

## **ORDINANCE NO. 2334**

### **AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, DISCONNECTING PROPERTIES IN THE VICINITY OF 6450 ROAD AND KENTUCY ROAD FROM THE CITY**

WHEREAS, The City has received a formal request to disconnect the below described properties from the City, submitted by the property owners, and

WHEREAS, because the City has not enacted procedures for the disconnection of property from the City, the Council finds it appropriate to deal with this request on a one time, ad hoc basis, and

WHEREAS, the City Council is persuaded that this request represents unique circumstances unlikely to be duplicated, and that disconnection of these properties will have no material adverse long term effect on the City,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF MONTROSE, COLORADO, as follows:**

#### **SECTION 1:**

The following described properties situated in Montrose County, Colorado, are hereby disconnected from the City:

Lot 2, Martin Interfamily Subdivision, according to the plat therefore filed of record July 8, 1981, in Plat Book 12 at Page 216 – Also known as 12422 64.50 Road, Montrose, CO 81401

NE1/4SW1/4NE1/4, Section 16, Township 49 North, Range 9 West, N.M.P.M. – Also known as 64640 Kentucky Road, Montrose, CO 81401.

NW1/4 SW1/4 NE1/4 of Section 16, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado – Also known as 12260 64.50 Road, Montrose, CO 81401.

Lot 1, Martin Minor Subdivision according to the official plat thereof – Also known as 12442 6450 Road, Montrose, CO 81401

TRACT I: Commencing at the Northwest corner of South Half of the Southwest Quarter of the Northeast Quarter (S½ SW¼ NE¼) of Section Sixteen (16), Township Forty-Nine (49) North, of Range Nine (9) West of the New Mexico Principal Meridian, thence south 50 feet to the point of beginning, thence East 110 feet, thence South 80 feet, thence West 110 feet, thence North 80 feet to the point of beginning.

TRACT II: Commencing at the Northwest corner of the South Half of the Southwest Quarter of the Northeast Quarter (S½ SW¼ NE¼) of Section Sixteen (16), Township Forty-Nine (49) North, of Range Nine (9) West, N.M.P.M., and running thence East 125 feet, thence South 50 feet, thence West 125 feet, thence North 50 feet to the point of beginning.

TRACT III: Commencing at the Northwest corner of the South Half of the Southwest Quarter of the Northeast Quarter (S½ SW¼ NE¼) of Section Sixteen (16), Township Forty-Nine (49) North, of Range Nine (9) West, N.M.P.M., thence 50 feet to the point of beginning, thence East 125 feet, thence North 50 feet, thence East 110.5 feet, thence South 185.0 feet, thence West 265.5 feet, thence North 135 feet to the point of beginning. – Also known as 12396 64.50 Road, Montrose, CO 81401.

S½ SW¼ NW¼ NE¼ of Sec. 16 TWP49 North, Range Nine (9) West, New Mexico Principal Meridian, together with all Water, water rights, ditches and ditch rights thereunto appertaining and belonging. – Also known as 12166 64.50 Road, Montrose, CO 81401.

Parcel situated in the E½ E½ NW¼ NE¼ of section 16, Township 49 North, Range 9 West of the New Mexico Principal Meridian, and more particularly described as follows: Beginning at a point on the East line of said E½ E½ NW¼ NE¼ said point of beginning being on the North right-of-way line, 332.55 feet to a point on the West line of said E½ E½ NW¼ NE¼; thence North 00 degrees 27' 57" West along said West line, 1292.89 feet to the Northwest corner of said E½ E½ NE¼; thence North 89 degrees 36' 45" East along the North line of said E½ E½ NW¼ NE¼, 331.36 feet to the Northeast corner of said E½ E½ NW¼ NE¼; thence South 00 degrees 31' 06" East along the East line of said E½ E½ NW¼ NE¼ 1293.47 feet to the point of beginning, County of Montrose, State of Colorado. Together without warranty, any and all water, water rights, ditches and ditch rights including but not limited to .3 shares of Class 3 and 7.7 shares of Class 6 of Uncompahgre Valley Water Users Association, appurtenant hereto or used in connection herewith. – Also known as 64713 Kentucky Road, Montrose, CO 81401

E½ W½ SE¼ NE¼ Section 16, Township 49 North, Range 9 West of the New Mexico Principal Meridian, County of Montrose, State of Colorado. Together without warranty, all water and water rights, ditch and ditch rights appurtenant thereto or used in connection therewith, including but not limited to 1.5 shares of Class 3 water, .6 shares of Class 5 water and 7.6 shares of Class 6 water with the Uncompahgre Valley Water Users Association. – Also known as 64874 E. Kentucky Road, Montrose, CO 81401.

Also, all of Kentucky Road that is a part of the City of Montrose and 64.50 Road from the North Right of Way of Kentucky Road to the Northern edge of parcel 376716218015.

## **SECTION 2:**

The City Clerk is hereby directed to record this ordinance in the Montrose County Records and file copies thereof, with the state's Department of Revenue and Department of Local Affairs, and provide copies to appropriate local entities and utilities.

## **SECTION 3: AUTHORITY TO ADOPT**


The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution, and the powers contained in the City Charter of the City of Montrose.




**SECTION 4: EFFECTIVE DATE**

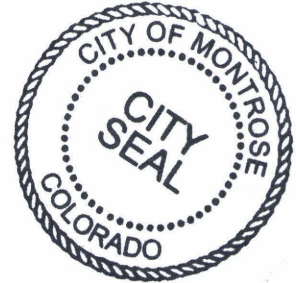
The adoption of the provisions contained in this Ordinance shall be effective as set forth in the City Charter of the City of Montrose.

INTRODUCED, READ and PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

  
Judy Ann Files, Mayor

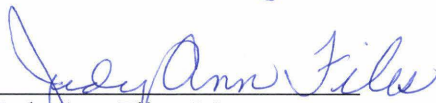
ATTEST:

  
Lisa DelPiccolo, City Clerk




You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its adoption on second reading on Tuesday, the 21<sup>st</sup> day of January, 2014, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this 21<sup>st</sup> day of January 2014.

  
Judy Ann Files, Mayor

ATTEST:

  
Lisa DelPiccolo, City Clerk

