

# **RESOLUTION APPROVING TRANSFER OF CITY PROPERTY AT SECOND CREEK VILLAGE BY QUIT CLAIM DEED**

**NO. 2020-56**

WHEREAS, TTRG Commerce City CO, LLC, a/k/a Thompson Thrift (“Developer”), has developed certain property, constructed certain public and private improvements, and contributed significant development to the area of that Second Creek Village, Amendment No. 5, at about Chambers Road at and near 104th Avenue (“Subdivision”);

WHEREAS, Developer has strived, and continues to strive, to attract and retain additional commercial development within the Subdivision, specifically at the Second Creek Marketplace;

WHEREAS, the City recognizes the limited geographical space upon which Developer has obtained significant results and development;

WHEREAS, the City owns certain property directly adjacent to the Subdivision;

WHEREAS, the City acknowledges the additional significant results that may be achieved for the direct benefit of the public by transferring to Developer that certain city-owned property, consisting of approximately 0.77 acres, which property is generally depicted in Exhibit A hereto (“Property”) to Developer;

WHEREAS, the transfer of the Property to Developer will accomplish significant public purposes, including (1) allowing for the creation of and harmonization with an interconnected roadway system to the west of Chambers Road; (2) increasing tax revenue to the City by facilitating additional commercial development; (3) increasing public safety by improving off-site and on-site access, traffic flow, and regulation; and (4) facilitating additional development that will fill recognized gaps in community needs.

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

1. The City Council finds that the transfer of the Property will cause substantial benefits to the public and further finds that the transfer accomplishes public purposes.
2. The transfer of the Property, generally as depicted in Exhibit A, via quitclaim deed to TTRG Commerce City CO, LLC, is hereby approved.
3. The Mayor and the City Clerk are authorized and directed to sign and attest to a quitclaim deed, including an appropriate legal description, approved as to form by the City Attorney, to accomplish the transfer of the Property on behalf of the City of Commerce City.
4. The City Manager and City staff are authorized and directed to take all others actions necessary and customary to accomplish the transfer of the Property.

RESOLVED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CITY OF COMMERCE CITY, COLORADO

\_\_\_\_\_  
Benjamin A. Huseman, Mayor

ATTEST

\_\_\_\_\_  
Dylan A. Gibson, City Clerk

***Exhibit "A"***  
***(Legal Description)***

LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 66 WEST, OF THE 6TH P.M., CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 66 WEST, OF THE 6TH P.M., AS BEARING NORTH 89°19'26" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 8, NORTH 00°11'01" WEST, 982.16 FEET; THENCE NORTH 89°48'59" EAST, 60.00 FEET TO THE NORTHWEST CORNER OF LOT 2 SECOND CREEK VILLAGE ON FILE AT THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE RECEPTION NUMBER 2018000001835, SAID POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A CENTRAL ANGLE OF 21°30'20", A RADIUS OF 358.54 FEET, AND A CHORD WHICH BEARS SOUTH 57°21'07" EAST, 133.79 FEET, SAID POINT ALSO THE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINE OF THE AFOREMENTIONED LOT 2 THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. ALONG ARC OF SAID CURVE, 134.57 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A CENTRAL ANGLE OF 20°28'14", A RADIUS OF 296.73 FEET, AND A CHORD WHICH BEARS SOUTH 57°24'42" EAST, 105.45 FEET;
2. ALONG THE ARC OF SAID CURVE 106.02 FEET, TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A CENTRAL ANGLE OF 10°03'20", A RADIUS OF 761.82, AND A CHORD WHICH BEARS SOUTH 51°51'36" EAST, 133.53 FEET;
3. THENCE ALONG THE ARC OF SAID CURVE 133.70 FEET;

THENCE NORTH 00°00'07" EAST, 121.22 FEET;

THENCE NORTH 53°34'02" WEST, 235.73 FEET;

THENCE SOUTH 89°18'08" WEST, 117.03 FEET TO A POINT ON THE EAST RIGHT OF WAY OF CHAMBERS ROAD PER SECOND CREEK VILLAGE ON FILE AT THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NUMBER 2018000001835;

THENCE ALONG SAID EAST RIGHT OF WAY SOUTH 00°11'01" EAST, 48.35 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 0.764 ACRES, 33,271 SQUARE FEET, MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY NOW ON RECORD OR EXISTING.