

**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 HQTS, 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 CITY 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