

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB25

ORDINANCE NUMBER: 2023-25

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF BATES HILL – 2023 ANNEXATION NO. 4 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:

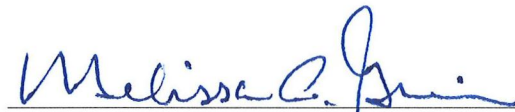

Melissa A. Greiner, CMC City Clerk



EXHIBIT A

Bates Hill – 2023 Annexation No. 4

BATES HILL – 2023 ANNEXATION NO. 4, 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 ST. LOUIS NO. 3 MS 975 TO BEAR NORTH 58°32'00" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT A POINT ON LINE 6-7 OF THE MARYLAND MS 272B AND THE SOUTHERLY LINE OF THE INTERGOVERNMENTAL AGREEMENT RECORDED IN BOOK 683, PAGE 122;

THENCE SOUTH 90°00'00" EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 62.94 FEET TO 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 423.32 FEET TO LINE 2-3 OF THE FREEDOM EXTENSION MS 16666;

THENCE SOUTH 43°23'00" WEST ON LINE 2-3 OF SAID FREEDOM EXTENSION MS 16666, A DISTANCE OF 160.02 FEET TO LINE 1-2 OF THE THEODORE H BECKER MS 241B;

THENCE NORTH 51°32'23" WEST ON LINE 1-2 OF SAID THEODORE H BECKER MS 241B, A DISTANCE OF 73.07 FEET TO CORNER 2 OF SAID THEODORE H BECKER MS 241B;

THENCE NORTH 50°00'59" WEST LINE 2-3 OF SAID THEODORE H BECKER MS 241B, A DISTANCE OF 132.53 FEET TO CORNER 3 OF SAID THEODORE H BECKER MS 241B AND LINE 1-6 OF THE AETNA MS 223;

THENCE SOUTH 63°00'00" WEST ON LINE 1-6 OF SAID AETNA MS 223, A DISTANCE OF 515.74 FEET TO THE WESTERLY LINE OF THE AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT, RECORDED AT RECEPTION NO. 166470;

THENCE NORTH 23°12'37" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 50.11 FEET TO LINE 2-3 OF SAID AETNA MS 223;

THENCE NORTH 63°00'00" EAST ON LINE 2-3 OF SAID AETNA MS 223, A DISTANCE OF 490.75 FEET TO CORNER 4 OF THE MARYLAND MS 272B;

THENCE NORTH 50°00'00" WEST ON LINE 4-5 OF SAID MARYLAND MS 272B, A DISTANCE OF 48.64 FEET TO LINE 1-4 OF THE ST. LOUIS NO. 3 MS 975;

THENCE SOUTH 58°32'00" WEST ON LINE 1-4 OF SAID ST. LOUIS NO. 3 MS 975, A DISTANCE OF 472.49 FEET TO THE WESTERLY LINE OF THE AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT, RECORDED AT RECEPTION NO. 166470;

THENCE NORTH 40°57'28" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 152.07 FEET TO LINE 2-3 OF SAID ST. LOUIS NO. 3 MS 975;

THENCE NORTH 58°32'00" EAST ON LINE 2-3 ST. LOUIS NO. 3 MS 975, A DISTANCE OF 485.63 FEET TO CORNER 3 OF SAID ST. LOUIS NO. 3 MS 975;

THENCE SOUTH 43°24'00" EAST ON LINE 3-4 OF SAID ST. LOUIS NO. 3 MS 975, A DISTANCE OF 88.62 FEET TO LINE 5-6 OF SAID MARYLAND MS 272B;

THENCE NORTH 29°04'00" EAST ON LINE 5-6 OF SAID MARYLAND MS 272B, A DISTANCE OF 111.15 FEET TO CORNER 6 OF SAID MARYLAND MS 272B;

THENCE NORTH 55°48'00" WEST ON LINE 6-7 OF SAID MARYLAND MS 272B, A DISTANCE OF 74.68 FEET TO THE POINT OF BEGINNING, CONTAINING 161,757.41 SQUARE FEET OR 3.71 ACRES MORE OR LESS.