

**PETITION FOR ANNEXATION OF UNINCORPORATED TERRITORY
IN THE COUNTY OF ADAMS, STATE OF COLORADO,
TO THE CITY OF COMMERCE CITY, STATE OF COLORADO**

AN-237-16:

TO THE MAYOR AND THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO:

The undersigned, in accordance with the Municipal Annexation Act of 1965, Chapter 31, Article 12, of the Colorado Revised Statutes, 1973, as amended, hereby petition the City Council of the City of Commerce City for annexation to the City of Commerce City of the following described unincorporated territory located in the County of Adams, State of Colorado, to wit:

LEGAL DESCRIPTION - SEE EXHIBIT A

And in support of the said Petition, your Petitioner(s) allege(s) that:

1. It is desirable and necessary that the above-described territory be annexed to the City of Commerce City.
2. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Commerce City.
3. A community of interest exists between the territory proposed to be annexed and the City of Commerce City.
4. The territory to be annexed is urban or will be urbanized in the near future.
5. The territory proposed to be annexed is integrated or is capable of being integrated with the City of Commerce City.
6. 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 parts or parcels without the written consent of the landowner(s) thereof, except and unless where such tracts or parcels are already separated by a dedicated street, road or other public way.
 - b.) Comprises 20 acres or more, which together with the buildings and improvements situated thereon, has an assessed value in excess of two-hundred thousand dollars for an ad valorem tax purpose for the year preceding the annexation is included within the territory proposed to be annexed, without the written consent of the landowner or landowner thereof. (CRS 31-12-105)

7. No annexation proceedings have been commenced by another municipality and are currently pending for the annexation of part or all of the area proposed herein to be annexed to the City of Commerce City.
8. 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.
9. The entire width of any street or alley to be annexed is included within the annexation.
10. All requirements of CRS 31-12-104, as amended, and CRS 31-12-105, as amended, exist or have been met.
11. Petitioner should insert one of the following - check whichever statement is applicable:
 - ☒ The signer(s) of the Petition comprise(s) one-hundred percent (100%) of the landowners in the area and own one-hundred percent (100%) of the territory included in the area proposed to be annexed, exclusive of streets and alleys, and of any land owned by the annexing municipality; or
 - ☐ The signers of the Petition comprise more than fifty percent (50%) of the landowners in the area to be annexed and are the landowners of more than fifty percent (50%) of the territory included in the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality.
12. The mailing address of each signer, the legal description of the land owned by each signer and the date of signing of each signature are all shown on this Petition.
13. Accompanying this Petition is a minimum of four (4) annexation maps.

Petitioners hereby request that the City of Commerce City approve the annexation of the area proposed to be annexed.

OWNER SIGNATURE

Owner's Printed Name: Brian McBroom, City Manager

Owner's Signature: Brian McBroom

Address: 7887 E. 60th Avenue, Commerce City, CO 80022

Date Signed: 6.9.16

NOTARY CERTIFICATE

STATE OF Colorado)
COUNTY OF Adams) ss.

Subscribed and sworn to before me this 9th day of June, 2016, by
Brian McBroom
(Insert Owner or Owners' Name)

Witness my hand and official seal.

(SEAL)

Notary Public: Lorena Ruiz

Address: 7887 E. 60th Ave Commerce City 80022

Street Number Street Name City State Zip Code

My Commission Expires: 9/11/17

LORENA RUIZ
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20094030547
MY COMMISSION EXPIRES SEPTEMBER 11, 2017

AN-237-16 ANNEXATION DESCRIPTION:

A PART OF THE SOUTH ONE-HALF OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 6,
THENCE NORTH 88°21'23" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 6, A DISTANCE OF 1484.50 FEET TO THE SOUTHEAST CORNER OF FIORE INDUSTRIAL SUBDIVISION REPLAT AS RECORDED IN RECEPTION NO. 2007000104743, ADAMS COUNTY RECORDS; THENCE NORTH 05°56'32" EAST ALONG THE EAST LINE OF SAID FIORE INDUSTRIAL SUBDIVISION REPLAT A DISTANCE OF 30.27 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE LINE PROLONGED OF NORTH 05°56'32" EAST AND ALONG THE EAST LINE OF SAID FIORE INDUSTRIAL SUBDIVISION REPLAT, A DISTANCE OF 1860.83 FEET; THENCE NORTH 25°46'56" WEST ALONG SAID EAST LINE A DISTANCE OF 799.63 FEET TO THE NORTHEAST CORNER OF SAID FIORE INDUSTRIAL SUBDIVISION REPLAT AND ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 122 AS ESTABLISHED IN PAGE 526-533, ARAPAHOE COUNTY RECORDS AND BY THE ADAMS COUNTY ROAD PETITION NO. 122; THENCE NORTH 41°25'00" EAST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 61.96 FEET TO THE EAST-WEST CENTERLINE OF SAID SECTION 6; THENCE NORTH 88°22'31" EAST ALONG SAID EAST-WEST CENTERLINE, A DISTANCE OF 1994.26 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE "AS CONSTRUCTED" O'BRIAN CANAL PER BOOK 47 AT PAGE 53, ADAMS COUNTY RECORDS; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING EIGHTEEN (18) COURSES AND DISTANCES: THENCE 1) SOUTH 24°43'01" WEST A DISTANCE OF 128.36 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE RADIUS OF SAID CURVE IS 444.18 FEET; THE DELTA OF SAID CURVE IS 21°44'19", THE CHORD OF SAID CURVE BEARS SOUTH 13°50'52" WEST, 167.52 FEET; THENCE 2) ALONG THE ARC OF SAID CURVE, A DISTANCE OF 168.53 FEET TO THE END OF SAID CURVE; THENCE 3) SOUTH 02°58'42" WEST A DISTANCE OF 137.91 FEET; THENCE 4) SOUTH 02°01'14" EAST A DISTANCE OF 184.21 FEET; THENCE 5) SOUTH 09°51'50" EAST A DISTANCE OF 100.02 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE RADIUS OF SAID CURVE IS 364.63 FEET; THE DELTA OF SAID CURVE IS 35°26'30", THE CHORD OF SAID CURVE BEARS SOUTH 27°35'05" EAST, 221.97 FEET; THENCE 6) ALONG THE ARC OF SAID CURVE, A DISTANCE OF 225.55 FEET TO THE END OF SAID CURVE; THENCE 7) SOUTH 45°18'20" EAST A DISTANCE OF 133.88 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE RADIUS OF SAID CURVE IS 1084.15 FEET; THE DELTA OF SAID CURVE IS 04°34'00", THE CHORD OF SAID CURVE BEARS SOUTH 43°01'20" EAST, 86.39 FEET; THENCE 8) ALONG THE ARC OF SAID CURVE, A DISTANCE OF 86.41 FEET TO THE END OF SAID CURVE; THENCE 9) SOUTH 40°44'24" EAST A DISTANCE OF 41.66 FEET TO THE BEGINNING OF CURVE TO THE RIGHT, THE RADIUS OF SAID

CURVE IS 190.78 FEET; THE DELTA OF SAID CURVE IS 79°33'10", THE CHORD OF SAID CURVE BEARS SOUTH 00°57'49" EAST, 244.12 FEET; THENCE 10) ALONG THE ARC OF SAID CURVE, A DISTANCE OF 264.90 FEET TO THE END OF SAID CURVE; THENCE 11) SOUTH 38°48'46" WEST A DISTANCE OF 104.79 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE RADIUS OF SAID CURVE IS 458.73 FEET; THE DELTA OF SAID CURVE IS 26°35'54", THE CHORD OF SAID CURVE BEARS SOUTH 25°30'49" WEST, 211.05 FEET; THENCE 12) ALONG THE ARC OF SAID CURVE, A DISTANCE OF 212.96 FEET TO THE END OF SAID CURVE; THENCE 13) SOUTH 12°12'52" WEST A DISTANCE OF 116.92 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE RADIUS OF SAID CURVE IS 849.30 FEET; THE DELTA OF SAID CURVE IS 11°07'08", THE CHORD OF SAID CURVE BEARS SOUTH 17°46'26" WEST, 164.56 FEET; THENCE 14) ALONG THE ARC OF SAID CURVE, A DISTANCE OF 164.82 FEET TO THE END OF SAID CURVE; THENCE 15) SOUTH 23°20'00" WEST A DISTANCE OF 120.33 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE RADIUS OF SAID CURVE IS 666.42 FEET; THE DELTA OF SAID CURVE IS 22°54'05", THE CHORD OF SAID CURVE BEARS SOUTH 11°52'58" WEST, 264.60 FEET; THENCE 16) ALONG THE ARC OF SAID CURVE, A DISTANCE OF 266.37 FEET TO THE END OF SAID CURVE; THENCE 17) SOUTH 00°25'55" WEST A DISTANCE 246.02 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE RADIUS OF SAID CURVE IS 215.13 FEET; THE DELTA OF SAID CURVE IS 39°47'07", THE CHORD OF SAID CURVE BEARS SOUTH 20°19'29" WEST, 146.40 FEET; THENCE 18) ALONG THE ARC OF SAID CURVE, A DISTANCE OF 149.38 FEET TO THE NORTH RIGHT OF WAY LINE OF EAST 112TH AVENUE AND ON THE PRESENT CITY OF COMMERCE CITY LIMITS LINE AS SHOWN IN THE ANNEXATION MAP TO THE CITY OF COMMERCE CITY (AN-141-97) RECORDED IN FILE 17 AT MAP 826, ADAMS COUNTY RECORDS; THENCE SOUTH 88°22'15" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID PRESENT CITY OF COMMERCE CITY LIMITS LINE AS SHOWN IN THE ANNEXATION MAP TO THE CITY OF COMMERCE CITY (AN-142-97) RECORDED IN FILE 17 AT MAP 827, ADAMS COUNTY RECORDS, A DISTANCE OF 1145.79 FEET TO THE POINT OF BEGINNING. CONTAINS 4,712,631 SQUARE FEET OR 108.187 ACRES MORE OR LESS. EXCEPT THAT PART OF SECOND CREEK OUTLET DITCH DESCRIBED IN BOOK 47 AT PAGE 33, ADAMS COUNTY RECORDS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 6, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.; THENCE NORTH 00°01'14" EAST ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER, A DISTANCE OF 30.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 112TH AVENUE; THENCE NORTH 88°22'15" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.25 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, THE RADIUS OF SAID CURVE IS 229.54 FEET; THE DELTA OF SAID CURVE

IS $04^{\circ}05'18''$, THE CHORD OF SAID CURVE BEARS NORTH $01^{\circ}23'39''$ WEST, 16.38 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 16.38 FEET TO THE END OF SAID CURVE; THENCE NORTH $00^{\circ}39'00''$ WEST A DISTANCE OF 420.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, THE RADIUS OF SAID CURVE IS 944.18 FEET; THE DELTA OF SAID CURVE IS $06^{\circ}14'00''$, THE CHORD OF SAID CURVE BEARS NORTH $03^{\circ}46'00''$ WEST, 102.67 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 102.72 FEET TO THE END OF SAID CURVE; THENCE NORTH $06^{\circ}53'00''$ WEST A DISTANCE OF 420.00 FEET; THENCE SOUTH $83^{\circ}07'00''$ WEST A DISTANCE OF 50.00 FEET; THENCE SOUTH $06^{\circ}53'00''$ EAST A DISTANCE OF 420.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE RADIUS OF SAID CURVE IS 894.18 FEET; THE DELTA OF SAID CURVE IS $06^{\circ}14'00''$, THE CHORD OF SAID CURVE BEARS SOUTH $03^{\circ}46'00''$ EAST, 97.23 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 97.28 FEET TO THE END OF SAID CURVE; THENCE SOUTH $00^{\circ}39'00''$ EAST A DISTANCE OF 420.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, THE RADIUS OF SAID CURVE IS 179.55 FEET; THE DELTA OF SAID CURVE IS $05^{\circ}30'18''$, THE CHORD OF SAID CURVE BEARS SOUTH $02^{\circ}06'09''$ WEST, 17.24 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 17.25 FEET TO THE END OF SAID CURVE, AND TO THE POINT OF BEGINNING.
LAND TO BE ANNEXED CONTAINS 4,664,790 SQUARE FEET OR 107.089 ACRES MORE OR LESS (EXCLUDES EXCEPTED PARCEL)