

**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-235-15**

**NO. 2015-43**

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 petition 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 petition 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 petition as required by CRS §31-12-107(1)(f), and to set a public hearing in regards to such petition as required by CRS §31-12-108(1);

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 CRS §31-12-107(1).

2. The City Council of the City of Commerce City, Colorado, will hold a public hearing pursuant to C.R.S. § 31-12-109 for the purpose of determining if the proposed annexation complies with the portions of section 30 of article II of the state constitution, C.R.S. § 31-12-104, and C.R.S. § 31-12-105 as required to establish eligibility for annexation under part 1 of the Municipal Annexation Act of 1965 at the following time, date and place:

6:00 p.m.  
Monday, July 20, 2015  
City Council Chambers  
7887 East 60<sup>th</sup> 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: (1) its findings of fact and its conclusion based thereon with reference to the whether the requirements of the applicable provisions of section 30 of article II of the state constitution, CRS § 31-12-104, and CRS § 31-12-105 have been met and whether an annexation election is required; and (2) its determination as to whether additional terms and conditions are to be imposed.

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 may consider an ordinance to effect the proposed annexation in accordance with the requirements of the Municipal Annexation Act of 1965, the Charter of the City of Commerce City, and the City of Commerce City Land Development Code.

6. Nothing in this resolution shall be construed as an acceptance or approval of the requests, conditions, and declarations in the petition or as requiring the City Council to annex the territory.

RESOLVED AND PASSED this 18<sup>th</sup> day of May, 2015.

**CITY OF COMMERCE CITY, COLORADO**

**BY:**

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Sean Ford, Mayor

**ATTEST:**

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Laura Bauer, City Clerk

## **EXHIBIT A**

### **ANNEXATION DESCRIPTION**

A PARCEL OF LAND, LOCATED IN THE NORTHEAST QUARTER OF SECTION 16 AND THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF ADAMS, STATE OF COLORADO.

CONSIDERING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 15 TO BEAR NORTH 89°37'13" EAST, A DISTANCE OF 2644.44 FEET BETWEEN A FOUND 3-1/4" ALUMINUM CAP IN A RANGE BOX STAMPED "COLO. DEPT. OF TRANSPORTATION PLS 23516" AT THE NORTHWEST CORNER OF SECTION 15 AND A FOUND 3-1/4" ALUMINUM CAP IN A RANGE BOX STAMPED "COLO. DEPT. OF TRANSPORTATION PLS 23516" AT THE NORTH QUARTER CORNER OF SECTION 15, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 15, THENCE SOUTH 00°12'53" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING AND TO THE CITY OF COMMERCE CITY BOUNDARY AND THE SOUTHERLY RIGHT-OF-WAY OF E. 104<sup>TH</sup> AVE.;  
THENCE ALONG SAID BOUNDARY AND RIGHT-OF-WAY NORTH 89°37'13" EAST, A DISTANCE OF 1283.71 FEET TO THE WESTERLY RIGHT-OF-WAY- OF THE UNION PACIFIC RAILROAD;  
THENCE ALONG SAID BOUNDARY AND SAID RAILROAD RIGHT-OF-WAY SOUTH 30°44'33" WEST A DISTANCE OF 1643.10;  
THENCE LEAVING SAID RAILROAD AND SAID CITY BOUNDARY SOUTH 84°53'12" WEST A DISTANCE OF 286.03 FEET;  
THENCE NORTH 59°36'27" WEST A DISTANCE OF 178.37 TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15;  
THENCE ALONG SAID SECTION LINE NORTH 00°12'53" WEST A DISTANCE OF 499.26 FEET;  
THENCE SOUTH 89°36'08" WEST, A DISTANCE OF 1929.50 FEET TO THE CITY OF COMMERCE CITY BOUNDARY AND THE EASTERLY RIGHT-OF-WAY OF BRIGHTON ROAD;  
THENCE ALONG SAID CITY BOUNDARY AND SAID ROAD RIGHT-OF-WAY NORTH 23°20'29" EAST, A DISTANCE OF 917.28 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF EAST 104<sup>TH</sup> AVENUE;  
THENCE ALONG SAID BOUNDARY AND SAID ROAD RIGHT-OF-WAY NORTH 89°36'04" EAST, A DISTANCE OF 1562.91 FEET TO THE POINT OF BEGINNING;  
SAID ANNEXATION CONTAINING 2,677,468 SQ. FT. OR 61.47 ACRES, MORE OR LESS.