

Resolution No. 25-019

A Resolution of the Town Council of the Town of Erie Making Certain Findings of Fact Regarding the Proposed Annexation to the Town of the Real Property Known as the Erie West Annexation

Whereas, a petition for annexation was filed with the Town Clerk requesting the annexation of certain unincorporated territory located in Boulder County, which territory is more particularly described in Exhibit A of the Petition for Annexation, a copy of which petition is attached hereto as **Exhibit A-1** and incorporated herein by this reference, also known as the West Annexation (the "Property"); and

Whereas, by resolution adopted on December 10, 2024, the Town Council found the petition to be in substantial compliance with C.R.S. § 31-12-107(1); and

Whereas, on January 28, 2025, the Town Council opened a properly-noticed public hearing to determine if the Property is eligible for annexation to the Town, and at that time continued the hearing to the Council's regular meeting on February 25, 2025; and

Whereas, the Council having completed the required hearing on February 25, 2025, now wishes to determine the Property eligible for annexation.

Now be it Resolved by the Town Council of the Town of Erie, Colorado, that:

Section 1. The applicable provisions of Section 30 of Article 2 of the Colorado Constitution and C.R.S. § 31-12-104 have been met, in that not less than one-sixth of the perimeter of the Property is contiguous with the existing boundaries of the Town; and therefore, because of such contiguity, a community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future, and the Property is integrated or is capable of being integrated with the Town.

Section 2. The applicable provisions of C.R.S. § 31-12-105 have been met, in that no land held in identical ownership has been divided or included without written consent of the owner thereof; that no annexation proceedings have been commenced by another municipality; the annexation will not result in the detachment of area from a school district; that the annexation will not result in the extension of a Town boundary more than three miles; the Town has in place a plan for said three-mile area; and, in establishing the boundaries of the Property, the entire width of any street or alley is included within the Property.

Section 3. An annexation election is not required under C.R.S. § 31-12-107(2) and no additional terms or conditions are to be imposed upon the area to be annexed other than as contained in the Annexation Agreement, which has been considered and approved by separate action.

Section 4. The Property is eligible for annexation to the Town, and all requirements of law have been met, including the requirements of section 30 of article II of the Colorado Constitution and C.R.S. §§ 31-12-104 and 31-12-105.

Section 5. An ordinance annexing the Property to the Town will be considered by the Town Council pursuant to C.R.S. § 31-12-111.

Adopted this 25th day of February, 2025.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk

Exhibit A-1
Petition for Annexation of the Property
[attached]

Petition for Annexation

To: The Board of Trustees of the Town of Erie, Colorado

Re: Property Known as: Erie West Annexations

The undersigned landowners, in accordance with Title 31, Article 12, Part 1, C.R.S., known as the Municipal Annexation Act of 1965, hereby petitions the Board of Trustees of the Town of Erie, Colorado (the "Board of Trustees") for annexation to the Town of Erie (the "Town") of the following described unincorporated area situate and being in the County of Boulder, State of Colorado (the "Property"):

(See **Exhibit A** attached hereto and incorporated herein by reference)

In support of its Petition, Petitioners state as follows:

1. That it is desirable and necessary that the Property be annexed to the Town of Erie, Colorado.
2. That the Property meets the requirements of C.R.S. §§ 31-12-104 and 105, in that:
 - a. Not less than 1/6 of the perimeter of the Property is contiguous with the existing boundaries of the Town, disregarding for contiguity purposes, as allowed by C.R.S. § 31-12-104(1)(a), the existence of any platted street or alley, any public or private right-of-way, any public or private transportation right-of-way or area, public lands (except county-owned open space) or any lakes, reservoirs, streams or other natural or artificial waters located between the Town and the Property. The contiguity required by C.R.S. § 31-12-104(1)(a) has not been established by use of any boundary of an area that was previously annexed to the Town where the area, at the time of its annexation, was not contiguous at any point with the boundary of the Town, and was not otherwise in compliance with C.R.S. § 31-12-104(1)(a), and was located more than 3 miles from the nearest boundary of the Town, nor was the contiguity required by C.R.S. § 31-12-104(1)(a) established by use of any boundary of territory that was subsequently annexed directly to, or which was indirectly connected through, subsequent annexations of such an area.
 - b. The proposed annexation will not create any disconnected municipal satellites.
 - c. A community of interest exists between the Property and the Town.
 - d. The Property is urban or will be urbanized in the near future, and said area is integrated or is capable of being integrated with the Town.

e. No land held in identical ownership, whether consisting of 1 tract or parcel of real estate or 2 or more contiguous tracts or parcels of real estate:

i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.

ii. Comprising 20 acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars \$200,000 for *ad valorem* tax purposes for the year next preceding the annexation is included within the Property without the written consent of the landowner(s).

f. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the Property.

g. The annexation of the Property will not result in the detachment of area from any school district and the attachment of same to another school district.

h. The annexation of the Property will not have the effect of extending the boundary of the Town more than 3 miles in any direction from any point of the Town's boundary in any one year.

i. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the Property.

j. Reasonable access will not be denied to landowners, owners of easements or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town.

3. That attached hereto and incorporated herein by reference are 4 prints of the annexation map, containing the following information:

a. A written legal description of the boundaries of the Property.



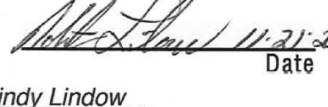
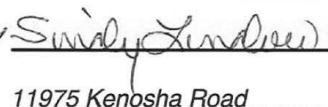

b. A map showing the boundary of the Property.

c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land, and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.

d. Next to the boundary of the Property, a drawing of the contiguous boundary of the Town and the contiguous boundary of any other municipality abutting the Property.

4. That Petitioners are the owners of more than 50% of the Property, exclusive of streets and alleys.
5. That Petitioners signed this Petition no more than 180 days prior to the date of the filing of this Petition.
6. That this Petition satisfies the requirements of Article II, § 30 of the Colorado Constitution in that it is signed by persons comprising more than 50% of the landowners of the Property who own more than 50% of the Property, excluding public streets and alleys and any land owned by the Town.
7. That no election has been held within the last 12 months for annexation of the Property to the Town.
8. That upon the effective date of the ordinance annexing the Property to the Town, the entire Property shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next year following passage of the annexation ordinance.
9. That, by the date that is 90 days after the effective date of the annexation ordinance, the Property shall be zoned by the Town as Agricultural Holding (AGH).

Therefore, the undersigned Petitioners respectfully request that the Board of Trustees approve the annexation of the Property to the Town.

<u>Signature</u>  <u>Date</u> 11-14-24	<u>Signature</u>  <u>Date</u> 11-14-24
<u>Robert & Traci Jensen</u> Name	<u>11964 Kenosha Road</u> Property Address
<u>**See Attached Exhibit A**</u> Legal Description of Property	<u>11964 Kenosha Road</u> Mailing Address
<u>Signature</u>  <u>Date</u> 11-21-24	<u>Signature</u>  <u>Date</u> 11-21-24
<u>Robert & Cindy Lindow</u> Name	<u>11975 Kenosha Road</u> Property Address
<u>**See Attached Exhibit A**</u> Legal Description of Property	<u>11975 Kenosha Road</u> Mailing Address
<u>Signature 3:</u> 	
<u>Michael & Jana Nickle</u> Name	<u>7/1/24</u> Date
	<u>5075 N 119th Street</u> Property Address

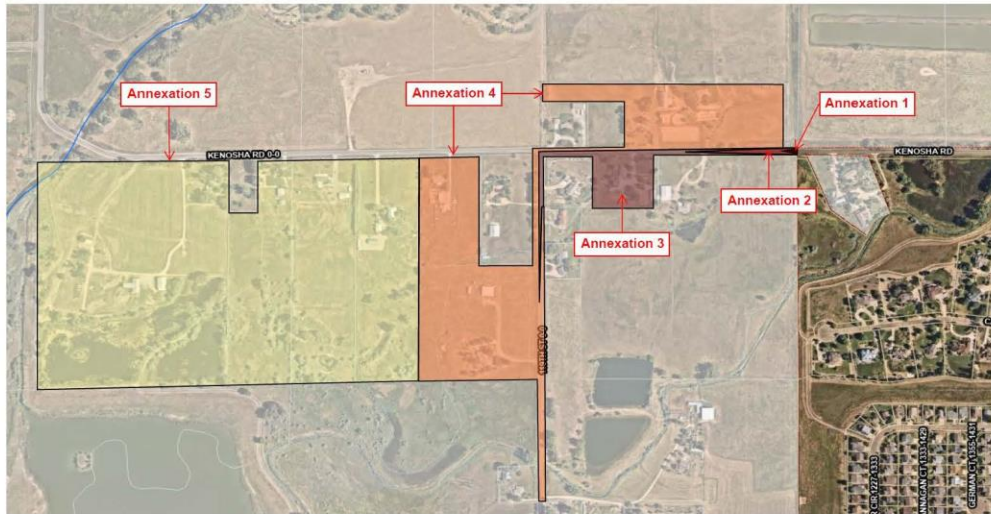
Legal Description of Property	
See Attached Exhibit A	5075 N 119th Street Mailing Address
Signature <u>Douglas Spurgin</u> 6/24/24 Date	Signature <u>Kathleen Spurgin</u> 6/24/24 Date
Douglas & Kathleen Spurgin Name	11818 Kenosha Road Property Address
See Attached Exhibit A	11818 Kenosha Road
Legal Description of Property	Mailing Address
Signature <u>Kendra Carberry & Chris Davidson</u> Date	Signature <u>[Signature]</u> Date
Kendra Carberry & Chris Davidson Name	11780 Kenosha Road Property Address
See Attached Exhibit A	11780 Kenosha Road
Legal Description of Property	Mailing Address
Signature <u>Adam & Megan Micheli</u> 11/21/2024 Date	Signature <u>Elaine Breslin</u> 11/21/2024 Date
Adam & Megan Micheli; & Elaine Breslin Name	11724 Kenosha Road Property Address
See Attached Exhibit A	11724 Kenosha Road
Legal Description of Property	Mailing Address
Signature <u>Tyler & Annie Tatro</u> 12/2/24 Date	Signature <u>[Signature]</u> 12.2.24 Date
Tyler & Annie Tatro Name	11692 Kenosha Road Property Address
See Attached Exhibit A	11692 Kenosha Road
Legal Description of Property	Mailing Address
Signature <u>Gregory & Lisa Langer</u> 11/25/24 Date	Signature <u>[Signature]</u> 11/25/24 Date
Gregory & Lisa Langer Name	11638 Kenosha Road Property Address
See Attached Exhibit A	11638 Kenosha Road
Legal Description of Property	Mailing Address

Exhibit A

The Town of Erie, Colorado (the "Town"), has received annexation petition(s) for approximately 86.65 acres of real property located in unincorporated Boulder County, owned by:

- Annexation 1
 - Boulder County (Right-of-Way)
- Annexation 2
 - Boulder County (Right-of-Way)
- Annexation 3
 - Boulder County (Right-of-Way)
 - Robert & Traci Jensen (11964 Kenosha Road)
- Annexation 4
 - Boulder County (Right-of-Way)
 - Robert Lindow (11975 Kenosha Road)
 - Michael & Jana Nickle (5075 N 119th Street)
 - Douglas & Kathleen Spurgin (11818 Kenosha Road)
- Annexation 5
 - Kendra Carberry & Chris Davidson (11780 Kenosha Road)
 - Adam & Megan Micheli (11724 Kenosha Road)
 - Tyler Wells & Annie Tatro (11692 Kenosha Road)
 - Gregory & Lisa Langer (11638 Kenosha Road)

The property is legally described on the following pages.



LEGAL DESCRIPTION
(11638 KENOSHA ROAD)

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AS MONUMENTED BY A NO. 5 REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 22579 AT THE NORTH SIXTEENTH CORNER OF SECTIONS 11 AND 12 OF SAID TOWNSHIP 1 NORTH, RANGE 69 WEST AND A NO. 6 REBAR WITH 2 INCH ALUMINUM CAP STAMPED PLS 23500 AT THE NORTH CENTER CORNER OF SAID SECTION 11 AND IS ASSUMED TO BEAR SOUTH 88°19'38" WEST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2952.40 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTH SIXTEENTH CORNER OF SAID SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST:

THENCE SOUTH 88°19'38" WEST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 1602.29 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°26'49" WEST A DISTANCE OF 1323.63 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE SOUTH 88°17'48" WEST ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 990.00 FEET TO THE NORTH-SOUTH CENTERLINE OF SAID SECTION 11;

THENCE ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11 NORTH 00°26'46" EAST A DISTANCE OF 1324.16 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 NORTH 88°19'38" EAST A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING.

TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO.

SAID PARCEL CONTAINING 1,309,745 SQUARE FEET OR 30.07 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS LEGAL DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

AARON ALVIN DEMO, PROFESSIONAL LAND SURVEYOR
COLORADO PLS NO. 38285
FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

BASELINE ENGINEERING CORP.
4862 INNOVATION DRIVE, SUITE 100
FORT COLLINS, COLORADO 80525
(970) 353-7600

LEGAL DESCRIPTION
(11692 KENOSHA ROAD)

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AS MONUMENTED BY A NO. 5 REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 22579 AT THE NORTH SIXTEENTH CORNER OF SECTIONS 11 AND 12 OF SAID TOWNSHIP 1 NORTH, RANGE 69 WEST AND A NO. 6 REBAR WITH 2 INCH ALUMINUM CAP STAMPED PLS 23500 AT THE NORTH CENTER CORNER OF SAID SECTION 11 AND IS ASSUMED TO BEAR SOUTH 88°19'38" WEST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2952.40 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTH SIXTEENTH CORNER OF SAID SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST:

THENCE SOUTH 88°19'38" WEST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 1272.29 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 00°26'50" WEST A DISTANCE OF 1323.45 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE SOUTH 88°17'48" WEST ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.00 FEET;

THENCE NORTH 00°26'50" EAST A DISTANCE OF 1011.63 FEET;

THENCE NORTH 88°19'38" EAST A DISTANCE OF 140.00 FEET;

THENCE NORTH 00°26'46" EAST A DISTANCE OF 312.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE NORTH 88°19'38" EAST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 190.00 FEET TO THE **POINT OF BEGINNING**;

TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO.

SAID PARCEL CONTAINING 392,812 SQUARE FEET OR 9.02 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS LEGAL DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

AARON ALVIN DEMO, PROFESSIONAL LAND SURVEYOR
COLORADO PLS NO. 38285
FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

BASELINE ENGINEERING CORP.
4862 INNOVATION DRIVE, SUITE 100
FORT COLLINS, COLORADO 80525
(970) 353-7600

LEGAL DESCRIPTION
(11724 KENOSHA ROAD)

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AS MONUMENTED BY A NO. 5 REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 22579 AT THE NORTH SIXTEENTH CORNER OF SECTIONS 11 AND 12 OF SAID TOWNSHIP 1 NORTH, RANGE 69 WEST AND A NO. 6 REBAR WITH 2 INCH ALUMINUM CAP STAMPED PLS 23500 AT THE NORTH CENTER CORNER OF SAID SECTION 11 AND IS ASSUMED TO BEAR SOUTH 88°19'38" WEST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2952.40 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTH SIXTEENTH CORNER OF SAID SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST:

THENCE SOUTH 88°19'38" WEST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 942.29 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°26'51" WEST A DISTANCE OF 1323.28 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE SOUTH 88°17'48" WEST ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.00 FEET;

THENCE NORTH 00°26'50" EAST A DISTANCE OF 1323.45 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE NORTH 88°19'38" EAST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING;

TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO.

SAID PARCEL CONTAINING 436,407 SQUARE FEET OR 10.02 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS LEGAL DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

AARON ALVIN DEMO, PROFESSIONAL LAND SURVEYOR
COLORADO PLS NO. 38285
FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

BASELINE ENGINEERING CORP.
4862 INNOVATION DRIVE, SUITE 100
FORT COLLINS, COLORADO 80525
(970) 353-7600

LEGAL DESCRIPTION
(11780 KENOSHA ROAD)

A PARCEL OF LAND LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AS MONUMENTED BY A NO. 5 REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 22579 AT THE NORTH SIXTEENTH CORNER OF SECTIONS 11 AND 12 OF SAID TOWNSHIP 1 NORTH, RANGE 69 WEST AND A NO. 6 REBAR WITH 2 INCH ALUMINUM CAP STAMPED PLS 23500 AT THE NORTH CENTER CORNER OF SAID SECTION 11 AND IS ASSUMED TO BEAR SOUTH 88°19'38" WEST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2952.40 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTH SIXTEENTH CORNER OF SAID SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST:

THENCE SOUTH 88°19'38" WEST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 612.29 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°26'52" WEST A DISTANCE OF 1323.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE SOUTH 88°17'48" WEST ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.00 FEET;

THENCE NORTH 00°26'51" EAST A DISTANCE OF 1323.28 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE NORTH 88°19'38" EAST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING;

TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO.

SAID PARCEL CONTAINING 436,349 SQUARE FEET OR 10.02 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS LEGAL DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

AARON ALVIN DEMO, PROFESSIONAL LAND SURVEYOR
COLORADO PLS NO. 38285
FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

BASELINE ENGINEERING CORP.
4862 INNOVATION DRIVE, SUITE 100
FORT COLLINS, COLORADO 80525
(970) 353-7600

LEGAL DESCRIPTION
(11818 KENOSHA ROAD)

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AS MONUMENTED BY A NO. 5 REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 22579 AT THE NORTH SIXTEENTH CORNER OF SECTIONS 11 AND 12 OF SAID TOWNSHIP 1 NORTH, RANGE 69 WEST AND A NO. 6 REBAR WITH 2 INCH ALUMINUM CAP STAMPED PLS 23500 AT THE NORTH CENTER CORNER OF SAID SECTION 11 AND IS ASSUMED TO BEAR SOUTH 88°19'38" WEST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 2952.40 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTH SIXTEENTH CORNER OF SAID SECTION 11, TOWNSHIP 1 NORTH, RANGE 69 WEST:

THENCE SOUTH 88°19'38" WEST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 289.29 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°26'53" WEST A DISTANCE OF 661.46 FEET;

THENCE SOUTH 88°18'39" WEST A DISTANCE OF 330.00 FEET;

THENCE NORTH 00°26'52" EAST A DISTANCE OF 661.56 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11;

THENCE NORTH 88°19'38" EAST ON THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING;

TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO.

SAID PARCEL CONTAINING 218,148 SQUARE FEET OR 5.01 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS LEGAL DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

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FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

BASELINE ENGINEERING CORP.
4862 INNOVATION DRIVE, SUITE 100
FORT COLLINS, COLORADO 80525
(970) 353-7600

LEGAL DESCRIPTION
(11964 KENOSHA ROAD)

LOT 2, MCCONNELL TDR/PUD BEING A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AS MONUMENTED BY A NO. 5 REBAR WITH 2 INCH ALUMINUM CAP ILLEGIBLE AT THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 12 AND A NO. 5 REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 22579 AT THE NORTH SIXTEENTH CORNER OF SECTIONS 11 AND 12 OF SAID TOWNSHIP 1 NORTH, RANGE 69 WEST TO IS ASSUMED TO BEAR NORTH 89°50'02" WEST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 1332.05 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 12, TOWNSHIP 1 NORTH, RANGE 69 WEST:

THENCE SOUTH 89°50'02" EAST ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12 A DISTANCE OF 732.55 FEET;

THENCE SOUTH 00°29'17" EAST A DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 AND THE POINT OF BEGINNING;

THENCE ON THE EXTERIOR BOUNDARY OF LOT 2 OF SAID MCCONNELL TDR/PUD THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 00°29'17" EAST A DISTANCE OF 290.00 FEET;
2. NORTH 89°50'02" WEST A DISTANCE OF 314.09 FEET TO THE SOUTHERN CORNER COMMON WITH LOT 1 OF SAID MCCONNELL TDR/PUD;
3. NORTH 00°29'17" WEST ON THE COMMON LINE OF LOTS 1 AND 2 OF SAID MCCONNELL TDR/PUDA DISTANCE OF 290.00 FEET TO A POINT ON TRACT A OF SAID MCCONNELL TDR/PUD;
4. SOUTH 89°50'02" EAST ON THE COMMON LINE OF TRACT A AND LOT 2 OF SAID MCCONNELL TDR/PUD A DISTANCE OF 314.14 FEET TO THE POINT OF BEGINNING.

TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO.

SAID PARCEL CONTAINING 91,080 SQUARE FEET OR 2.09 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS LEGAL DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

AARON ALVIN DEMO, PROFESSIONAL LAND SURVEYOR
COLORADO PLS NO. 38285
FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

BASELINE ENGINEERING CORP.
4862 INNOVATION DRIVE, SUITE 100
FORT COLLINS, COLORADO 80525
(970) 353-7600

LEGAL DESCRIPTION

11975 (~~11995~~ KENOSHA ROAD)

UNPLATTED LANDS RECORDED AT RECEPTION NO. 01319993, BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEING THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AS MONUMENTED BY A NO. 5 REBAR WITH 2 INCH ALUMINUM CAP ILLEGIBLE AT THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 12 AND A NO. 5 REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 22579 AT THE NORTH SIXTEENTH CORNER OF SECTIONS 11 AND 12 OF SAID TOWNSHIP 1 NORTH, RANGE 69 WEST IS ASSUMED TO BEAR NORTH 89°50'02" WEST, BEING A GRID BEARING OF THE COLORADO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NORTH AMERICAN DATUM 1983/2007, A DISTANCE OF 1332.05 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 12, TOWNSHIP 1 NORTH, RANGE 69 WEST:

THENCE NORTH 89°50'02" WEST ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12 A DISTANCE OF 55.09 FEET TO THE POINT OF BEGINNING;

THENCE ON THE EXTERIOR BOUNDARY OF SAID UNPLATTED LANDS RECORDED AT RECEPTION NO. 01319993 THE FOLLOWING SIX (6) COURSES:

1. CONTINUING NORTH 89°50'02" WEST A DISTANCE OF 838.58 FEET;
2. NORTH 01°18'37" WEST A DISTANCE OF 280.07 FEET;
3. NORTH 89°50'02" WEST A DISTANCE OF 434.46 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12;
4. NORTH 00°29'17" WEST ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 12 A DISTANCE OF 113.47 FEET;
5. SOUTH 89°50'02" EAST A DISTANCE OF 1276.14 FEET;
6. SOUTH 00°36'26" EAST A DISTANCE OF 393.48 FEET TO THE POINT OF BEGINNING.

TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO.

SAID PARCEL CONTAINING 380,076 SQUARE FEET OR 8.73 ACRES MORE OR LESS.

SURVEYOR'S STATEMENT

I, AARON ALVIN DEMO, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY STATE THAT THIS LEGAL DESCRIPTION WAS PREPARED UNDER MY PERSONAL SUPERVISION AND CHECKING, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND IN MY PROFESSIONAL OPINION, AND THAT IT IS NOT A MONUMENTED LAND SURVEY.

AARON ALVIN DEMO, PROFESSIONAL LAND SURVEYOR
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FOR AND ON BEHALF OF BASELINE ENGINEERING CORP.

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