

ORDINANCE NO: AN-243-17

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

AN ORDINANCE ANNEXING TO THE CITY OF COMMERCE CITY CERTAIN CONTIGUOUS UNINCORPORATED AND MUNICIPALLY-OWNED TERRITORY DESCRIBED IN EXHIBIT "A" GENERALLY LOCATED ALONG THE HIGHWAY 2 RIGHT-OF-WAY BETWEEN EAST 96TH AVENUE, AND EAST 104TH AVENUE.

WHEREAS, the City of Commerce City, Colorado ("City"), being a home rule municipality duly organized and existing under the laws of the State of Colorado, owns certain property described on attached Exhibit "A," attached and incorporated by reference, that is unincorporated territory contiguous to the boundaries of the City situated, lying and being in the County of Adams, State of Colorado ("Property");

WHEREAS, C.R.S. § 31-12-106(3) authorizes the City to annex by ordinance, without notice and hearing as normally required for annexation, property solely owned by the City when such property is eligible for annexation in accordance with Article II, Section 30(1)(c) of the State Constitution and C.R.S. §§ 31-12-104(1)(a) and 31-12-105; and

WHEREAS, the City Council of the City desires to annex the Property to the City.

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

Section 1. The City Council finds and determines that the annexation of the Property is in the best interest of the public and necessary for preservation of the public health, safety, welfare, and economic well-being.

Section 2. The City Council further finds and determines that the Property meets all requirements of law and the annexation policy of the City and is eligible for annexation in accordance with Article II, Section 30(1)(c) of the State Constitution and C.R.S. §§ 31-12-104(1)(a), 31-12-105, and 31-12-160(3), in that the proposed annexation:

- (a) Is for property for which not less than one-sixth of the perimeter is contiguous with the current City boundary;
- (b) Would not divide any lands held in identical ownership;
- (c) Is less than twenty acres and, as such, does not implicate C.R.S. 31-12-105(1)(b);
- (d) Is for territory for which no annexation proceedings have been commenced for annexation to another municipality;
- (e) Would not result in the detachment of area from any school district and the attachment of the same to another school district;
- (f) Would not result in the extension of the City boundary more than three miles in any direction from any point of such municipal boundary in any one year;
- (g) Includes the entire width of any street or alley in the area annexed; and
- (h) Is of property solely owned by the City and is not solely a public street or right-of-way.

Section 3. The Property is hereby annexed to and made a part of the City of Commerce City, Colorado, and shall be included within the corporate boundaries of the City of Commerce City, Colorado, effective and complete from the effective date of this ordinance.

INTRODUCED AND PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS
18TH DAY OF SEPTEMBER, 2017.

INTRODUCED AND PASSED ON SECOND READING AND PUBLIC NOTICE ORDERED
THIS 16TH DAY OF OCTOBER, 2017.

CITY OF COMMERCE CITY, COLORADO

BY: _____
Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk

Exhibit A
AN-243-17 Property Description

A PARCEL OF LAND SITUATED IN THE NORTHEAST 1/4 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:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 14;
THENCE N00°41'33"W ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 14
450.00 FEET;

THENCE S89°38'51"W 990.00 FEET TO THE SOUTHEAST CORNER OF FIORE TRACT AMENDED
PLAT RECEPTION NUMBER A076163, FILE 14 MAP 213 ADAMS COUNTY CLERK AND RECORDERS
OFFICE RECORDS; THENCE ALONG THE SOUTH LINE OF FIORE TRACT AMENDED PLAT TO
S89°38'51"W 1297.99 FEET; THENCE ALONG THE EAST RIGHT OF WAY LINE OF HIGHWAY 2
N41°24'27"E A DISTANCE OF 459.28 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE EAST RIGHT OF WAY LINE OF HIGHWAY 2 N41°24'27"E A DISTANCE OF
319.46 FEET TO THE SOUTH LINE OF COMMERCE CITY LIMITS PER ANNEXATION MAP AN-242-17
RECORDED AT ADAMS COUNTY CLERK AND RECORDER'S OFFICE;

THENCE N89°38'19"W 134.08 FEET ALONG THE PRESENT CITY LIMITS TO A POINT ON THE WEST
RIGHT OF WAY LINE HIGHWAY2;

THENCE DEPARTING SAID CITY LIMITS S41°24'27"W, 286.63 FEET ALONG THE WEST RIGHT OF
WAY LINE OF HIGHWAY 2 TO A POINT ON THE PRESENT CITY OF COMMERCE CITY LIMITS PER
ANNEXATION MAP AN-242-17 RECORDED AT ADAMS COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG SAID CITY LIMITS S78°03'00"E 114.85 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF 30,304.34 SQUARE FEET, OR 0.696
ACRES, MORE OR LESS.

THE BASIS OF BEARINGS IS THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 14,
TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, WHICH BEARS
S89°38'51"W, A DISTANCE OF 2,635.45 FEET.