

ORDINANCE NO. 1173

AN ORDINANCE ANNEXING TO THE CITY OF FORT MORGAN THAT AREA KNOWN AS THE FM ACOMA III ANNEXATION AS DESCRIBED HEREIN

WHEREAS, the City Council of the City of Fort Morgan on February 17, 2015, adopted a resolution finding that the FM Acoma III Annexation petition for annexation was in substantial compliance with C.R.S. §31-12-107, and set a hearing date of April 7, 2015, 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 April 7, 2015 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 LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 57 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF MORGAN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 7, WHENCE THE CENTER ONE-QUARTER CORNER OF SAID SECTION 7 BEARS N 88° 59' 33" E, 974.00 FEET FORMING THE BASIS OF BEARING USED IN THIS DESCRIPTION WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO.

THENCE ALONG THE SOUTHEASTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF THE SUBDIVISION EXEMPTION PLAT, RECORDED AT LAND SURVEY PLAT BOOK 6, PAGE 43, TO THE SOUTHWEST CORNER OF SAID SUBDIVISION EXEMPTION PLAT N 18° 44' 45" W, 31.34 FEET; THENCE ALONG

THE SOUTH LINE OF SAID SUBDIVISION EXEMPTION PLAT N 71° 25' 26" E, 423.11 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING THE SAID SOUTH LINE N 18° 34' 34" W, 30.00 FEET;

THENCE S 71° 25' 26" W, 149.00 FEET;

THENCE N 18° 34' 34" W, 20.00 FEET;

THENCE N 71° 25' 26" E, 149.00 FEET;

THENCE TO THE NORTH LINE OF SAID SUBDIVISION EXEMPTION PLAT N 18° 34' 34" W, 30.00 FEET;

THENCE ALONG THE SAID NORTH LINE THE FOLLOWING TWO COURSES;

- 1) N 71° 25' 26" E, 401.42 FEET;
- 2) TO THE WEST RIGHT-OF-WAY OF SOUTH MAIN STREET (CR 18.5) N 88° 59' 33" E, 192.43 FEET (SAID WEST RIGHT-OF-WAY BEING 30.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 7);

THENCE DEPARTING THE SAID NORTH LINE AND ALONG THE SAID WEST RIGHT-OF-WAY TO THE SOUTH LINE OF SAID SUBDIVISION EXEMPTION PLAT S 00° 52' 29" E, 80.04 FEET;

THENCE DEPARTING THE SAID WEST RIGHT-OF-WAY AND ALONG THE SAID SOUTH LINE THE FOLLOWING TWO COURSES;

- 1) S 88° 59' 33" W, 180.00 FEET;
- 2) S 71° 25' 26" W, 388.93 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 49,499 SQ. FT. OR 1.14 ACRES, MORE OR LESS.

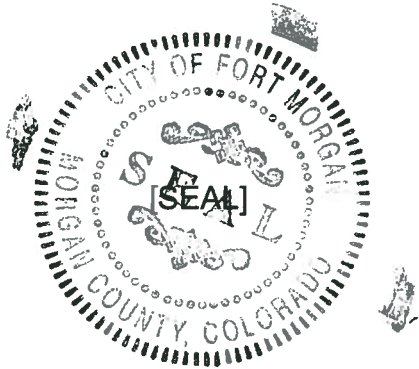
SECTION 2. When this annexation is complete, said area shall become a part of the City of Fort Morgan for all intents and purposes on the effective date of this ordinance, with the exception of general taxation, in which respect said annexation shall not be effective until on or after January 1 next ensuing.

SECTION 3. The City Clerk shall be, 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 7th day of April, 2015.



THE CITY COUNCIL OF THE CITY OF FORT
MORGAN, COLORADO


By: Terry McAlister
Mayor

Attest:

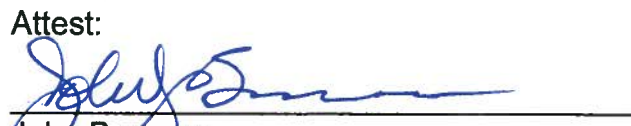
John Brennan
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED
PUBLISHED this 21st day of April, 2015.



THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO


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. 1173** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 7th day of April, 2015. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 10th day of April, 2015, 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 21st day of April, 2015. Within five (5) days after its final passage, said **Ordinance No. 1173** 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