

ORDINANCE NO: AN-232-15

INTRODUCED BY: AMADOR, BENSON, BULLOCK, CARSON, DOUGLAS, ELLIOTT, FORD, MCELLOWNEY, TETER

AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT THE SOUTHERN RIGHT-OF-WAY FOR E. 96TH AVENUE BETWEEN STATE HIGHWAY 2 AND BUCKLEY ROAD, A QUARTER SECTION OF LAND AT THE NORTHEAST CORNER OF E. 96TH AVENUE AND PEORIA STREET, AND A SMALL PORTION OF CITY OWNED PROPERTY AT THE SOUTHWEST CORNER OF E. 96TH AVENUE AND BUCKLEY ROAD ALIGNMENT, COMMERCE CITY, COLORADO.

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the City of Commerce City, Colorado, a written petition for annexation to and by the City of Commerce City, Colorado, of that property described on attached Exhibit "A", being 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 has conducted a public hearing as required by law to determine the eligibility for annexation of that property described on attached Exhibit "A"; and

WHEREAS, the City Council of the City of Commerce City, Colorado has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit "A", and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Commerce City, Colorado.

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

SECTION 1: The annexation by and to the City of Commerce City, State of Colorado, of that property described on attached Exhibit "A", situated, lying and being in the County of Adams, State of Colorado, meets all requirements of law and the annexation policy of the City of Commerce City, and therefore, the said annexation is hereby approved and made effective.

SECTION 2: The owner(s) of 100% of the property described on attached Exhibit "A" have petitioned for annexation.

SECTION 3: Rezoning of the annexed property shall comply with C.R.S. §31-12-115, within ninety (90) days from the effective date of this ordinance.

INTRODUCED AND PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 16TH DAY OF NOVEMBER, 2015.

INTRODUCED AND PASSED ON SECOND READING AND PUBLIC NOTICE ORDERED THIS 7TH DAY OF DECEMBER, 2015.

CITY OF COMMERCE CITY, COLORADO

BY: _____
Sean Ford, Mayor

ATTEST:

Exhibit A

ANNEXATION DESCRIPTION

THREE PARCELS OF LAND LOCATED IN SECTIONS 13, 14, 23, AND 24 TOWNSHIP 2 SOUTH, RANGE 67 WEST AND SECTIONS 19 AND 20 TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

A PARCEL OF LAND SITUATED IN SECTIONS 23 AND 24, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN (P.M.), AND SECTIONS 19, AND 20, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 23, T2S, R67W; THENCE N89°32'56" E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 271.98 FEET;

THENCE S41°23'35"W 40.27 FEET, TO A POINT 30 FEET SOUTH OF THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 23 AND A POINT ON THE PRESENT COMMERCE CITY LIMITS SECTION 23 TOWNSHIP 2 SOUTH RANGE 67 WEST OF THE 6TH P.M. AND ALONG THE PRESENT CITY OF COMMERCE CITY LIMITS PER COMMERCE CITY ANNEXATION MAP AN-102-89 RECORDED AT THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT FILE 16 MAP 872 RECEPTION NO. B908599, ALSO BEING ON THE SOUTH EAST RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 2, TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE COLORADO STATE HIGHWAY NO. 2 PER QUIT CLAIM DEED RECEPTION NO 20041119001173830 FILED AT THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE; AND DEPARTING THE PRESENT CITY OF COMMERCE CITY LIMITS S41°23'35"W 93.98 FEET TO THE SOUTH RIGHT OF WAY LINE OF EAST 96TH AVENUE PER QUIT CLAIM DEED RECORDED AT RECEPTION NUMBER 20040930000973120.

THENCE N89°32'56"E A DISTANCE OF 2,448.89 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 23 TOWNSHIP 2 SOUTH RANGE 67 WEST;

THENCE N89°33'17"E A DISTANCE OF 2,631.90 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER;

THENCE N89°30'59"E A DISTANCE OF 2,632.15 FEET TO THE EAST LINE OF NORTHWEST QUARTER OF SECTION 24;

THENCE N89°30'50"E A DISTANCE OF 2,632.11 FEET TO THE EAST LINE OF NORTHEAST QUARTER OF SECTION 24;

THENCE N89°04'15"E A DISTANCE OF 2,492.05 FEET TO THE EAST LINE OF NORTHWEST QUARTER SECTION 19, TOWNSHIP 2 SOUTH RANGE 66 WEST;

THENCE N89°58'39"E A DISTANCE OF 2,662.60 FEET TO THE EAST LINE OF NORTHEAST QUARTER SECTION 19, TOWNSHIP 2 SOUTH RANGE 66 WEST;

THENCE N89°10'21"E A DISTANCE OF 2,654.96 FEET TO THE EAST LINE OF NORTHWEST QUARTER SECTION 20, TOWNSHIP 2 SOUTH RANGE 66 WEST;

THENCE N89°04'04"E A DISTANCE OF 1,928.16 FEET TO A POINT ON COMMERCE CITY ANNEXATION MAP AN-102-89 AND THE PRESENT CITY OF COMMERCE CITY LIMITS SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE ALONG SAID CURVE, HAVING A 432.83 FOOT RADIUS, A CENTRAL ANGLE OF 33°02'30", A CHORD BEARING OF N74°24'41"W AND A LONG CHORD DISTANCE OF 246.16 FEET AND AN ARC LENGTH OF 249.61 FEET TO A POINT BEING 30 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20;

THENCE S89°04'04"W ALONG SAID LINE A DISTANCE OF 1,692.09 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE S89°10'21"W A DISTANCE OF 2,655.01 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19;

THENCE S88°58'39"W A DISTANCE OF 2662.66 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 20 TOWNSHIP 2 SOUTH RANGE 66 WEST;

THENCE S89°04'15"W A DISTANCE OF 2,491.72 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 19 TOWNSHIP 2 SOUTH RANGE 66 WEST;
THENCE S89°30'50"W A DISTANCE OF 2,631.84 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24 TOWNSHIP 2 SOUTH RANGE 67 WEST;
THENCE S89°30'59"W A DISTANCE OF 2,632.12 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 23 TOWNSHIP 2 SOUTH RANGE 67 WEST;
THENCE S89°33'17"W A DISTANCE OF 2,631.75 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23;
THENCE S89°32'56"W A DISTANCE OF 2,386.35 FEET TO THE POINT OF BEGINNING:

CONTAINING 1,398,263.72 SQUARE FEET, OR 32.10 ACRES, MORE OR LESS.

PARCEL 2:

A PARCEL OF LAND SITUATED IN SOUTHWEST QUARTER OF SECTION 13, AND THE EAST ONE HALF OF SECTION 14 TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO;

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE CENTER CORNER OF SAID SECTION 13 TOWNSHIP 2 SOUTH RANGE 67 WEST, SAID POINT BEING A POINT ON THE PRESENT CITY OF COMMERCE CITY LIMITS PER ANNEXATION MAP, AN-159-00, FILE 18 MAP 245 RECEPTION NO. C0683204 RECORDED AT THE ADAMS COUNTY CLERK AND RECORDERS OFFICE;

THENCE S89°26'29"W ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13 A DISTANCE OF 1,314.70 FEET TO THE NORTH EAST CORNER OF THE WEST HALF OF THE SOUTH WEST QUARTER SECTION 13 SAID POINT BEING THE SOUTH EAST CORNER OF COMMERCE CITY ANNEXATION MAP, AN-139-97, FILE 17 MAP 805 RECEPTION NO. C0364915 RECORDED AT THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE;

THENCE S89°26'29"W 1,314.66 FEET TO THE EAST ONE-QUARTER CORNER OF SECTION 14;

THENCE N00°40'39"W ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 14 A DISTANCE OF 520.00 FEET; THENCE DEPARTING SAID SECTION LINE S89°39'13"W A DISTANCE OF 30.00 FEET SAID POINT ALSO BEING A POINT ON THE WEST RIGHT OF WAY LINE OF PEORIA STREET ALSO BEING A POINT ON COMMERCE CITY ANNEXATION MAP AN-57-85 RECEPTION NO. B608861 RECORDED AT THE ADAMS COUNTY CLERK AND RECORDERS OFFICE;

THENCE S00°40'23"E ALONG SAID WEST RIGHT OF WAY LINE 70.00 FEET TO A POINT ON COMMERCE CITY ANNEXATION MAP AN-117-92 RECORDED AT FILE 17 MAP 86 RECEPTION NO. B1085693 RECORDED IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE ALONG SAID WEST RIGHT OF WAY LINE S00°40'23"E A DISTANCE OF 450.00 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 14 THENCE; S89°39'31"W A DISTANCE OF 10.00 FEET TO THE NORTHEAST CORNER OF FISCHER HOFFMANN TRACT FILE 12 MAP 359 RECEPTION NUMBER 938929; THENCE S00°18'49"E A DISTANCE OF 1,320.05 FEET ALONG THE EAST BOUNDARY OF SAID TRACT TO A POINT ON THE NORTH LINE OF WAGNER TRACT FILE NO. 13 MAP 117 RECEPTION NO. 982023 RECORDED AT THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE S00°18'49"E ALONG THE EAST LINE OF WAGNER TRACT A DISTANCE OF 672.88 FEET TO A POINT ON THE NORTH LINE OF COMMERCE CITY ANNEXATION MAP AN-58-85 RECORDED AT FILE 16 MAP 349 RECEPTION NO. B610752 RECORDED AT THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE S78°01'25"E ALONG THE NORTH LINE OF SAID ANNEXATION A DISTANCE OF 10.00 FEET TO A POINT 30 FEET WEST OF THE EAST OF SAID SECTION; THENCE S00°18'49"E A DISTANCE OF 642.45 FEET TO A POINT 3 FEET NORTH OF THE SOUTH LINE OF SECTION 14 AND A POINT ON THE NORTH LINE OF COMMERCE CITY ANNEXATION MAP AN-80-87 RECORDED AT FILE 16 MAP 634 RECEPTION NO. B755697 RECORDED AT THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE N89°33'17"E A DISTANCE OF 30.27 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 14 THENCE; N89°30'59"E A DISTANCE OF 2,632.12 FEET ALONG A LINE 3 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 13 TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER, SAID POINT BEING A POINT ON THE WEST LINE OF COMMERCE CITY ANNEXATION MAP AN-159-00 THENCE; N00°22'26"W ALONG SAID LINE A DISTANCE OF 2,640.91 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF 7,057,879.60 SQUARE FEET, OR 162.027 ACRES, MORE OR LESS.

PARCEL 3:

A PARCEL OF LAND SITUATED IN THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 20; THENCE S00°12'13"W A DISTANCE OF 30.02 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE PRESENT CITY OF COMMERCE CITY LIMITS PER ANNEXATION MAP AN-171-02 RECORDED AT ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT FILE NO. 18 MAP NO. 851 RECEPTION NO. C1096267;

THENCE ALONG SAID CITY LIMITS S89°04'04"W A DISTANCE OF 731.14 FEET TO A POINT ON THE NORTHEAST RIGHT OF WAY LINE OF BUCKLEY ROAD AND A POINT ON COMMERCE CITY ANNEXATION MAP AN-102-89 RECORDED AT THE ADAMS COUNTY CLERK AND RECORDERS OFFICE AT FILE NO. 16 MAP NO. 872 RECEPTION NO. B908599;

THENCE ALONG SAID CITY LIMITS ALONG A NON TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 492.83 FEET, A DELTA ANGLE OF 27°13'17", A CHORD BEARING OF S48°45'05"E, A CHORD DISTANCE OF 231.95 FEET AND ALONG THE ARC OF SAID CURVE, 234.14 FEET ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF BUCKLEY ROAD TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT THE RADIUS OF SAID CURVE IS 1,230.61 FEET, THE DELTA OF SAID CURVE IS 18°54'55", THE CHORD OF SAID CURVE BEARS S25°40'59"E A DISTANCE OF 404.42 FEET; THENCE ALONG THE ARC OF SAID CURVE, 406.27 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO A POINT OF TANGENCY;

THENCE S16°13'32"E A DISTANCE OF 602.57 FEET ALONG SAID RIGHT OF WAY TO A TANGENT CURVE TO THE RIGHT, THE RADIUS OF SAID CURVE IS 10,198.80 FEET, THE DELTA OF SAID CURVE IS 02°49'00", THE CHORD S14°49'02"E, A DISTANCE OF 501.32 FEET; THENCE ALONG SAID CITY LIMITS ALONG A NON TANGENT CURVE TO THE RIGHT, THE RADIUS OF SAID CURVE IS 2,818.64 FEET, THE DELTA OF SAID CURVE IS 13°36'45", THE CHORD OF SAID CURVE BEARS S06°36'09"E A DISTANCE OF 668.09 FEET; THENCE ALONG THE ARC OF SAID CURVE, 669.66 FEET ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF BUCKLEY ROAD TO A POINT ON THE EAST LINE OF THE NORTH EAST QUARTER OF SECTION 20 AND A POINT ON COMMERCE CITY ANNEXATION MAP AN-104-89 RECORDED AT THE ADAMS COUNTY CLERK AND RECORDERS OFFICE AT FILE NO. 16 MAP NO. 853 RECEPTION NO. B892881;

THENCE N00°12'13"E A DISTANCE OF 2,256.15 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF 523,130.22 SQUARE FEET, OR 12.01 ACRES, MORE OR LESS.