

ORDINANCE NO. V24-0001

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

AN ORDINANCE VACATING RIGHT-OF-WAY COMPRISED OF A PORTION OF SEVENTH AVENUE GENERALLY LOCATED NORTH OF EAST 84th AVENUE BETWEEN ROSEMARY STREET AND ULSTER STREET, COMMERCE CITY, COLORADO.

WHEREAS, the City of Commerce City (“City”) Charter Section 4.14 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 Seventh Avenue north of East 84th Avenue and between Rosemary Street and Ulster Street in the City, as set forth in Exhibit A, attached hereto and incorporated herein;

WHEREAS, the City has not used this right-of-way as a public roadway in the past and the right-of-way is not shown as being needed on the City Master Transportation Plan;

WHEREAS, the City has determined, consistent with the terms of the Land Development Code and the City Charter, that is no longer has a need for the described right-of-way and vacation of the same is in the City’s best interest;

WHEREAS, the adjacent property owners have no objection to the division of this land and the acceptance of the property as a result of this right-of-way vacation;

WHEREAS, the Planning Commission of the City has reviewed the request for the vacation of right-of-way at a public hearing held on July 2, 2024, and recommends approval of the same; and

WHEREAS, the City Council, after being fully advised and after a public hearing, approves of the vacation of the right-of-way.

NOW, THEREFORE, 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 to be in the public interest.

SECTION 2. Vacation. The existing right-of-way described on attached Exhibit A, consisting of a portion of Seventh Avenue right-of-way generally located north of East 84th Avenue between Rosemary Street and Ulster Street, Commerce City, Colorado is, by this ordinance, vacated.

SECTION 3. Effective Date. This ordinance shall be effective as provided in the City

Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE
ORDERED THIS 19TH DAY OF AUGUST, 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE
ORDERED THIS 16TH DAY OF SEPTEMBER, 2024.

CITY OF COMMERCE CITY, COLORADO

Steven J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk

Exhibit A
(Legal Description)

A PARCEL OF LAND BEING A PORTION OF SEVENTH AVENUE RECORDED IN BOOK 3 AT PAGE 20 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDED, LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED BY A 3-1/3" ALUMINUM CAP STAMPED "LS 38252" IN A RANGE BOX AT THE CENTER QUARTER CORNER AND A 2-1/2" ALUMINUM CAP STAMPED "LS 22097" IN A RANGE BOX AT THE WEST QUARTER CORNER, BEING ASSUMED TO BEAR S89°25'53"W.

COMMENCING AT THE CENTER QUARTER CORNER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN:

THENCE ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28, S89°25'53"W A DISTANCE OF 660.68 FEET;

THENCE DEPARTING SAID SOUTH LINE, N00°34'07"W A DISTANCE OF 24.60 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF E. 84TH AVENUE, AND THE POINT OF BEGINNING;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, S89°25'53"W A DISTANCE OF 30.00 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, N00°19'28"E A DISTANCE OF 587.53 FEET, TO A POINT ON THE SOUTHERLY LINE OF LOT 1, INTSEL STEEL WEST SUBDIVISION RECORDED UNDER RECEPTION NO. 2016000079990 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE ON SAID SOUTHERLY LINE, N89°32'46"E A DISTANCE OF 30.00 FEET;

THENCE DEPARTING SAID SOUTHERLY LINE, THENCE S00°19'28"W A DISTANCE OF 587.47 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 17625 SQUARE FEET OR 0.4046 ACRES.