

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB24

ORDINANCE NUMBER: 2023-24

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF BATES HILL – 2023 ANNEXATION NO. 3 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached **Exhibit A**, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached **Exhibit A** and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.

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 City of Black Hawk owns one hundred percent (100%) of the property described on the attached **Exhibit A**, and said property is not solely a public street or right-of-way.

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 interest 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 (2) 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. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 26th day of July, 2023.


David D. Spellman, Mayor

ATTEST:

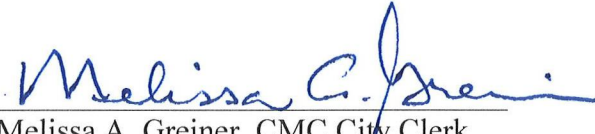

Melissa A. Greiner, CMC City Clerk



EXHIBIT A

Bates Hill – 2023 Annexation No. 3

BATES HILL – 2023 ANNEXATION NO. 3, LOCATED WITHIN THE NORTHEAST 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 FREEDOM EXTENSION MS 16666 TO BEAR NORTH 43°23'00" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT A POINT ON LINE 2-3 OF SAID FREEDOM EXTENSION MS 16666 AND THE BLACK HAWK BOUNDARY, RECORDED IN BOOK 557, PAGES 117-120;

THENCE SOUTH 49°10'50" EAST ON SAID BLACK HAWK BOUNDARY, A DISTANCE OF 354.66 FEET TO LINE 1-6 OF THE SOMES MS 385A;

THENCE SOUTH 46°34'02" WEST ON LINE 1-6 OF SAID SOMES MS 385A, A DISTANCE OF 192.80 FEET TO LINE 1-4 OF THE BUENO MS 209;

THENCE SOUTH 76°00'00" WEST ON LINE 1-4 OF SAID BUENO MS 209, A DISTANCE OF 359.19 FEET TO LINE 1-4 OF THE FREEDOM EXTENSION MS 16666;

THENCE SOUTH 43°23'00" WEST ON LINE 1-4 OF SAID FREEDOM EXTENSION MS 16666, A DISTANCE OF 45.46 FEET TO CORNER 1 OF SAID FREEDOM EXTENSION MS 16666;

THENCE NORTH 52°42'00" WEST ON LINE 1-2 OF SAID FREEDOM EXTENSION MS 16666, A DISTANCE OF 31.40 FEET TO LINE 1-4 OF SAID BUENO MS 209;

THENCE SOUTH 76°00'00" WEST ON LINE 1-4 OF SAID BUENO MS 209, A DISTANCE OF 385.08 FEET TO THE WESTERLY LINE OF THE AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT, RECORDED AT RECEPTION NO. 166470;

THENCE NORTH 09°35'51" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 50.15 FEET TO LINE 2-3 OF SAID BUENO MS 209;

THENCE NORTH 76°00'00" EAST ON LINE 2-3 OF SAID BUENO MS 209, A DISTANCE OF 341.17 FEET TO LINE 1-2 OF SAID FREEDOM EXTENSION MS 16666;

THENCE NORTH 52°42'00" WEST ON LINE 1-2 OF SAID FREEDOM EXTENSION MS 16666, A DISTANCE OF 55.37 FEET TO CORNER 2 OF SAID FREEDOM EXTENSION MS 16666;

THENCE NORTH 43°23'00" EAST ON LINE 2-3 OF SAID FREEDOM EXTENSION MS 16666, A DISTANCE OF 134.55 FEET TO LINE 7-8 OF THE ROAD OR ELEPHANT MS 296;

THENCE SOUTH 77°48'00" WEST ON LINE 7-8 OF SAID ROAD OR ELEPHANT MS 296, A DISTANCE OF 417.50 FEET TO THE WESTERLY LINE OF THE AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT, RECORDED AT RECEPTION NO. 166470;

THENCE NORTH 05°31'19" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 49.71 FEET TO LINE 9-10 OF SAID ROAD OR ELEPHANT MS 296;

THENCE NORTH 77°48'00" EAST ON LINE 9-10 OF SAID ROAD OR ELEPHANT MS 296, A DISTANCE OF 428.34 FEET TO CORNER 10 OF SAID ROAD OR ELEPHANT MS 296;

THENCE NORTH 60°41'00" EAST ON LINE 10-11 OF SAID ROAD OR ELEPHANT MS 296, A DISTANCE OF 105.36 FEET TO LINE 2-3 OF SAID FREEDOM EXTENSION MS 16666;

THENCE NORTH 43°23'00" EAST ON LINE 2-3 OF SAID FREEDOM EXTENSION MS 16666, A DISTANCE OF 263.86 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM GOVERNMENT LOT 48, CONTAINING A GROSS AREA OF 188,309.80 SQUARE FEET OR 4.32 ACRES AND A NET AREA OF 169,017.74 SQUARE FEET OR 3.88 ACRES MORE OR LESS.