



STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB19

ORDINANCE NUMBER: 2020-19

**TITLE: A BILL FOR AN ORDINANCE REZONING CERTAIN CITY-OWNED PROPERTIES TO THE HISTORY APPRECIATION RECREATION DESTINATION (HARD) DISTRICT AND THE PUBLIC FACILITIES (PF) DISTRICT**

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

Section 1. Findings of Fact.

A. Application has been made by the City of Black Hawk as the property owner to rezone certain property attached hereto as **Exhibit A**, and incorporated herein by this reference to the History Appreciation Recreation Destination (HARD) District, (the "HARD Properties"), and certain other properties attached hereto as **Exhibit B**, and incorporated herein by this reference to the Public Facilities (PF) District (the "PF Properties").

B. Public notice has been given of such rezoning by one publication in a newspaper of general circulation within the City and the official newspaper of the City at least fifteen (15) days before the public hearing of such amendment.

C. Notice of such proposed hearing was posted on the Property for fifteen (15) consecutive days prior to said hearing.

D. A need exists for rezoning the Property pursuant to Section 16-365 of the City of Black Hawk Municipal Code to the extent provided herein.

Section 2. The HARD Properties more particularly described in Exhibit A, consisting of Property 1, Property 2, Property 3, Property 4, Property 5, Property 6, Property 7, Property 8, Property 9, and Property 10 are hereby rezoned to the History Appreciation Recreation Destination (HARD) District.

Section 3. The PF Properties more particularly described in Exhibit B, consisting of Property 11, Property 12, Property 13, Property 14, and Property 15 are hereby rezoned to the Public Facilities (PF) District.

Section 4. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning changes.



Section 5.     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 6.     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.

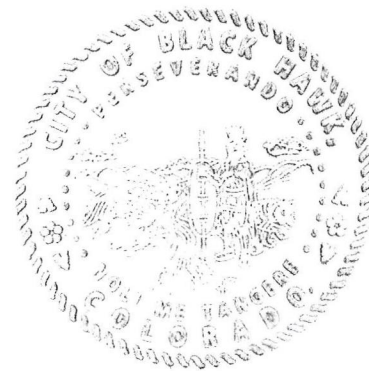
Section 7.     Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 23<sup>rd</sup> day of September, 2020.

  
David D. Spellman, Mayor

ATTEST:

  
Melissa Greiner, CMC, City Clerk





## Exhibit A

**Property 1:** PORTION OF LOT 4 AND GREGORY 254 SHOWN ON OWNERSHIP MAP

Legal: That portion of the Gregory M.S. 213 lying south of Gregory Street, City of Black Hawk, County of Gilpin, State of Colorado.

Together with:

That portion of Lot 4, Block 30, City of Black Hawk, County of Gilpin, State of Colorado, more particularly described as follows:

Commencing at the intersection with the westerly line of said Lot 4, Block 30 and the northerly line of the Gregory M.S. 254;

Thence southeasterly on said north line to the westerly line of Briggs M.S. 505 and the Point of Beginning;

Thence northeasterly on said westerly line to the easterly line of said Lot 4;

Thence southerly and southwesterly on said easterly line to the southeast corner of said Lot 4;

Thence northwesterly on the southerly line of said Lot 4 to the easterly line of the Gregory M.S. 254;

Thence northeasterly and northwesterly on the Gregory M.S. 254 to the Point of Beginning.

Together with:

Gregory M.S. 254, City of Black Hawk, County of Gilpin, State of Colorado, excepting therefrom those portions of Lots 5 through 8, Block 30 located within the Briggs M.S. 505.

**Property 2:** LOTS 12 THROUGH 17 OF BLOCK 31 AND LOTS 1 AND 2 OF BLOCK 32

Legal: Lots 12 through 17, Block 31 and Lots 1 and 2, Block 32, City of Black Hawk, County of Gilpin, State of Colorado.

**Property 3:** LOTS 7 THROUGH 10 OF BLOCK 32

Legal: Lots 7 through 11, Block 32, lying southerly of Gregory Street and westerly of Bobtail Road, City of Black Hawk, County of Gilpin, State of Colorado, excepting therefrom any portion of existing Gregory Street and Bobtail Road rights-of-way.

**Property 4:** MILLSITE 52

Legal: That portion of Mill Site 52, City Title, located within the Black Hawk City boundary, excluding therefrom any portion of Chase Street located within said Mill Site, City of Black Hawk, County of Gilpin, State of Colorado.



**Property 5:** LOTS 1 THROUGH 5 OF BLOCK 42

Legal: Lots 1 through 5, Block 42, City of Black Hawk, County of Gilpin, State of Colorado.

**Property 6:** LOTS 4 THROUGH HALF OF Lot 11 OF BLOCK 43

Legal: Lots 4 through 10, Block 43 and the westerly half of Lot 11, Block 43, City of Black Hawk, County of Gilpin, State of Colorado.

**Property 7:** LOTS 1 THROUGH 14 OF BLOCK 22

Legal: That portion of Lot 1, Block 22 lying within the Black Hawk City boundary and Lots 2 through 14, Block 22, City of Black Hawk, County of Gilpin, State of Colorado.

**Property 8:** LOTS 11 AND 12 OF BLOCK 23

Legal: Lots 11 and 12, Block 23, City of Black Hawk, County of Gilpin, State of Colorado.

**Property 9:** Mill Sites 1 through 9 along Hwy 119

Legal: Mill Site 1 through 9, City Title, City of Black Hawk, County of Gilpin, State of Colorado, excepting therefrom any portion of Colorado State Highway No. 119.

**Property 10:** Interior Parcels

Legal: All that portion of land, located within Section 7, Township 3 South, Range 72 West and Section 12, Township 3 South, Range 73 West of the Sixth Principal Meridian, City of Black Hawk, County of Gilpin, State of Colorado, more particularly described as follows:

Mining Claims and parcels of land, bounded on the north by Blocks 22 and 23, City of Black Hawk, along the east and south by Block 24 extended, City of Black Hawk and along the west by the Black Hawk City Boundary as recorded in Book 557 at pages 117-120.



## Exhibit B

**Property 11:** LOTS 1 THROUGH 3 OF BLOCK 18

Legal: Lots 1 through 3, Block 18, City of Black Hawk, County of Gilpin, State of Colorado.

**Property 12:** MILLSITE 15

Legal: That portion of Mill Sites 14 and 15, City Title and any portion of The Gregory MS 237B located within said Mill Sites, bounded on the north by Clear Creek Street and the south by Colorado State Highway No. 119, City of Black Hawk, County of Gilpin, State of Colorado.

**Property 13:** LOTS 5 THROUGH 12 OF BLOCK 12 AND LOTS 8 THROUGH 10 OF BLOCK 13

Legal: Lots 5 through 12, Block 12 and Lots 8 through 10, Block 13, City of Black Hawk, County of Gilpin, State of Colorado, excepting therefrom any portion of Colorado State Highway No. 119.

**Property 14:** MILL SITE 49 AND PART OF 48 OF BLOCK 19

Legal: Portions of Mill Sites 48 and 49, City Title, City of Black Hawk, County of Gilpin, State of Colorado, per the Final Rule and Order and Release of Lis Pendens, recorded at Reception No. 20745, being more particularly described as follows:

**Beginning** at the Northwest corner of said Mill Site 48, Thence running easterly on the south line of Chase Street 40 feet;

Thence southerly to the north line of Church Street, being parallel with Kenney Street,

Thence westerly on the north line of Church Street, to the southwest corner of said Mill Site 48;

Thence continuing westerly on the north line of Church Street 75 feet;

Thence northeasterly 72 feet to the south line of Chase Street;

Thence easterly on the south line of said Chase Street 48 feet to the **Point of Beginning**.

**Property 15:** MILLSITE 18 and portions of MILLSITES 16 and 19

Legal: A tract of land, being portions of Mill Sites No. 16, 18, and 19, City Title, City of Black Hawk, County of Gilpin, State of Colorado.