

**RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION
PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE
PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS
FOR SUCH ANNEXATION
AN-237-16**

NO. 2016-82

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the City Council of the City of Commerce City, Colorado, written petitions for annexation to and by the City of Commerce City, Colorado, of the hereinafter described contiguous unincorporated territory situated, lying and being in the County of Adams, State of Colorado; and

WHEREAS, the City Council of the City of Commerce City, Colorado, has reviewed the petitions for annexation to the City of Commerce City of the contiguous, unincorporated territory hereinafter described on the attached Exhibit "A"; and

WHEREAS, the City Council desires to adopt by resolution, its findings in regards to such annexation petitions, and to set a public hearing in regards to such petition;

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

1. The petition for annexation on file with the City of Commerce City for the property described on attached Exhibit "A" is in substantial compliance with the applicable laws of the State of Colorado.

2. The City Council of the City of Commerce City, Colorado, will hold a public hearing for the purpose of determining if the proposed annexation complies with C.R.S. §31-12-104, as amended, and with C.R.S. §31-12-105, as amended, at the following time, date and place:

6:00 p.m.
Monday, September 19, 2016
City Council Chambers
7887 East 60th Avenue
Commerce City, Colorado 80022

3. Any person may appear at such hearing and present evidence related to the proposed annexation.

4. Upon completion of the hearing, the City Council of the City of Commerce City shall set forth, by resolution, its findings of fact and its conclusion based thereon with reference to the eligibility of the proposed annexation, whether the statutory requirements of the proposed annexation have been met and whether an election for the annexation is required.

5. If this City Council concludes, by resolution, that all statutory requirements have been met and that the proposed annexation is eligible and legal under the laws of the State of Colorado, the City Council shall consider passage of an ordinance making the proposed annexation effective.

RESOLVED AND PASSED THIS 1ST DAY OF AUGUST 2016.

CITY OF COMMERCE CITY, COLORADO

BY:

Sean Ford, Mayor

ATTEST:

Laura Bauer, City Clerk

Exhibit A

Annexation Description

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"W 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, A DISTANCE OF 558.68 FEET TO THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 6; THENCE SOUTH 88°21'23" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE 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 305.85 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE LINE PROLONGED OF NORTH 88°22'15" EAST AND 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°05'18", THE CHORD OF SAID CURVE BEARS NORTH 01°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°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°14'00", THE CHORD OF SAID CURVE BEARS NORTH 03°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°53'00" WEST A DISTANCE OF 420.00 FEET; THENCE SOUTH 83°07'00" WEST A DISTANCE OF 50.00 FEET; THENCE SOUTH 06°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°14'00", THE CHORD OF SAID CURVE BEARS SOUTH 03°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°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°30'18", THE CHORD OF SAID CURVE BEARS SOUTH 02°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)