

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

City of Commerce City - City Clerk***
7887 E 60th Avenue
Commerce City CO 80022

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Adams } ss

This Affidavit of Publication for the Commerce City Sentinel Express, a weekly newspaper, printed and published for the County of Adams, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 4 successive week(s), the last of which publication was made 7/25/2024, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.

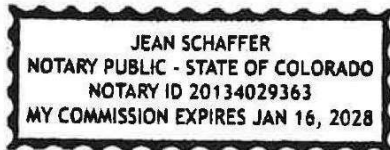
For the Commerce City Sentinel Express

State of Colorado }
County of Adams } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 7/25/2024. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.

20134029363-040946

Jean Schaffer
Notary Public
My commission ends January 16,
2028



Public Notice
NOTICE OF PUBLIC HEARING
AN-263-24
Notice is hereby given that a public hearing will be held by the City Council of Commerce City in a hybrid format, on August 5, 2024, at 6:00 p.m. or as soon thereafter. Persons wishing to testify in person will need to appear at the Council Chambers, Commerce City Civic Center, 7887 E 60th Avenue. Advance registration for in-person testimony is not required. Persons wishing to testify virtually must register in advance. Registration information can be found at <https://www.c3gov.com/government/city-council>. Virtual meetings or by phone or email requests submitted to the City Clerk at 303-227-8791 or dgibson@c3gov.com. The hearings will also be broadcast on Channel 8 in Commerce City and livestreamed at <https://www.c3gov.com/video>.

The purpose of the public hearing will be to determine whether that property legally described on attached Exhibit "A" meets the applicable requirements of the statutes of the State of Colorado and is eligible for annexation to the City of Commerce City.

Any interested person may appear at the public hearing and be heard regarding the matter under consideration and/or may submit in writing prior to the public hearing any matter relative to the public hearing.

Notice is further given that, prior to final approval of this annexation proceeding, minor amendments may be made to the legal description for the property which is the subject of this annexation proceeding, based upon the evidence presented at the public hearing.

A copy of the petition initiating the annexation proceeding is on file in the office of the city clerk of the City of Commerce City, 7887 East 60th Avenue Commerce City, Colorado, 80022. Dated this July 4, 2024.

CITY OF COMMERCE CITY, COLORADO
s/ Dylan Gibson, City Clerk
A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE ANNEXATION PETITION IN CASE AN-263-24 KNOWN AS THE TOWER LANDFILL ANNEXATION AND SETTING A PUBLIC HEARING TO DETERMINE ELIGIBILITY FOR SUCH ANNEXATION

NO. 2024-060

WHEREAS, there was presented to and filed with the City Council of the City of Commerce City, Colorado ("City"), a written petition dated May 3, 2024 by DIBC HQHS, LLC in case No. AN-263-24 ("Petition") seeking annexation to and by the City of contiguous unincorporated territory consisting of approximately 110.57 acres situated, lying and being in the County of Adams, State of Colorado, as described in the Petition and generally located at the southwest corner of East 88th Avenue and E-470, commonly known as the Tower Landfill annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The Petition in Case No. AN-263-24 is found to be in substantial compliance with the applicable laws of the State of Colorado, pursuant to C.R.S. § 31-12-107.

SECTION 2. Notice of Hearing. The City Council will hold a public hearing for the purpose of determining if the proposed annexation complies with section 30 of article II of the state constitution, C.R.S. § 31-12-104, as amended, and C.R.S. § 31-12-105, as amended, or such provisions thereof as may be required to establish eligibility for annexation to the City under the terms of Part 1 of the Municipal Annexation Act of 1965, as amended, at the following time, date and place:

6:00 p.m.
Monday, August 5, 2024
City Council Chambers
7887 East 60th Avenue
Commerce City, Colorado 80022

This hearing may be held partially or entirely electronically; more information is available at <https://www.c3gov.com/government/city-council>. Virtual meetings.

Any person may appear at such hearing and present evidence related to the proposed annexation, subject to any applicable registration requirements. 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 for the annexation with reference to the matters required by C.R.S. § 31-12-110. If the 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 an ordinance making the proposed annexation effective.

RESOLVED AND PASSED THIS 17TH DAY OF JUNE 2024.

CITY OF COMMERCE CITY, COLORADO
Steve J. Douglas, Mayor
ATTEST
Dylan A. Gibson, City Clerk

TOWER LANDFILL ANNEXATION
LEGAL DESCRIPTION

A parcel of land being a portion of the Southwest Quarter (SW1/4) of Section Twenty-three (23) and a portion of the West Half (W1/2) of Section Twenty-five (25), Township Two South (T.2S.), Range Sixty-six West (R.66W.) of the Sixth Principal Meridian (6th P.M.), County of Adams, State of Colorado being more particularly described as follows:

BEGINNING at the Northwest Corner of said Section 26 and assuming the North line of the West Half of Section 26 as bearing North 89° 03' 17" East a distance of 2637.11 feet with all other bearings contained herein relative thereto:

THENCE North 00° 18' 18" West along an Easterly line of Annexation Map AN-153-98 recorded February 19, 1999 as Reception No. 1999030506050 of the Records of Adams County a distance of 30.00 feet to the Northernly Right of Way Line of E. 88th Avenue and to the Southernly line of Annexation Map AN-102-89 recorded October 13, 1989 as Reception No. 1989020908599 of the Records of Adams County.

THENCE North 89° 03' 17" East along said Southernly line of Annexation Map AN-102-89 a distance of 605.53 feet;

THENCE South 00° 26' 43" East departing said Southernly line of AN-102-89 a distance of 100.00 feet;

The following Seven (7) courses are along the Southwesterly and Westerly lines and arcs of that parcel of land No. 78-120 of the E-470 Public Highway Authority described in Bargain and Sale Deed recorded October 12, 1995 as Reception No. 1995020314614 of the Records of Adams County.

THENCE South 84° 57' 33" East a distance of 429.25 feet;

THENCE South 06° 43' 42" East a distance of 99.32 feet;

THENCE South 18° 17' 28" East a distance of

1157.84 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Southwest a distance of 454.67 feet, said curve has a Radius of 1424.13 feet, a Delta of 18° 17' 32" and is subtended by a Chord bearing South 09° 08' 42" East a distance of 452.74 feet to a Point of Tangency;
THENCE South 00° 00' 05" West a distance of 1250.00 feet;
THENCE South 08° 12' 59" East a distance of 224.07 feet;
THENCE South 00° 00' 05" West a distance of 131.46 feet to the South line of the North Half of the Southwest Quarter of said Section 26 and to the Northernly line of the City and County of Denver as described in Rule and Order recorded August 10, 1990 as Reception No. 199002098662 of the Records of Adams County;

THENCE South 89° 28' 39" West along said Northernly line of the City and County of Denver a distance of 1604.57 feet to the West line of the Southwest Quarter of said Section 20 and to an Easterly line of Annexation Map AN-153-98;

The following Three (3) courses are along the Easterly lines of said Annexation Map AN-153-98.

THENCE North 00° 29' 06" West along said West line of the Southwest Quarter of said Section 20 a distance of 664.89 feet to the West Quarter Corner of Section 25.

THENCE North 00° 32' 43" East along the West line of the Northwest Quarter of said Section 26 a distance of 2621.54 feet to the Southerly Right of Way line of E. 88th Avenue;

THENCE North 00° 32' 43" East continuing along said West line a distance of 30.01 feet to the POINT OF BEGINNING.

TOTAL ANNEXED AREA for the AN-263-21 Annexation is 4,816,240 square feet or 110.57 acres, more or less.

Legal Notice No. CCX1368
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