

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB26

ORDINANCE NUMBER: 2023-26

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF BATES HILL – 2023 ANNEXATION NO. 5 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. 5

BATES HILL – 2023 ANNEXATION NO. 5, 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 3–4 OF THE MARYLAND SECOND DISCOVERY MS 384A TO BEAR NORTH 65°28'00" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGINNING AT A POINT ON THE WESTERLY LINE OF THE AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT, RECORDED AT RECEPTION NO. 166470 AND LINE 3–4 OF SAID MARYLAND SECOND DISCOVERY MS 384A;

THENCE NORTH 65°28'00" EAST ON LINE 3–4 OF SAID MARYLAND SECOND DISCOVERY MS 384A, A DISTANCE OF 561.23 FEET TO CORNER 1 OF THE MARYLAND SECOND DISCOVERY MS 384B;

THENCE NORTH 34°09'51" EAST ON LINE 1–2 OF SAID MARYLAND SECOND DISCOVERY MS 384B, A DISTANCE OF 249.44 FEET TO CORNER 2 OF SAID MARYLAND SECOND DISCOVERY MS 384B;

THENCE NORTH 55°44'41" WEST ALONG THE WESTERLY LINES OF THE BONANZA TUNNEL NO. 4 MS 7417 AND THE BONANZA TUNNEL NO. 5 MS 7417, A DISTANCE OF 165.38 FEET TO CORNER 18 OF SAID BONANZA TUNNEL NO. 5;

THENCE NORTH 62°40'22" EAST ON LINE 18–19 OF SAID BONANZA TUNNEL NO. 5 MS 7417, A DISTANCE OF 3.55 FEET TO CORNER 3 OF THE VIRGINIA EXTENSION MS 11016;

THENCE NORTH 54°43'00" WEST ON LINE 2–3 OF SAID VIRGINIA EXTENSION MS 11016, A DISTANCE OF 5.24 FEET TO CORNER 2 OF SAID VIRGINIA EXTENSION MS 11016;

THENCE NORTH 63°56'00" EAST ON LINE 1–2 OF SAID VIRGINIA EXTENSION MS 11016, A DISTANCE OF 214.66 FEET TO CORNER 1 OF SAID VIRGINIA EXTENSION MS 11016;

THENCE SOUTH 05°58'57" EAST A DISTANCE OF 431.91 FEET TO LINE 6–7 OF THE MARYLAND MS 272B;

THENCE NORTH 55°48'00" WEST ON LINE 6–7 OF SAID MARYLAND MS 272B, A DISTANCE OF 32.81 FEET TO CORNER 7 OF SAID MARYLAND MS 272B;

THENCE SOUTH 65°28'00" WEST ON LINE 8–9 OF THE MARYLAND MS 272A, A DISTANCE OF 121.60 FEET TO CORNER 9 OF SAID MARYLAND MS 272A AND LINE 1–4 OF SAID MARYLAND SECOND DISCOVERY MS 384A;

THENCE SOUTH 00°01'29" EAST ON LINE 1–4 OF SAID MARYLAND SECOND DISCOVERY MS 384A, A DISTANCE 54.94 FEET TO CORNER 1 OF SAID MARYLAND SECOND DISCOVERY MS 384A;

THENCE SOUTH 65°28'00" WEST ON LINE 1–2 OF SAID MARYLAND SECOND DISCOVERY MS 384A, A DISTANCE OF 464.26 FEET TO THE WESTERLY LINE OF THE AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT, RECORDED AT RECEPTION NO. 166470;

THENCE NORTH 67°47'26" WEST ON SAID WESTERLY LINE A DISTANCE OF 205.86 FEET TO THE **POINT OF BEGINNING**, CONTAINING 143,243.09 SQUARE FEET OR 3.29 ACRES MORE OR LESS.