TOWN OF MOFFAT, COLORADO ORDINANCE NO. 2020-05 AN ORDINANCE ADOPTING ZONING FOR THE SUBDIVISION KNOWN AS COLORADO AREA 420 INCLUDING POTCH ANNEXATION NO.2 AND POTCH ANNEXATION NO.3.

WHEREAS, the Board of Trustees has received the final report of the planning commission concerning the zoning of the Subdivision known as Colorado Area 420, including Potch Annexation No.2 and Potch Annexation No3:

AND WHEREAS, the Board of Trustees has held a Public Hearing concerning the zoning of the above said area of which Hearing due and timely public notice was given;

AND WHEREAS, after due deliberations the Board of Trustees believes that Colorado Area 420, including Potch Annexations No2 & No3, should be zoned as recommended by the planning commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MOFFAT, COLORADO, THAT:

- No 1. The subdivision known as Colorado Area 420, including Potch Annexation No2 and Potch Annexation No3, is hereby zoned as follows:
 - A) The subdivision known as Colorado Area 420 including Potch Annexation No2 and Potch Annexation No3, will hereunder be referred to as Zoning District E of the Town of Moffat. Zoning District E is hereby zoned as Mixed Use. Zoning District E is defined as A TRACT OF LAND ANNEXED INTO THE TOWN OF MOFFAT, COLORADO SITUATED IN THE NORTHWEST ¼ OF SECTION 6, T.43 N., R.10 E., N.M.P.M., SAGUACHE COUNTY, COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND ALSO BEING THE NORTHEAST CORNER OF OKLAHOMA LAND AND COLONIZATION COMPANY TRACT 20, AND FROM WHENCE THE NORTH ½ CORNER OF SAID SECTION 6, BEING IDENTICAL WITH THE NORTHWEST CORNER OF THE TOWN OF MOFFAR AS SHOWN ON THAT PLAT FILED IN THE BOOK OF PLATS AT THE OFFICE OF THE SAGUACHE COUNTY CLERK ON JUNE 27, 1910 BEARS N 03° 38′ 04″ E A DISTANCE OF 640.58 FEET:

THENCE S 03° 38′ 04" W ALONG THE WEST LINE OF THE SAID TOWN OF MOFFAT AND THE EAST LINE OF SAID OKLAHOME LAND AND COLONIZATION COMPANY TRACTS 20, 29, 36 AND 45 A DISTANCE OF 1,324.34 FEET TO SOUTHEAST CORNER OF SAID TRACT 45 AND THE NORTHEAST CORNER OF UNITED STATES GENERAL LAND OFFICE LOT 9 AS SHOWN ON THE SAID USGLO PLAT ACCEPTED BY THE SURVEYOR GENERAL ON AUGUST 4, 1875;

THENCE CONTINUING S 03° 38′ 04" W ALONG THE SAID WEST LINE OF THE TOWN OF MOFFAT A DISTANCE OF 1,992.12 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAGUACHE COUNTY ROAD U 60;

THENCE N 53° 15′ 52" W ALONG SAID SAGUACHE COUNTY ROAD U 60 A DISTANCE OF 3,127.52 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 6, LYING WITHIN THE RIGHT-OF-WAY OF SAGUACHE COUNTY ROAD 59;

THENCE N 02° 20′ 54" E ALONG THE SAID WEST LINE OF SECTION 6 A DISTANCE OF 154.68 FEET TO THE NORTHWEST CORNER OF USGLO LOT 10; THENCE S 89° 11′ 29" e ALONG THE NORTH LINE OF SAID USGLO LOT 10 A DISTANCE OF 1,313.31 FEET TO THE SOUTHWEST CORNER OF TRACT 46 OF SAID OKLAHOMA LAND AND COLONIZATION COMPANY TRACTS;

THENCE FOR THE FOLLOWING SIX (6) COURSES ALONG THE PERIMETER OF THE SAID OKLAHOMA LAND AND COLONIZATION TRACTS 19, 20, 29, 30, 36, 45, AND 46 AS SHOWN HEREON:

- 1. THENCE N 02° 59' 28" E ALONG THE WEST LINE OF SAID TRACT 46 A DISTANCE OF 331.12 TO THE NORTHWEST CORNER OF SAID TRACT 46;
- 2. THENCE S 89° 10′ 59″ E ALONG THE NORTH LINE OF SAID TRACT 46 A DISTANCE OF 658.51 FEET TO THE NORTHEAST CORNER OF SAID TRACT 46;
- 3. THENCE N 03° 18′ 46″ E ALONG THE WEST LINE OF SAID TRACT 36 A DISTANCE OF 331.10 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 29;
- 4. THENCE N 89° 10′ 28" W ALONG THE SOUTH LINE OF SAID TRACT 30 A DISTANCE OF 660.36 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 30;
- 5. THENCE N 02° 59′ 28″ E ALONG THE WEST LINE OF SAID TRACTS 30 AND 19 A DISTANCE OF 662.23 FEET TO THE NORTHWEST CORNER OF SAID TRACT 19;
- 6. THENCE S 89° 09' 28" E ALONG THE NORTH LINE OF SAID TRACTS 19 AND 20 A DISTACNCE OF 1,328.15 FEET AND THE POINT OF BEGINNING.

The annexation known as Potch Annexation No.2 is defined as:

Annexation Parcel 1

An Annexation Parcel of Land located in the Northwest 1/4 of Section 6, T. 43 N., R. 10 E., N.M.P.M., Saguache County, Colorado more particularly described as follows:

Oklahoma Land and Colonization Company Tract 35, Section 6, T. 43 N., R. 10 E., N.M.P.M.;

Said Parcel containing 5.008 Acres, more or less.

The annexation known as Potch Annexation No.3 is defined as: Annexation Parcel 1

An Annexation Parcel of Land located in the Northwest 1/4 of Section 6, T. 43 N., R. 10 E.,

N.M.P.M., Saguache County, Colorado more particularly described as follows:

Beginning at the northwest corner of the Town of Moffat and the N 1/16th corner of Section 1, T. 43 N., R. 9E., N.M.P.M.;

Thence N 02° 20' 54" E along the West Line of said Section 6 a distance of 60.00 feet;

Thence S 89° 11' 29" E a distance of 30.01 feet;

Thence S 02° 20' 54" W a distance of 60.00 feet to a point on the North Line of the said Town of Moffat;

Thence N 89° 11' 29" W along the said North Line of the Town of Moffat a distance of 30.01 feet to the Point of Beginning of said Annexation Parcel 1;

Said Parcel containing 0.041 Acres, more or less.

Annexation Parcel 2

An Annexation Parcel of Land located in the Northwest 1/4 of Section 6, T. 43 N., R. 10 E., N.M.P.M., Saguache County, Colorado more particularly described as follows: Beginning at Southwest Corner of the herein described Parcel, said corner being identical to the Southeast Corner of said Annexation Parcel 1, and from whence the said N 1/16th Corner of Section 1 bears N 89° 11' 29" W a distance of 30.01 feet:

Thence N 02° 20' 54" E a distance of 180.00 feet:

Thence S 89° 11' 29" E a distance of 30.01 feet:

Thence S 02° 20' 54" W a distance of 180.00 feet to the Southeast Corner of the herein described Annexation Parcel 2 and a point on the said North Line of the Town of Moffat;

Thence N 89° 11' 29" W along the said North line of the Town of Moffat a distance of 30.01 feet to the Point of Beginning of said Annexation Parcel 2;

Said Parcel containing 0.165 Acres, more or less.

Annexation Parcel 3

An Annexation Parcel of Land located in the Northwest 1/4 of Section 6, T. 43 N., R. 10 E.,

N.M.P.M., Saguache County, Colorado more particularly described as follows:

Beginning at the Southwest Corner of the herein described Parcel, said Corner being identical with the Northwest Corner of Said Annexation Parcel 1 and from whence the N 1/16th Corner of said Section 1 bears S 02° 20′ 54″ W a distance of 60.00 feet:

Thence N 02° 20' 54" E along the west line of said section a distance of 600.00 feet;

Thence S 89° 11' 29" E a distance of 30.01 feet;

Thence S 02° 20' 54" W a distance of 600.00 feet to the Southeast Corner of the herein described Annexation Parcel;

Thence N 89° 11' 29" W along the North Line of Annexation Parcel 1 to a distance of 30.00 feet to the Point of Beginning of said Annexation Parcel 3;

Said Parcel containing 0.413 Acres, more or less.

Annexation Parcel 4

An Annexation Parcel of Land located in the Northwest 1/4 of Section 6, T. 43 N., R. 10 E.,

N.M.P.M., Saguache County, Colorado more particularly described as follows:

Beginning at the Southwest Corner of the herein described Parcel, said Corner being identical with the Northwest Corner of said Annexation Parcel 2 and from whence the N1/16th Corner of said Section 1 bears S 09° 26' 59" W a distance of 242.67 feet;

Thence N 02° 20' 54" E a distance of 1,320.00 feet;

Thence S 89° 11'29" E a distance of 30.01 feet:

Thence S 02° 20' 54" W a distance of 1,320.00 feet to the southeast Corner of the herein described Parcel and the Northeast Corner of said Annexation Parcel 2;

Thence N 89° 11' 29" W along the North Line of Annexation Parcel 2 a distance of 30.01 feet to the Point of Beginning of said Annexation Parcel 4;

Said Parcel containing 0.909 Acres, more or less.

Annexation Parcel 5

An Annexation Parcel of Land located in the Northwest 1/4 of Section 6, T. 43 N., R. 10 E., N.M.P.M. and the Southeast 1/4 of Section 31, T. 44 N., R. 10 E., N.M.P.M., Saguache County, Colorado more particularly described as follows;

Beginning at the Southwest Corner of the herein described Parcel, said Corner being identical to the Northwest Corner of said Annexation Parcel 3 and from whence the N 1/16th Corner of said Section 1 bears S 02° 20′ 54″ W a distance of 660.00 feet;

Thence N 02° 20' 54" E along the West line of said Section 6 a distance of 1,327.14 feet to the Northwest Corner of said Section 6;

Thence N 01° 17' 07" E along the West Line of said Section 31 a distance of 1,491.56 feet;

Thence S 88° 40' 43" E a distance of 60.01 feet;

Thence S 01° 17'07" W a distance of 1,491.56 feet to a point on the South Line of said Section 31;

Thence S 02° 20' 54" W a distance of 426.60 feet;

Thence N 89° 11' 29" W a distance of 30.01 feet:

Thence S 02° 20' 54" W a distance of 900.00 feet to the southeast corner of the herein described Parcel, and the Northeast Corner of said Annexation Parcel 3;

Thence N 89° 11'29" W along the North Line of said Parcel 3 a distance of 30.01 feet to the Point of Beginning of said Annexation Parcel 5:

Said Parcel containing 3.263 Acres, more or less.

Annexation Parcel 6

An Annexation Parcel of Land located in the Southwest 1/4 of Section 31, T. 44 N., R. 10 E., N.M.P.M., Saguache County, Colorado more particularly described as follows:

Beginning at the Northwest Corner of herein described Parcel, a point on the West Line of said Section 31, and from whence the West ¼ Corner of said Section 31 bears N 01° 17' 07" E a distance of 644.61 feet;

Thence S 89° 31' 25" E a distance of 2,625.57 feet to a point on the North-South Centerline of said Section 31;

Thence S 00° 46' 22" W a distance of 2,000.00 feet along said North-South Centerline of Section 31 to the South 1/4 Corner of said Section 31;

Thence N 88° 40' 43" W a distance of 2,610.17 feet to the Southwest Corner of the herein described parcel;

Thence N 01° 17' 07" E a distance of 1,491.56 feet;

Thence N 88° 40' 43" W a distance of 60.01 feet to a point on the West line of said Section 31;

Thence N 01° 17' 07" E along the said West line of Section 31 a distance of 469.24 feet to the Point of Beginning of said Annexation Parcel 6:

Said Parcel containing 118.936 Acres, more or less.

Annexation Parcel 7

An Annexation parcel of Land located in the Southwest 1/4 of Section 31, T. 44 N., R. 10 E.,

N.M.P.M., Saguache county, Colorado more particularly described as follows:

Beginning at the Northwest Corner of the herein described Parcel, the West 1/4 Corner of said Section 31;

Thence S 89° 31' 25" E along the East-West Centerline of said Section 31 a distance of 2,646.80 feet to the Center Quarter Section Corner of said Section 31;

Thence S 00° 46' 22" W along the North-South Centerline of said Section 31 a distance of 644.56 feet to the Northeast Corner of said Annexation Parcel 6;

Thence N 89° 31' 25" W along the said North Line of Annexation Parcel 6 a distance of 2,652.57 feet to the Southwest Corner of the herein described Parcel and a point on the West Line of said Section 31;

Thence N 01° 17' 07" E along the said West Line of Section 31 a distance of 644.61 feet to the Point of Beginning of said Annexation Parcel 7;

Said Parcel containing 39.207 Acres, more or less.

Annexation Parcel 8

The Southeast 1/4 of Section 36, T. 44 N., R. 9 E., N.M.P.M.;

Said Parcel containing 158.862 Acres, more or less.

No 2. The Zoning District referred to in the foregoing paragraph are set forth in the map, which is attached hereto and which is incorporated herein by reference. A copy of said map will be available for viewing on request to the Town Clerk or posted in the Town Hall.

No 3. Interpretation of the Zoning map and regulations of the zone shall be set forth in, but is not limited to, Ordinance 2020-03 "Regulating Marijuana Cultivations and MIPs" and 2020-04 Temporary Marijuana Moratorium.

FIRST READ on this 14th day of April 2020. PUBLIC HEARING on the 5th day of May, 2020.

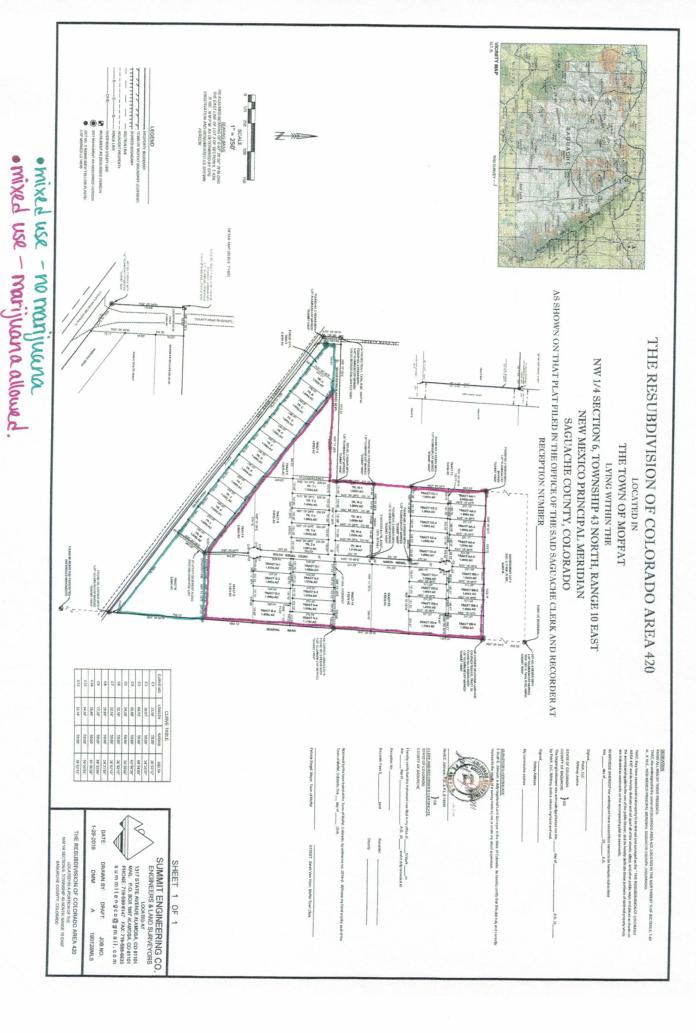
SECOND READING and ADOPTED on this 5th day of May, 2020.

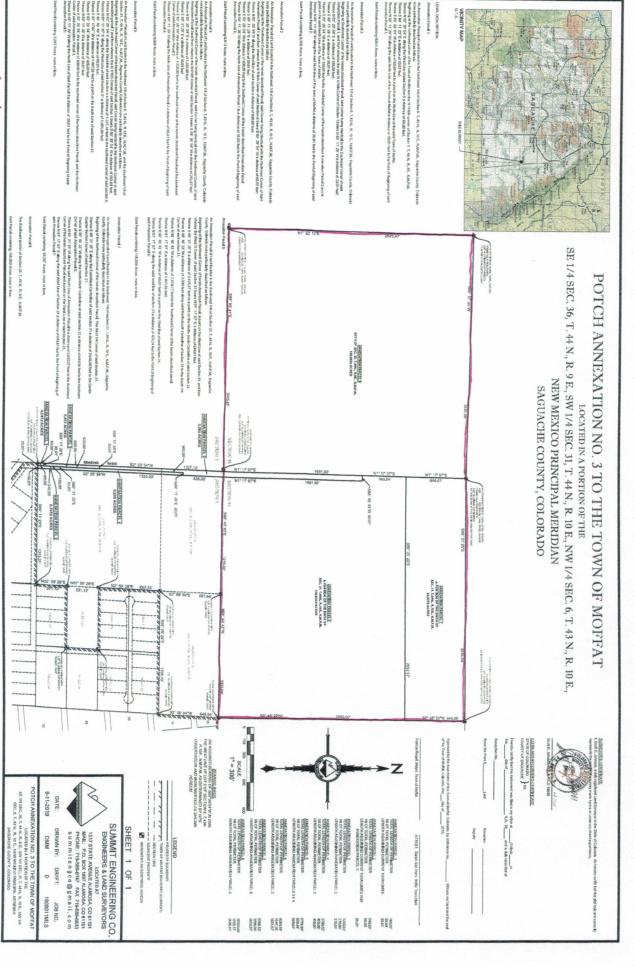
TOWN OF MOFFAT, COLORADO

By: Patricia Reigel, Mayo

ATTEST:

Sarah Van Horn, Town Clerk









POTCH ANNEXATION NO. 2 TO THE TOWN OF MOFFAT

NW 1/4 SEC. 6, T. 43 N., R. 10 E., NEW MEXICO PRINCIPAL MERIDIAN SAGUACHE COUNTY, COLORADO

