

ORDINANCE NO. 1138

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

WHEREAS, a petition for annexation of certain property described in Exhibit A, attached hereto and made a part hereof, and known as the Fort Morgan Farms LLC 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 subject to and effective upon future subdivision as described in Exhibit B, attached hereto and made a part hereof, and known as the Preliminary Plat of the Fort Morgan Farms, LLC Annexation Minor Subdivision, into **R-3: High Density Residential** for Lot 1 and **T: Transitional** for Lot 2; and,

WHEREAS, these zoning classifications for residential use and transitional use are consistent with the City's plan for the area.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF FORT MORGAN,

Section 1: That certain property known as the Fort Morgan Farms LLC Annexation, the legal description of which is set forth in Exhibit A attached hereto and incorporated herein by this reference, is hereby zoned subject to and effective upon future subdivision as described in Exhibit B, attached hereto and made a part hereof into **R-3: High Density Residential** for Lot 1 and **T: Transitional** for Lot 2 and made a part hereof as permitted and that the Zoning District Map of the City of Fort Morgan, Colorado, be amended accordingly.

**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. 1138** 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. 1138** 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

Fort Morgan Farms, LLC Annexation Exhibit A

TO

ORDINANCE NO. 1138

**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**

Exhibit A:

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 EAST 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.