



06/27/2023 04:23 PM 174667
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289 ORDINANCE TotalFee:28.00 DocFee:0.00



STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Rerecorded with
correct Exhibit A

COUNCIL BILL NUMBER: CB16

ORDINANCE NUMBER: 2023-16

TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING
THE ANNEXATION OF CERTAIN UNINCORPORATED PROPERTIES
COMPLETELY SURROUNDED BY AND WITHIN THE BOUNDARIES
OF THE CITY OF BLACK HAWK IDENTIFIED AS QUARTZ
VALLEY/MARYLAND MOUNTAIN – 2023 ANNEXATION NUMBERS 1-
3

WHEREAS, those certain unincorporated properties identified as Quartz Valley/Maryland Mountain – 2023 Annexation Numbers 1-3, attached hereto as **Exhibit A**, and incorporated herein by this reference, constitute properties that are contiguous and completely surrounded by and within the boundaries of the City of Black Hawk within the meaning of C.R.S. § 31-12-106(1) (the "Enclaved Properties");

WHEREAS, notice of this proposed ordinance considering annexation of the Enclaved Properties was provided pursuant to C.R.S. § 31-12-108(2);

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of the Enclaved Properties, and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado;

WHEREAS, the Enclaved Properties have been surrounded by the boundaries of the City of Black Hawk within the meaning of C.R.S. § 31-12-106(1) for a period of not less than three years;

WHEREAS, it is the opinion of the City Council that it is desirable and necessary that the property described in the attached **Exhibit A** be annexed to the City; and

WHEREAS, it is in the best interest of the City and its citizens to annex said parcel.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached **Exhibit A**, situated, lying and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The Enclaved Properties have been completely surrounded by the boundaries of the City of Black Hawk within the meaning of C.R.S. § 31-12-106(1) for a period

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of not less than three years, and the Enclaved Properties do not fall within the language which would make such Enclaved Properties ineligible for such annexation pursuant to C.R.S. § 31-12-106(1.1).

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the Municipal Laws of the State of Colorado pertaining to cities and to all ordinances, resolutions, rules and regulations of the City of Black Hawk.

Section 4. Considering all of the foregoing and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interests of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in **Exhibit A**, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.

Section 5. The City Clerk shall file for recording one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory as above described shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file two certified copies of the Annexation Ordinance and two certified copies of the Annexation Map for the Real Property with the Clerk and Recorder of the County of Gilpin, State of Colorado, for such Clerk and Recorder's filing with the Division of Local Governments of the Department of Local Affairs and the Department of Revenue.

Section 8. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 9. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

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Section 10. Effective Date. By operation of C.R.S. § 31-12-113(2), the annexation and this Ordinance will not become effective until the City Clerk completes the filings required by statute. For the purpose of general taxation, this Ordinance shall become effective on January 1st of the next succeeding year following its passage.

READ, PASSED AND ORDERED POSTED this 14th day of June, 2023.


David D. Spellman, Mayor

ATTEST:


Melissa A. Greiner, CMC, City Clerk

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EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN - 2023 ANNEXATION NO. 1,
LOCATED WITHIN THE NORTH HALF OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE
73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF
COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: ASSUMING LINE 1-2 OF THE MOUNTAIN CLUB MS 14918 TO
BEAR NORTH 66°50'45" EAST, WITH ALL BEARINGS CONTAINED HEREIN
RELATIVE THERETO.

GOVERNMENT LOTS NO. 14 AND NO. 15 - PARCEL 1
BEGINNING AT A POINT ON LINE 1-2 OF THE MOUNTAIN CLUB MS 14918 AND THE
NORTH LINE OF SAID SECTION 12; THENCE SOUTH 89°59'53" EAST ON THE NORTH
LINE OF SAID SECTION 12, A DISTANCE OF 86.90 FEET TO A POINT ON LINE 3-4 OF
THE SANS SOUCI MS 793; THENCE SOUTH 57°24'25" WEST ON LINE 3-4 OF SAID
SANS SOUCI MS 793, A DISTANCE OF 65.88 FEET TO CORNER 3 OF SAID SANS
SOUCI MS 793; THENCE SOUTH 32°35'35" EAST ON LINE 2-3 OF SAID SANS SOUCI
MS 793, A DISTANCE OF 150.00 FEET TO CORNER 2 OF SAID SANS SOUCI MS 793;
THENCE NORTH 57°24'25" EAST ON LINE 1-2 OF SAID SANS SOUCI MS 793, A
DISTANCE OF 215.65 FEET TO A POINT ON LINE 36-37 OF THE BONANZA TUNNEL
NO. 9 MS 7417; THENCE SOUTH 06°06'35" EAST ON LINE 36-37 OF SAID BONANZA
TUNNEL NO. 9 MS 7417, LINE 32-33 OF BONANZA TUNNEL NO. 8 MS 7417 AND LINE
28-29 OF BONANZA TUNNEL NO. 7 MS 7417, A DISTANCE OF 289.74 FEET TO A
POINT ON LINE 3-4 OF THE ALONZO FURNALD MS 440A AND TO POINT "A";
THENCE NORTH 26°44'32" WEST ON LINE 3-4 OF SAID ALONZO FURNALD MS 440A,
A DISTANCE OF 147.70 FEET TO CORNER 3 OF SAID ALONZO FURNALD MS 440A;
THENCE SOUTH 63°15'28" WEST ON LINE 2-3 OF SAID ALONZO FURNALD MS 440A,
A DISTANCE OF 187.68 FEET TO THE EXTENDED LINE 1-6 OF THE SECURITY MS
5863; THENCE NORTH 26°35'00" WEST ON THE EXTENDED LINE AND ON LINE 1-6
OF SAID SECURITY MS 5863, A DISTANCE OF 82.56 FEET; THENCE SOUTH 66°05'18"
WEST A DISTANCE OF 55.37 FEET TO A POINT ON LINE 3-4 OF THE ALLIE MS 795;
THENCE NORTH 24°35'16" WEST ON LINE 3-4 OF SAID ALLIE MS 795, A DISTANCE
OF 136.36 FEET TO CORNER 3 OF SAID ALLIE MS 795; THENCE SOUTH 66°03'52"
WEST ON LINE 2-3 OF SAID ALLIE MS 795, A DISTANCE OF 543.28 FEET TO A POINT
ON LINE 1-6 OF THE CASTLE ROCK MS 9169; THENCE NORTH 06°14'00" WEST ON
LINE 1-6 OF SAID CASTLE ROCK MS 9169, A DISTANCE OF 74.74 FEET TO CORNER 6
OF SAID CASTLE ROCK MS 9169; THENCE SOUTH 75°43'00" WEST ON LINE 5-6 OF
SAID CASTLE ROCK MS 9169, A DISTANCE OF 308.75 FEET TO A POINT ON LINE 2-3
OF THE MOUNTAIN CLUB MS 14918; THENCE NORTH 71°21'00" EAST ON LINE 2-3
OF SAID MOUNTAIN CLUB MS 14918, A DISTANCE OF 391.83 FEET TO CORNER 2 OF
SAID MOUNTAIN CLUB MS 14918; THENCE NORTH 66°50'45" EAST ON LINE 1-2 OF
SAID MOUNTAIN CLUB MS 14918, A DISTANCE OF 528.88 FEET TO THE POINT OF
BEGINNING, CONTAINING 106,881 SQUARE FEET OR 2.45 ACRES MORE OR LESS.
TOGETHER WITH, PARCEL 2 COMMENCING AT SAID POINT "A", THENCE SOUTH
06°06'35" EAST ON LINE 28-29 OF SAID BONANZA TUNNEL NO. 7 MS 7417, A
DISTANCE OF 2.45 FEET TO LINE 1-4 OF THE ALONZO FURNALD MS 440A AND THE
POINT OF BEGINNING; THENCE SOUTH 06°06'35" EAST ON LINE 28-29 OF SAID

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BEAR NORTH 66°50'45" EAST, WITH ALL BEARINGS CONTAINED HEREIN
RELATIVE THERETO.

GOVERNMENT LOTS NO. 14 AND NO. 15 - PARCEL 1

BEGINNING AT A POINT ON LINE 1-2 OF THE MOUNTAIN CLUB MS 14918 AND THE
NORTH LINE OF SAID SECTION 12; THENCE SOUTH 89°59'53" EAST ON THE NORTH
LINE OF SAID SECTION 12, A DISTANCE OF 86.90 FEET TO A POINT ON LINE 3-4 OF
THE SANS SOUCI MS 793; THENCE SOUTH 57°24'25" WEST ON LINE 3-4 OF SAID
SANS SOUCI MS 793, A DISTANCE OF 65.88 FEET TO CORNER 3 OF SAID SANS
SOUCI MS 793; THENCE SOUTH 32°35'35" EAST ON LINE 2-3 OF SAID SANS SOUCI
MS 793, A DISTANCE OF 150.00 FEET TO CORNER 2 OF SAID SANS SOUCI MS 793;
THENCE NORTH 57°24'25" EAST ON LINE 1-2 OF SAID SANS SOUCI MS 793, A
DISTANCE OF 215.65 FEET TO A POINT ON LINE 36-37 OF THE BONANZA TUNNEL
NO. 9 MS 7417; THENCE SOUTH 06°06'35" EAST ON LINE 36-37 OF SAID BONANZA
TUNNEL NO. 9 MS 7417, LINE 32-33 OF BONANZA TUNNEL NO. 8 MS 7417 AND LINE
28-29 OF BONANZA TUNNEL NO. 7 MS 7417, A DISTANCE OF 289.74 FEET TO A
POINT ON LINE 3-4 OF THE ALONZO FURNALD MS 440A AND TO POINT "A";
THENCE NORTH 26°44'32" WEST ON LINE 3-4 OF SAID ALONZO FURNALD MS 440A,
A DISTANCE OF 147.70 FEET TO CORNER 3 OF SAID ALONZO FURNALD MS 440A;
THENCE SOUTH 63°15'28" WEST ON LINE 2-3 OF SAID ALONZO FURNALD MS 440A,
A DISTANCE OF 187.68 FEET TO THE EXTENDED LINE 1-6 OF THE SECURITY MS
5863; THENCE NORTH 26°35'00" WEST ON THE EXTENDED LINE AND ON LINE 1-6
OF SAID SECURITY MS 5863, A DISTANCE OF 82.56 FEET; THENCE SOUTH 66°05'18"
WEST A DISTANCE OF 55.37 FEET TO A POINT ON LINE 3-4 OF THE ALLIE MS 795;
THENCE NORTH 24°35'16" WEST ON LINE 3-4 OF SAID ALLIE MS 795, A DISTANCE
OF 136.36 FEET TO CORNER 3 OF SAID ALLIE MS 795; THENCE SOUTH 66°03'52"
WEST ON LINE 2-3 OF SAID ALLIE MS 795, A DISTANCE OF 543.28 FEET TO A POINT
ON LINE 1-6 OF THE CASTLE ROCK MS 9169; THENCE NORTH 06°14'00" WEST ON
LINE 1-6 OF SAID CASTLE ROCK MS 9169, A DISTANCE OF 74.74 FEET TO CORNER 6
OF SAID CASTLE ROCK MS 9169; THENCE SOUTH 75°43'00" WEST ON LINE 5-6 OF
SAID CASTLE ROCK MS 9169, A DISTANCE OF 308.75 FEET TO A POINT ON LINE 2-3
OF THE MOUNTAIN CLUB MS 14918; THENCE NORTH 71°21'00" EAST ON LINE 2-3
OF SAID MOUNTAIN CLUB MS 14918, A DISTANCE OF 391.83 FEET TO CORNER 2 OF
SAID MOUNTAIN CLUB MS 14918; THENCE NORTH 66°50'45" EAST ON LINE 1-2 OF
SAID MOUNTAIN CLUB MS 14918, A DISTANCE OF 528.88 FEET TO THE POINT OF
BEGINNING, CONTAINING 106,881 SQUARE FEET OR 2.45 ACRES MORE OR LESS.
TOGETHER WITH, PARCEL 2 COMMENCING AT SAID POINT "A", THENCE SOUTH
06°06'35" EAST ON LINE 28-29 OF SAID BONANZA TUNNEL NO. 7 MS 7417, A
DISTANCE OF 2.45 FEET TO LINE 1-4 OF THE ALONZO FURNALD MS 440A AND THE
POINT OF BEGINNING; THENCE SOUTH 06°06'35" EAST ON LINE 28-29 OF SAID



BONANZA TUNNEL NO. 7 MS 7417, A DISTANCE OF 64.28 FEET TO LINE 5-6 OF THE GREENSIDE MS 6313; THENCE SOUTH 77°00'00" WEST ON LINE 5-6 OF SAID GREENSIDE MS 6313, A DISTANCE OF 253.24 FEET TO A POINT ON LINE 1-4 OF THE ALONZO FURNALD MS 440A; THENCE NORTH 63°15'28" EAST ON LINE 1-4 OF SAID ALONZO FURNALD MS 440A, A DISTANCE OF 268.64 FEET TO THE POINT OF BEGINNING, CONTAINING 8,081 SQUARE FEET OR 0.19 ACRES MORE OR LESS.

QUARTZ VALLEY / MARYLAND MOUNTAIN - 2023 ANNEXATION NO. 2,
LOCATED WITHIN THE NORTH HALF QUARTER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: ASSUMING LINE 2-3 OF THE GREENSIDE MS 6313 TO BEAR SOUTH 67°00'00" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

GOVERNMENT LOT NO. 12

BEGINNING AT A POINT ON LINE 1-2 OF THE DEWEY MS 12581 AND ON LINE 1-4 OF THE EAST CENTENNIAL AMENDED MS 11919; THENCE SOUTH 69°01'21" WEST ON LINE 1-2 OF SAID DEWEY MS 12581, A DISTANCE OF 1.58 FEET TO A POINT OF INTERSECTION WITH THE FIRST CENTENNIAL MS 476; THENCE NORTH 63°08'54" EAST ON LINE 1-2 OF SAID FIRST CENTENNIAL MS 476, A DISTANCE OF 1.03 FEET TO CORNER 1 OF SAID FIRST CENTENNIAL MS 476; THENCE NORTH 24°32'06" WEST ON LINE 1-6 OF SAID FIRST CENTENNIAL MS 476, A DISTANCE OF 35.74 FEET TO A POINT OF INTERSECTION WITH LINE 1-4 OF SAID EAST CENTENNIAL AMENDED MS 11919; THENCE SOUTH 25°24'51" EAST ON LINE 1-4 OF SAID EAST CENTENNIAL AMENDED MS 11919, A DISTANCE OF 35.88 FEET TO THE POINT OF BEGINNING, CONTAINING 10 SQUARE FEET MORE OR LESS.

TOGETHER WITH GOVERNMENT LOT NO. 13

BEGINNING AT A POINT ON LINE 2-3 OF SAID GREENSIDE MS 6313 AND LINE 1-6 OF SAID FIRST CENTENNIAL MS 476; THENCE NORTH 67°00'00" EAST ON LINE 2-3 OF SAID GREENSIDE MS 6313, A DISTANCE OF 36.27 FEET TO CORNER 2 OF SAID GREENSIDE MS 6313; THENCE NORTH 77°00'00" EAST ON LINE 1-2 OF SAID GREENSIDE MS 6313, A DISTANCE OF 112.41 FEET TO A POINT OF INTERSECTION WITH LINE 1-2 OF THE EAST CENTENNIAL AMENDED MS 11919; THENCE SOUTH 64°35'09" WEST ON LINE 1-2 OF SAID EAST CENTENNIAL AMENDED MS 11919, A DISTANCE OF 146.42 FEET TO A POINT ON LINE 1-6 OF THE FIRST CENTENNIAL MS 476; THENCE NORTH 24°32'06" WEST ON LINE 1-6 OF SAID FIRST CENTENNIAL MS 476, A DISTANCE OF 25.70 FEET TO THE POINT OF BEGINNING, CONTAINING 2,235 SQUARE FEET OR 0.051 ACRES MORE OR LESS.

TOGETHER WITH GOVERNMENT LOT NO. 16

BEGINNING AT THE INTERSECTION OF LINE 1-6 OF THE BLACK QUARTZ MS 438 AND LINE 3-4 OF THE GREENSIDE MS 6313; THENCE NORTH 29°52'25" WEST ON LINE 1-6 OF SAID BLACK QUARTZ MS 438, A DISTANCE OF 42.47 FEET TO A POINT OF INTERSECTION WITH LINE 1-4 OF THE ALONZO FURNALD MS 440A; THENCE NORTH 63°15'28" EAST ON LINE 1-4 OF SAID ALONZO FURNALD MS 440A, A DISTANCE OF 5.09 FEET TO A POINT OF INTERSECTION WITH LINE 3-4 OF SAID GREENSIDE MS 6313; THENCE SOUTH 23°00'00" EAST ON LINE 3-4 OF SAID



GREENSIDE MS 6313, A DISTANCE OF 42.50 FEET TO THE POINT OF BEGINNING, CONTAINING 108 SQUARE FEET MORE OR LESS.

QUARTZ VALLEY / MARYLAND MOUNTAIN - 2023 ANNEXATION NO. 3,
LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 3
SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF
GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BASIS OF BEARING: ASSUMING LINE 2-3 OF THE LULU BOWEN MS 1013 TO BEAR
NORTH 85°00'00" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE
THERETO.

GOVERNMENT LOT NO. 22

BEGINNING AT THE INTERSECTION OF LINE 2-3 OF SAID LULU BOWEN MS 1013
AND LINE 5-6 OF THE GULNARE MS 641; THENCE NORTH 85°00'00" EAST ON LINE 2-
3 OF SAID LULU BOWEN MS 1013, A DISTANCE OF 513.70 FEET TO THE
INTERSECTION OF LINE 4-5 OF THE CASTLE ROCK MS 9169; THENCE SOUTH
72°53'00" WEST ON LINE 4-5 OF SAID CASTLE ROCK MS 9169, A DISTANCE OF 101.95
FEET TO CORNER 4 OF SAID CASTLE ROCK MS 9169; THENCE SOUTH 06°14'00"
EAST ON LINE 3-4 OF SAID CASTLE ROCK MS 9169, A DISTANCE OF 24.50 FEET TO
CORNER 6 OF SAID GULNARE MS 641; THENCE NORTH 88°41'00" WEST ON LINE 5-6
OF SAID GULNARE MS 641, A DISTANCE OF 417.08 FEET TO THE POINT OF
BEGINNING, CONTAINING 0.24 ACRES MORE OR LESS.