

## RESOLUTION NO. 2017-03-04

**WHEREAS**, the City Council has received from the City Clerk the **Petition for Annexation** as filed by the Applicants, the City of Fort Morgan, Morgan County School District RE-3, and Morgan County; and,

**WHEREAS**, the City Council finds that said **Petition for Annexation** for the American Legion Annexation is in substantial compliance with C.R.S. § 31-12-107 (1), specifically including a finding that the Petitioners are the owners of 100% of the territory included in the area proposed to be annexed in addition to right of way connected to the territory.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:**

THAT the City Council finds the **Petition for Annexation** to be in substantial compliance with C.R.S. § 31-12-107 (1) and hereby schedules a Public Hearing on the **Petition for Annexation** as required by C.R.S. § 31-12-108, said Public Hearing to be held as follows:

DATE: May 2, 2017  
TIME: 6:00 P.M.  
PLACE: Council Chambers  
110 Main Street  
Fort Morgan, Colorado

The purpose of such Public Hearing is to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105.

FURTHER, the City Manager is directed to require Staff to give notice as required by C.R.S. § 31-12-108 (2) by publication of a copy of this **Resolution** or the **Petition for Annexation** as filed (exclusive of signatures), together with a **Notice** that, on the date, time, and place set forth above, the City Council of the City of Fort Morgan, Colorado, shall hold a Hearing upon the **Petition for Annexation** for the purpose of determining and finding whether the area proposed to be annexed meets the applicable requirements of C.R.S. §§ 31-12-104 and 31-12-105 and is considered eligible for annexation. Said **Notice** shall be published once a week for four (4) successive weeks in *The Fort Morgan Times*.

The first publication of such **Notice** shall be at least thirty (30) days prior to the date of the Public Hearing. The Proof of Publication of the **Notice** and **Resolution** or **Petition** shall be returned when the publication is completed, and the certificate of the Owner, Editor or Manager of the newspaper in which said

**Notice** is published shall be proof thereof, and a Public Hearing shall then be held as provided in said **Notice**.

FURTHER, a copy of the published **Notice**, together with a copy of the **Petition for Annexation** as filed, shall also be sent by registered mail by the City Clerk to the Board of County Commissioners for Morgan County, to the Morgan County Attorney, to the Morgan County Land Use Department, to the local School District and to any special district having territory within the area to be annexed, at least twenty-five (25) days prior to the date fixed for such Public Hearing.

FURTHER, that the **Petition for Annexation**, including the zoning of the subject property, is hereby referred to the Planning Commission for its review and recommendations, including compliance with the Annexation Plan of the City.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of March 2017, the vote upon roll call being as follows:

Ayes: Mayor Shaver, Councilmembers Castoe, Howe, Lindell and Northrup

Nays: None.

Absent /Abstain: Councilmembers Anderson and Marler (absent excused)



THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

BY: *Ronald Shaver*  
Ronald Shaver, Mayor

ATTEST:

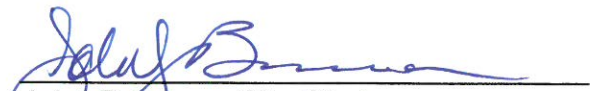
*John Brennan*  
John Brennan, City Clerk

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

**CERTIFICATE**

I, John Brennan, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 21<sup>st</sup> day of March, 2017.

  
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John Brennan, City Clerk