENUE EXTENDED EAST, ON THE WEST BY THE EAST LINE OF THE JUDICIAL JAIL ADDITION AS SHOWN ON THE PLAT RECORDED IN PLAT BOOKS, PAGE 14 OF THE OFFICIAL RECORDS OF MORGAN COUNTY AND BY THE EAST LINE OF THE MORGAN COUNTY HUMAN SERVICES PARCEL AS RECORDED IN BOOK 1019 AT PAGE 688 OF THE OFFICIAL RECORDS OF MORGAN COUNTY, ON THE SOUTH BY THE NORTH LINE OF THE SALUD BUSINESS PARK SUBDIVISION AS RECORDED AT RECEPTION #1500264 OF THE OFFICIAL RECORDS OF MORGAN COUNTY, THE NORTH LINE OF THE EXCEPTION PARCEL AS RECORDED IN BOOK 1067, PAGE 701 OF THE OFFICIAL RECORDS OF MORGAN COUNTY AND THE EXTENSION

OF THE NORTH LINE OF SAID EXCEPTION PARCEL AND ON THE LAST BY A LINE PARALLEL TO AND OFFSET 1917.48 FEET EAST FROM THE WEST LINE OF SAID SECTION 5 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF EAST BEAVER AVENUE AND THE EAST LINE OF SAID JUDICIAL JAIL ADDITION, WHENCE THE WEST QUARTER CORNER OF SAID SECTIONS BEARS N 54°45'05" W A DISTANCE OF 1641.93 FEET; THENCE S 00°00'29" W ALONG THE EAST LINE OF SAID JUDICIAL JAIL ADDITION, A DISTANCE OF 100.00 FEET TO A POINT ON THE EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF EAST BEAVER AVENUE; THENCE S 89°S0'49" W ALONG THE EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF EAST BEAVER AVENUE A DISTANCE OF 246.30 FEET TO THE NORTHEAST CORNER OF MORGAN COUNTY HUMAN SERVICES PARCEL AS DESCRIBED IN BOOK 1019 PAGE 688; THENCE S 00°01'08" W ALONG THE EAST LINE OF SAID MORGAN COUNTY HUMAN SERVICES PARCEL A DISTANCE OF 599.88 FEET TO THE SOUTHEAST CORNER OF SAID MORGAN COUNTY HUMAN SERVICES PARCEL, ALSO BEING A POINT ON THE NORTH LINE OF THE SALUD BUSINESS PARK, AS DESCRIBED IN RECEPTION NO. 1601461; THENCE N 86°32'25" E ALONG THE NORTH LINE OF SAID SALUD BUSINESS PARK A DISTANCE OF 414.20 FEET TO THE NORTHEAST CORNER OF SAID SALUD BUSINESS PARK, ALSO BEING THE NORTHWEST CORNER OF THE EXCEPTION PARCEL AS DESCRIBED IN BOOK 1067 PAGE 701; THENCE N 87°05'59" E ALONG THE NORTH LINE OF SAID EXCEPTION PARCEL AND THE EXTENSION OF THE NORTH LINE OF SAID EXCEPTION PARCEL A DISTANCE OF 409.60 FEET; THENCE N 00°01'00" W A DISTANCE OF 656.08 FEET TO A POINT ON THE EXTENSION OF THE NORTH RIGHT-OF-WAY LINE OF EAST BEAVER AVENUE; THENCE S 89°52'28" W ALONG THE EXTENSION OF THE SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 575.85 FEET TO THE POINT OF BEGINNING CONTAINING 12.22 ACRES MORE OR LESS.

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, 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.

INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED PUBLISHED on the 21st day of May, 2013.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

By: Terry McAlister
Mayor

Attest:

John Brennan
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED this 4th day of June, 2013.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

By: Terry McAlister
Mayor

Attest:

John Brennan
City Clerk

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

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1137** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 21st day of May, 2013. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 25th day of May, 2013, 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 4th day of June, 2013. Within five (5) days after its final passage, said **Ordinance No. 1137** 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.

John Brennan
City Clerk