

ORDINANCE NO. AN-268-24

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS, DUKES, FORD, KIM, MADERA, NOBLE, TETER

AN ORDINANCE ANNEXING THE PROPERTY GENERALLY LOCATED AT 9901 CHAMBERS ROAD TO THE CITY OF COMMERCE CITY, COLORADO IN CASE AN-268-24 KNOWN AS THE ANDERSON RANCH ANNEXATION

WHEREAS, there was presented to and filed with the City Council of the City of Commerce City, Colorado (“City”), a written petition dated February 16, 2024 by Anderson Trust (“Annexor”) in Case AN-268-24 (“Petition”), known as the Anderson Ranch annexation, seeking annexation to and by the City of contiguous unincorporated territory situated, lying and being in the County of Adams, State of Colorado, as described in the Petition and Exhibit A, attached hereto and incorporated herein, generally located at the 9901 Chambers Road (“Property”);

WHEREAS, the City and the Annexor have negotiated and the Annexor has executed an Annexation Agreement as of May 28, 2024 regarding the proposed annexation (“Annexation Agreement”) and such agreement is on file with the City; and

WHEREAS, the City Council of the City has conducted a duly noticed public hearing as required by law to determine the eligibility for annexation of the Property to the City and to satisfy itself that the Property is eligible for annexation and that the annexation conforms to applicable law and the annexation policy of the City.

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

SECTION 1. Findings. The City Council of the City of Commerce City, Colorado, finds and determines that, pursuant to the findings set forth in Resolution No. 2024-70, the annexation of the Property meets all requirements of law, including the applicable provisions of Section 30 of Article II of the State Constitution and C.R.S. §§ 31-12-104 and 31-12-105, and the annexation policy of the City; does not require an election pursuant to C.R.S. § 31-12-107(2); and is in the best interests of the City.

SECTION 2. Annexation Agreement. The City Council of the City of Commerce City, Colorado, hereby approves and authorizes the execution of the Annexation Agreement between the City and Annexor, and ratifies all actions of the City taken pursuant thereto.

SECTION 3. Annexation. The Property, as particularly described in the Petition and in Exhibit A, attached hereto and incorporated herein, is hereby annexed to and included within the corporate limits of the City of Commerce City, Colorado, pursuant to C.R.S. § 31-12-111 upon completion of the conditions contained in C.R.S. § 31-12-113, including without limitation, all required filings for recording with Adams County Clerk and Recorder as forth therein. Upon the Effective Date of this ordinance as set for below, the City Council directs staff to complete all necessary procedures required for annexation of the Property to the City, subject to any applicable provisions of the Annexation Agreement, including: (1) filing for recording three certified copies of this ordinance and the maps of the annexed Property containing a legal description of the Property (“Annexation Maps”) with the Adams County Clerk and Recorder, and (2) filing the

original of this ordinance together with a copy of the Annexation Maps with the City Clerk.

SECTION 4. Effective Date. This ordinance shall not take effect and this ordinance and annexation map shall not be filed or recorded with the Adams County Clerk and Recorder pursuant to C.R.S. § 31-12-113 unless and until the Property is brought within the City's zoning code and map by passage of an appropriate zoning ordinance. In the event such zoning approval is not granted within eighty-nine (89) days of the second reading of this ordinance, then this ordinance shall become null, void, and of no effect.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 21ST DAY OF OCTOBER, 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 18TH DAY OF NOVEMBER, 2024.

CITY OF COMMERCE CITY, COLORADO

Steven J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk