

TO: THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

RE: PETITION FOR ANNEXATION

DATE: APRIL 15, 2020

The undersigned landowner ("Petitioner"), in accordance with it's the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Statutes ("Act"), as amended and as in effect on the submission date set forth below, hereby petitions the Board of Trustees of the Town of Erie for annexation to the Town of Erie ("Town") of the following unincorporated territory located in the County of Boulder and State of Colorado, the property being more particularly described by its legal description in "Exhibit A," which is attached hereto and incorporated herein by reference ("Property").

In support of this petition for annexation ("Petition"), Petitioner further alleges to the Board of Trustees of the Town that:

1. It is desirable and necessary that the territory described above be annexed to the Town.
2. The requirements of C.R.S. §§ 31-12-104 and 31-12-105, as amended, exist or have been met in that:
 - a) Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town or will be contiguous with the Town within such time as required by C.R.S. § 31-12-104.
 - b) A community of interest exists between the area proposed to be annexed and the Town.
 - c) The area proposed to be annexed is urban or will be urbanized in the near future.
 - d) The area proposed to be annexed is integrated with or is capable of being integrated with the Town.
 - e) No land within the boundary of the territory proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road or other public way.
 - f) No land within the boundary of the area proposed to be annexed which is held in identical ownership, comprises twenty (20) acres or more, and which, together with the buildings and improvements situated thereon has an assessed value in excess of two hundred thousand dollars

(\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.

- g) The Property is not presently a part of any incorporated city, city and county, or town; nor have any proceedings been commenced for incorporation or annexation in an area that is part or all of the Property; nor has any election for annexation of the Property or substantially the same territory to the Town been held within the twelve (12) months immediately preceding the filing of this Petition.
 - h) The annexation of the territory proposed to be annexed will not result in the detachment of area from any school district or attachment of same to another school district.
 - i) Except to the extent necessary to avoid dividing parcels within the Property held in identical ownership, at least fifty percent (50%) of which are within the three-mile limit, the proposed annexation will not extend the municipal boundary of the Town more than three (3) miles in any direction from any point of the current municipal boundary in any one year.
 - j) Prior to completion of the annexation of the territory proposed to be annexed, the Town will have in place a plan for that area, which generally describes the proposed: Location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the Town; and the proposed land uses for the area; such plan to be updated at least once annually.
 - k) In establishing the boundary of the territory proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the territory to be annexed.
 - l) The Town will not deny reasonable access to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed to the Town but is not bounded on both sides by the Town.
3. Petitioner comprise more than fifty percent (50%) of the landowners in the Property owning more than fifty percent (50%) of the Property, excluding public streets, alleys and any land owned by the annexing municipality, and the Petitioner hereby consents to the establishment of the boundaries of the Property as shown in the annexation maps submitted herewith. The legal description of the land owned by the Petitioner is set forth in "Exhibit B," attached hereto and incorporated herein by reference.
4. Accompanying this Petition are four (4) copies of an annexation map (LAFFERTY FARM Annexation Map) containing the following information:
- a) A written legal description of the boundaries of the area proposed to be annexed;
 - b) A map showing the boundary or the area proposed to be annexed, said map prepared and containing the seal of a registered engineer;

- c) Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;
 - d) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town and the contiguous boundary of any other municipality abutting the area proposed to be annexed, and a showing of the dimensions of such contiguous boundaries.
5. The affidavit of the circulator of this Petition certifying that the signature on this Petition is the signature of each person whose name it purports to be certifying the accuracy of the date of such signatures is attached hereto as "Exhibit C" and is incorporated herein by this reference.
 6. The proposed annexation of the Property complies with § 30(1)(b) of Article II of the Colorado Constitution.
 7. Upon the annexation ordinance becoming effective, the Property proposed to be annexed will become subject to all ordinances, rules and regulations of the Town, except for general property taxes of the Town which shall become effective as the January 1 next ensuing following the adoption of the annexation ordinance.
 8. This Petition is conditioned upon the zoning classification for the area proposed to be annexed being approved as Low Density Residential (LR) and approval by the Petitioner of an annexation agreement acceptable to the Petitioner and the Town.

WHEREFORE, the following Petitioner respectfully requests that the Town, acting through its Board of Trustees, approve the annexation of the Property pursuant to the provisions of the Act.

Respectfully submitted this 22nd day of April 2020. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

OWNER(s):

Keith B. Lafferty  date: 4-22-20

Nicole L. Lafferty  date: 4-22-2020

Vicki L. Newman  date: 4-22-20

Mailing Address of Owner(s):
12166 Jay Road
Erie CO 80516

Residents of the Property: YES

STATE OF COLORADO)
COUNTY OF Weld) ss.

The foregoing instrument was acknowledged before me this 22 day of April, 2020 by Keith B. Lafferty

My commission expires: 06/22/2022
Witness My hand and official seal

CAILEY MELISSA ANGELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184026210
MY COMMISSION EXPIRES 06/22/2022

Cailey Angell
Notary Public

STATE OF COLORADO)
COUNTY OF Weld) ss.

The foregoing instrument was acknowledged before me this 22 day of April, 2020 by Nicole L. Lafferty

My commission expires: 06/22/2022
Witness My hand and official seal

CAILEY MELISSA ANGELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184026210
MY COMMISSION EXPIRES 06/22/2022

Cailey Angell
Notary Public

STATE OF COLORADO)
COUNTY OF Weld) ss.

The foregoing instrument was acknowledged before me this 22 day of April, 2020 by Vicki L. Newman

My commission expires: 06/22/2022
Witness My hand and official seal

CAILEY MELISSA ANGELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184026210
MY COMMISSION EXPIRES 06/22/2022

Cailey Angell
Notary Public

EXHIBIT A

LAFFERTY ANNEXATION TO THE TOWN OF ERIE
DESCRIPTION

A PARCEL IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS ARE BASED ON THE WEST LINE OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 13, SAID TO BEAR NORTH 00°04'38" WEST, A DISTANCE OF 1316.98 FEET, FROM THE SOUTHWEST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 13 MONUMENTED BY A 2" ALUMINUM CAP, 0.3' BELOW ASPHALT ROADWAY, STAMPED "A.M. HASCALL, 6TH PM, PLS 23500 1995, 16TH, R69W", DAMAGED TO THE NORTHWEST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 13 MONUMENTED BY A 2.5" ALUMINUM CAP, 0.4' DOWN IN A RANGE BOX WITH NO LID, TOP OF RANGE BOX IS 0.2' BELOW ASPHALT ROADWAY, STAMPED "CIVIL ARTS, T1N, 1/4, S14 | S13, R69W, 2016, PLS 25379"

COMMENCING (P.O.C.) AT SAID NORTHWEST CORNER OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 13; THENCE SOUTH 00°04'38" EAST ALONG SAID WEST LINE OF THE NW 1/4 OF THE SW 1/4 OF SAID SECTION 13, A DISTANCE OF 998.60 FEET; THENCE SOUTH 89°15'38" EAST, A DISTANCE OF 30.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF N 119TH STREET, ALSO BEING THE POINT OF BEGINNING (P.O.B.);

THENCE NORTH 00°04'38" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 22.60 FEET;

THENCE SOUTH 89°15'38" EAST, A DISTANCE OF 1290.12 FEET;

THENCE NORTH 00°04'38" WEST, A DISTANCE OF 949.29 FEET;

THENCE NORTH 89°42'02" EAST, A DISTANCE OF 528.59 FEET TO A POINT OF CURVE TO THE RIGHT, HAVING A RADIUS OF 2764.79 FEET AND A CENTRAL ANGLE OF 16°59'16", SUBTENDED BY A CHORD WHICH BEARS SOUTH 81°48'20" EAST, A DISTANCE OF 816.74 FEET;

THENCE EASTERLY ALONG THE ARC A DISTANCE OF 819.74 FEET TO THE EAST LINE OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 13, WHENCE THE CENTER CORNER OF SAID SECTION 13 BEARS NORTH 00°09'52" WEST, A DISTANCE OF 138.65 FEET;

THENCE SOUTH 00°09'52" EAST ALONG SAID EAST LINE, A DISTANCE 1182.60 FEET TO THE SOUTHEAST CORNER OF SAID NE 1/4 OF THE SW 1/4 OF SECTION 13;

THENCE NORTH 89°30'10" WEST ALONG THE SOUTH LINE OF SAID NE 1/4 OF THE SW 1/4 OF SECTION 13, A DISTANCE OF 1329.43 FEET TO THE SOUTHWEST CORNER OF SAID NE 1/4 OF THE SW 1/4 OF SECTION 13;

THENCE NORTH 89°30'20" WEST ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE SW 1/4 OF SECTION 13, A DISTANCE OF 9.39 FEET;

THENCE NORTH 00°04'38" WEST, A DISTANCE OF 312.74 FEET;

THENCE NORTH 89°15'38" WEST, A DISTANCE OF 1290.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL DESCRIPTION CONTAINS 1,727,789 SQUARE FEET (39.665 ACRES), MORE OR LESS.

COUNTY OF BOULDER,
STATE OF COLORADO.

I HEREBY CERTIFY THAT THE ABOVE PARCEL DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION.

ERIC D. CARSON, PLS

PREPARED FOR AND ON BEHALF OF
CWC CONSULTING GROUP INC.
9360 TEDDY LANE, SUITE #203
LONE TREE, COLORADO 80124
PHONE: (303) 395-2700

EXHIBIT B

Land Owned By Petitioner

LAFFERTY ANNEXATION TO THE TOWN OF ERIE
DESCRIPTION

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CWC CONSULTING GROUP INC.
9360 TEDDY LANE, SUITE #203
LONE TREE, COLORADO 80124
PHONE: (303) 395-2700

EXHIBIT C

Affidavit of Circulator

STATE OF COLORADO)
COUNTY OF Weld) ss.

Roger G Hollard, being first duly sworn upon oath, deposes and says that he was the circulator of this Petition for Annexation of lands to the Town of Erie, Colorado, consisting of seven (7) pages including this page and that each signature hereon was witnessed by your affiant and is the signature of the person whose name it purports to be.

CIRCULATOR

Roger G Hollard

STATE OF COLORADO)
COUNTY OF Weld) ss.

The foregoing instrument was acknowledged before me this 22 day of April, 2020 by Roger G Hollard.

My commission expires: 06/22/2022
Witness My hand and official seal.

Notary Public

CAILEY MELISSA ANGELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184026210
MY COMMISSION EXPIRES 06/22/2022