

ORDINANCE NO: AN-237-16

INTRODUCED BY: AMADOR, BULLOCK, CARSON, DIAZ, DOUGLAS, ELLIOTT, FORD,  
MCELDOWNEY, TETER

AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED NORTH OF E. 112<sup>TH</sup> AVENUE, WEST OF THE O'BRIAN CANAL, SOUTH OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, AND EAST OF HIGHWAY 2 (PIN: 172306000013), 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 19<sup>TH</sup> DAY OF SEPTEMBER, 2016.

INTRODUCED AND PASSED ON SECOND READING AND PUBLIC NOTICE ORDERED THIS 17<sup>TH</sup> DAY OF OCTOBER, 2016.

CITY OF COMMERCE CITY, COLORADO

BY: \_\_\_\_\_  
Sean Ford, Mayor

ATTEST:

\_\_\_\_\_  
Laura J. Bauer, MMC, City Clerk

## **Exhibit A**

### **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  $39^{\circ}47'07''$ , THE CHORD OF SAID CURVE BEARS SOUTH  $20^{\circ}19'29''$  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  $88^{\circ}22'15''$  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  $88^{\circ}21'23''$  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  $00^{\circ}01'14''$  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  $88^{\circ}22'15''$  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  $88^{\circ}22'15''$  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  $04^{\circ}05'18''$ , THE CHORD OF SAID CURVE BEARS NORTH  $01^{\circ}23'39''$  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  $00^{\circ}39'00''$  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  $06^{\circ}14'00''$ , THE CHORD OF SAID CURVE BEARS NORTH  $03^{\circ}46'00''$  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  $06^{\circ}53'00''$  WEST A DISTANCE OF 420.00 FEET; THENCE SOUTH  $83^{\circ}07'00''$  WEST A DISTANCE OF 50.00 FEET; THENCE SOUTH  $06^{\circ}53'00''$  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  $06^{\circ}14'00''$ , THE CHORD OF SAID CURVE BEARS SOUTH  $03^{\circ}46'00''$  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  $00^{\circ}39'00''$  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  $05^{\circ}30'18''$ , THE CHORD OF SAID CURVE BEARS SOUTH  $02^{\circ}06'09''$  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)