

ORDINANCE NO. V25-0003

AN ORDINANCE VACATING A PORTION OF PEORIA STREET BETWEEN EAST 104TH AVENUE AND THE XCEL POWER LINES AND BETWEEN HIGHWAY 2 AND PEORIA PARKWAY, COMMERCE CITY, COLORADO.

WHEREAS, the Section 4.14 of the Charter of the City of Commerce City (“City”) requires the approval of the City Council for City owned real property to be transferred or conveyed;

WHEREAS, the City owns certain right-of-way, more particularly, a portion of Peoria Street between East 104th Avenue and the Xcel Power lines, as set forth in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein;

WHEREAS, the City had determined that it has no ongoing or future need for this portion of Peoria Street because the City’s intersection spacing requirements would not allow the construction of this roadway at this location;

WHEREAS, the Planning Commission of the City has reviewed the request for the vacation of right-of way at a public hearing held on February 3, 2026, and recommends approval of the same; and

WHEREAS, the City Council, after being fully advised and after a public hearing, finds that all requirements for vacation of easements contained in Section 21-3233(3) and applicable state statutes have been met.

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

SECTION 1. Findings. The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Vacation. The right-of-way located within the City of Commerce City and legally described in Exhibit A and depicted in Exhibit B is hereby vacated,

SECTION 3. Repealer. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This ordinance shall be effective as provided in the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 2 DAY OF MARCH, 2026.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 6 DAY OF APRIL, 2026.

CITY OF COMMERCE CITY, COLORADO

Steven J. Douglas, Mayor

ATTEST

Stephen J. Ruger, City Clerk

Exhibit A
(Legal Description)

THAT CERTAIN PORTION OF PEORIA STREET AS DEPICTED ON TURNBERRY SUBDIVISION FILING NO. 2, AMENDMENT NO. 1, IN THE CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, RECORDED JULY 15TH, 2025 AT RECEPTION NO. 2025000027629, IN THE OFFICIAL RECORDS OF SAID COUNTY, LYING WITHIN THE NORTHEAST QUARTER OF SECTION 14 AND THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 67 WEST, 6TH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT A, SAID TURNBERRY SUBDIVISION FILING NO. 2, AMENDMENT NO. 1;

THENCE ALONG THE WESTERLY BOUNDARY OF SAID TRACT A, SOUTH 00°40'58" EAST, A DISTANCE OF 583.91 FEET TO THE SOUTHWEST CORNER OF SAID TRACT A;

THENCE DEPARTING SAID WESTERLY BOUNDARY, ALONG THE WESTERLY PROLONGATION OF THE SOUTHERLY BOUNDARY OF SAID TRACT A, SOUTH 89°21'05" WEST, A DISTANCE OF 30.00 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 13;

THENCE ALONG SAID WEST LINE, NORTH 00°40'56" WEST, A DISTANCE OF 55.44 FEET TO THE EASTERLY PROLONGATION OF THE SOUTHERLY BOUNDARY OF TRACT C, TURNBERRY SUBDIVISION FILING NO. 2, AMENDMENT NO. 1;

THENCE DEPARTING SAID WEST LINE, ALONG SAID EASTERLY PROLONGATION, SOUTH 89°45'49" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF SAID TRACT C;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID TRACT C, NORTH 00°40'56" WEST, A DISTANCE OF 528.48 FEET TO NORTHEAST CORNER OF SAID TRACT C;

THENCE DEPARTING SAID EASTERLY BOUNDARY, ALONG THE EASTERLY PROLONGATION OF THE NORTHERLY BOUNDARY OF SAID TRACT C, NORTH 89°47'59" EAST, A DISTANCE OF 30.00 TO SAID WEST LINE OF THE NORTHWEST QUARTER AND THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID TRACT A;

THENCE ALONG SAID WESTERLY PROLONGATION, NORTH 89°19'30" EAST, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**.

Exhibit B

(Visual Representation)

