

**RESOLUTION MAKING FINDINGS OF FACT BY
THE CITY COUNCIL OF THE CITY OF COMMERCE CITY
AND ITS CONCLUSION RELATIVE TO ELIGIBILITY
OF ANNEXATION TO THE CITY OF COMMERCE CITY
OF THE PROPERTY COMMONLY KNOWN AS PARCEL 172300000075,
COMMERCE CITY, COLORADO IN AN-227-14
NO. 2014-67**

WHEREAS, pursuant to the laws of the State of Colorado, a public hearing was held on the petitions for annexation filed with the City of Commerce City for that property described on attached Exhibit "A" in Case No. AN-227-14; and

WHEREAS, public notice of such public hearing was given as required by law; and

WHEREAS, the public hearing on the said annexation petitions was conducted in accordance with the requirements of law; and

WHEREAS, pursuant to C.R.S. §31-12-110, this City Council, sitting as the governing body of the City of Commerce City, Colorado, is required to set forth its findings of fact and its conclusion as to the eligibility of that property described on attached Exhibit "A" for annexation to the City of Commerce City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Commerce City, Colorado as follows:

1. A plan for the area was adopted by the City Council pursuant to C.R.S. §31-12-105(1)(e).
2. Not less than one-sixth of the perimeter of the area proposed to be annexed as described on the attached Exhibit "A" is contiguous with the existing boundaries of the City of Commerce City as required by law.
3. A community of interest exists between the area proposed to be annexed as described on the attached Exhibit "A" and the City of Commerce City and the area is urbanized.
4. The area proposed to be annexed as described on attached Exhibit "A" is integrated or in capable of being integrated with the City of Commerce City.
5. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - a) is divided into separate tracts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way,
 - b) comprising 20 acres or more and which together with the buildings and improvements situated thereon, has an assessed value in excess of \$200,000 for *ad valorem* tax purposes for the year preceding the annexation is included with the territory proposed to be annexed without the written consent of the landowner or landowners.
6. No annexation proceedings have been effectively commenced for the annexation of part or all of that territory proposed to be annexed, as described on attached Exhibit "A", to another municipality.

7. The proposed annexation of that real estate described on attached Exhibit "A" will not result in the detachment of area from any school district and attachment of the same to another school district.

8. The petitions for annexation of that real estate described on attached Exhibit "A" on meet the requirements of law and are in proper order for annexation of the property proposed to be annexed including the requirements of C.R.S. §31-12-105, as amended.

9. The proposed annexation will not have the effect of extending a municipal boundary more than three miles in any direction from any point of the City boundary in any one year.

10. The entire width of any street or alley to be annexed is included within the annexation.

11. That property described on attached Exhibit "A" is eligible for annexation to the City of Commerce City and all requirements of law have been met for such annexation, including the requirements of C.R.S. §31-12-104, as amended, and C.R.S. §31-12-105, as amended.

12. No election is required pursuant to C.R.S. §31-12-107(2) or any other law of the State of Colorado or the City of Commerce City.

13. No additional terms or conditions are to be imposed as a part of this annexation.

14. An ordinance annexing that property described on attached Exhibit "A" to the City of Commerce City shall be considered by this City Council pursuant to C.R.S. §31-12-111.

RESOLVED AND PASSED THIS 2ND DAY OF JUNE, 2014.

CITY OF COMMERCE CITY, COLORADO

BY: _____
Sean Ford, Mayor

ATTEST:

Laura L. Bauer, City Clerk

Exhibit "A" *(Legal Description)*

ANNEXATION DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST ONE-QUARTER (NW1/4) OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST ONE-QUARTER (NW1/4); THENCE S00°14'44"E, 661.39 FEET, ALONG THE WEST LINE OF SAID NORTHWEST ONE-QUARTER (NW1/4), TO THE NORTHWEST CORNER OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (S1/2 NW1/4 NW1/4) OF SAID SECTION 18, THE POINT OF BEGINNING, SAID POINT BEING ON THE EXISTING COMMERCE CITY LIMITS, ACCORDING TO ANNEXATION MAP AN-143-97, RECORDED AT RECEPTION NUMBER C0383363, ADAMS COUNTY RECORDS, AND ANNEXATION MAP AN-222-08, RECORDED AT RECEPTION NUMBER 2008000099657, ADAMS COUNTY RECORDS;

THENCE S00°14'44"E, 210.06 FEET, ALONG SAID WEST LINE, AND SAID COMMERCE CITY LIMITS;

THENCE LEAVING SAID COMMERCE CITY LIMITS, N88°23'49"E, 1237.23 FEET, ALONG A LINE THAT LIES 210.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (S1/2 NW1/4 NW1/4) OF SAID SECTION 18, TO THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SAID SECTION 18, ALSO BEING THE EXISTING COMMERCE CITY LIMITS, ACCORDING TO ANNEXATION MAP AN-99-88, RECORDED AT RECEPTION NUMBER B851334, ADAMS COUNTY RECORDS;

THENCE N00°21'21"E, 210.12 FEET, ALONG SAID EAST LINE, AND SAID COMMERCE CITY LIMITS, TO SAID NORTH LINE, ALSO BEING THE EXISTING COMMERCE CITY LIMITS, ACCORDING TO ANNEXATION MAP AN-222-08, RECORDED AT RECEPTION NUMBER 2008000099657, ADAMS COUNTY RECORDS;

THENCE S88°23'49"W, 1239.43 FEET, ALONG SAID NORTH LINE, AND SAID COMMERCE CITY LIMITS, TO THE POINT OF BEGINNING.

CONTAINING 260,050 SQUARE FEET (5.970 ACRES), MORE OR LESS.