

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

RE: The Schmidt Property

DATE:

I, DARWIN HORAN, the undersigned landowner, in accordance with Colorado law, hereby petition the Town of Erie and its Board of Trustees for annexation to the Town of Erie of the following described unincorporated territory located in the County of Boulder and State of Colorado, to-wit:

See Attached Legal Description "Exhibit A"

As part of this petition, your petitioner further states to the Board of Trustees of Erie, Colorado, that:

1. It is desirable and necessary that the territory described above be annexed to the Town of Erie.
2. The requirements of C.R.S. sections 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 of Erie or will be contiguous with the Town of Erie within such time as required by 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Erie.
 - 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 of Erie.
 - 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 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. No annexation proceedings have been commenced for any portion of the territory proposed to be annexed for the annexation of such territory to another municipality.
 - h. The annexation of the territory proposed to be annexed will not result in the detachment of area from any school district.
 - i. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the Town of Erie more than three miles in any direction from any point of the boundary of the Town of Erie in any one year.
 - j. Prior to completion of the annexation of the territory proposed to be annexed, the Town of Erie 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 of Erie; 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. The Town of Erie 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 of Erie but is not bounded on both sides by the Town of Erie.
3. The owners of more than fifty percent of the area proposed to be annexed, exclusive of dedicated streets and alleys, have signed this petition and hereby petition for annexation of such territory.
4. Accompanying this petition are four copies of an 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;

RECORD OF
LAND OWNERSHIP AND DATE SIGNED

Landowner/Petitioner
Mailing Address

Date Signed

Legal Description
of Land Owned

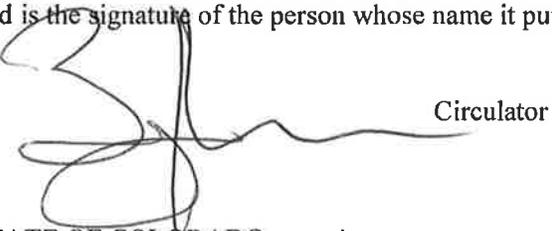
T1 RESIDENTIAL
C/O DARWIN HIRAN
4 INVERNESS CTE #300
ENGLEWOOD, CO 80112

See "Exhibit A"

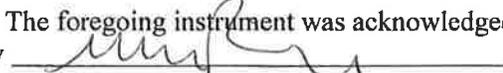
AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

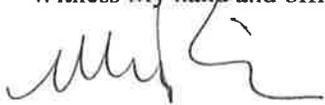
BYRON HORAN, being first duly sworn upon oath, deposes and says that he was the circulator of this Petition for Annexation of lands to the Town of Erie, Colorado, consisting of 6 pages including this page and that each signature hereon was witnessed by your affiant and is the signature of the person whose name it purports to be.


Circulator

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

¹⁶ The foregoing instrument was acknowledged before me this 9 day of August,
~~2018~~ by 

My commission expires: June 8, 2019
Witness My hand and official seal.


Notary Public

MICHELLE FINE
Notary Public
State of Colorado
Notary ID: 20154022527
My Commission Expires June 8, 2019

**“Exhibit A”
Legal Description**

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,
THENCE NORTH 00 DEGREES 10 MINUTES 48 SECONDS EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;
THENCE NORTH 89 DEGREES 24 MINUTES 12 SECONDS WEST, A DISTANCE OF 666.10 FEET;
THENCE NORTH 88 DEGREES 05 MINUTES 06 SECONDS WEST, A DISTANCE OF 258.00 FEET;
THENCE NORTH 2 DEGREES 11 MINUTES 05 SECONDS EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8" REPAIR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE NORTH 86 DEGREES 53 MINUTES 01 SECOND WEST, A DISTANCE OF 493.00 FEET;
THENCE NORTH 84 DEGREES 46 MINUTES 00 SECONDS WEST, A DISTANCE OF 929.46 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF 84 DEGREES 10 MINUTES 43 SECONDS, AN ARC DISTANCE OF 440.76 FEET, (CHORD BEARS NORTH 42 DEGREES 40 MINUTES 38 SECONDS WEST, A DISTANCE OF 402.17 FEET) TO A POINT OF TANGENT;
THENCE NORTH 00 DEGREES 35 MINUTES 17 SECONDS WEST, A DISTANCE OF 708.07 FEET;
THENCE NORTH 00 DEGREES 07 MINUTES 43 SECONDS EAST, A DISTANCE OF 156.84 FEET;
THENCE NORTH 89 DEGREES 54 MINUTES 17 SECONDS WEST, A DISTANCE OF 40.13 FEET TO A POINT ON THE WEST LINE OF THE SAID NORTHEAST QUARTER OF SECTION 13 FROM WHENCE THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION BEARS SOUTH 00 DEGREES 07 MINUTES 34 SECONDS WEST, A DISTANCE OF 65.45 FEET;
THENCE NORTH 00 DEGREES 07 MINUTES 34 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 1264.78 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 13, EVIDENCED BY A 4" BRASS CAP SET IN CONCRETE, PLS 13446;
THENCE NORTH 89 DEGREES 08 MINUTES 12 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 1789.05 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH;
THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING FIVE COURSES:

1. SOUTH 05 DEGREES 18 MINUTES 53 SECONDS WEST, A DISTANCE OF 85.95 FEET;
2. SOUTH 09 DEGREES 21 MINUTES 45 SECONDS WEST, A DISTANCE OF 18.85 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 171.00 FEET AND A CENTRAL ANGLE OF 71 DEGREES 01 MINUTE 12 SECONDS, AN ARC DISTANCE OF 211.96

FEET; (CHORD BEARS SOUTH 44 DEGREES 52 MINUTES 21 SECONDS WEST, A DISTANCE OF 198.65 FEET) TO A POINT OF TANGENT;

4. SOUTH 80 DEGREES 22 MINUTES 57 SECONDS WEST, A DISTANCE OF 39.94 FEET;

5. SOUTH 84 DEGREES 33 MINUTES 07 SECONDS WEST, A DISTANCE OF 110.15 FEET TO A POINT ON THE NORTH LINE OF AN EASEMENT FOR THE LOWER BOULDER IRRIGATION CANAL, AS RECORDED AT BOOK 986, PAGES 266 AND 269, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE NORTH LINE OF SAID EASEMENT THE FOLLOWING TWO COURSES:

1. NORTH 76 DEGREES 17 MINUTES 21 SECONDS WEST, A DISTANCE OF 116.57 FEET;

2. SOUTH 67 DEGREES 06 MINUTES 39 SECONDS WEST, A DISTANCE OF 46.92 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE SOUTH 00 DEGREES 09 MINUTES 11 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 846.84 FEET TO A POINT, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716;

THENCE NORTH 89 DEGREES 29 MINUTES 13 SECONDS EAST, A DISTANCE OF 104.55 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 16 SECONDS WEST, A DISTANCE OF 17.93 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH;

THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING NINE COURSES:

1. SOUTH 87 DEGREES 53 MINUTES 01 SECOND EAST, A DISTANCE OF 96.53 FEET;

2. SOUTH 54 DEGREES 47 MINUTES 37 SECONDS EAST, A DISTANCE OF 37.79 FEET;

3. SOUTH 35 DEGREES 58 MINUTES 27 SECONDS EAST, A DISTANCE OF 46.95 FEET;

4. SOUTH 30 DEGREES 22 MINUTES 26 SECONDS EAST, A DISTANCE OF 187.12 FEET;

5. SOUTH 27 DEGREES 11 MINUTES 53 SECONDS EAST, A DISTANCE OF 237.04 FEET;

6. SOUTH 20 DEGREES 56 MINUTES 33 SECONDS EAST, A DISTANCE OF 133.69 FEET;

7. SOUTH 08 DEGREES 05 MINUTES 21 SECONDS EAST, A DISTANCE OF 67.96 FEET;

8. SOUTH 01 DEGREES 39 MINUTES 24 SECONDS EAST, A DISTANCE OF 209.10 FEET;

9. SOUTH 00 DEGREES 14 MINUTES 08 SECONDS WEST, A DISTANCE OF 273.40 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;

THENCE NORTH 89 DEGREES 36 MINUTES 22 SECONDS WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8" REBAR AND ALUMINUM CAP, PLS 4846;

THENCE SOUTH 00 DEGREES 14 MINUTES 06 SECONDS WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;

THENCE NORTH 73 DEGREES 58 MINUTES 04 SECONDS WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;

THENCE SOUTH 02 DEGREES 13 MINUTES 11 SECONDS WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.

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

RE: 12587 JAY ROAD, ERIE, CO 80516

DATE: JANUARY 23, 2015

I, Delilah P. Morrison, as Personal Representative of the Estate of Sue Owen Schmidt, the undersigned landowner, in accordance with Colorado law, hereby petitions, under the application of T.I. Residential, L.L.C., the Town of Erie and its Board of Trustees for annexation to the Town of Erie of the following described unincorporated territory located in the County of Boulder and State of Colorado, to-wit:

See Attached Legal Description "Exhibit A"

As part of the petition, the undersigned further states to the Board of Trustees of Erie, Colorado, that:

1. It is desirable and necessary that the territory described above be annexed to the Town of Erie.
2. To the best knowledge of the undersigned, the requirements of C.R.S. sections 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 of Erie or will be contiguous with the Town of Erie within such time as required by 31-12-104.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Erie.
 - 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 of Erie.
 - 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 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. No annexation proceedings have been commenced for any portion of the territory proposed to be annexed for the annexation of such territory to another municipality.
 - h. The annexation of the territory proposed to be annexed will not result in the detachment of area from any school district.
 - i. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the Town of Erie more than three miles in any direction from any point of the boundary of the Town of Erie in any one year.
 - j. Prior to completion of the annexation of the territory proposed to be annexed, the Town of Erie 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 of Erie; 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. The Town of Erie 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 of Erie but is not bounded on both sides by the Town of Erie.
3. The owners of more than fifty percent of the area proposed to be annexed, exclusive of dedicated streets and alleys, have signed this petition and hereby petition for annexation of such territory.
4. Accompanying this petition are four copies of an 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;

RECORD OF
LAND OWNERSHIP AND DATE SIGNED

Landowner/Petitioner
Mailing Address

Date Signed

Legal Description
of Land Owned

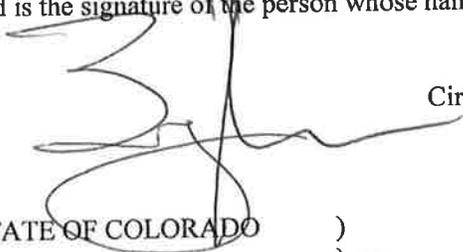
Estate of Sue Owen Schmidt
c/o Delilah P. Morrison, Personal Representative
7659 S. Platte Canyon Drive
Littleton, CO 80128-6492

See "Exhibit A"

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

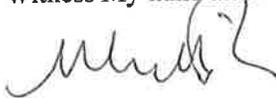
BRYAN HORAN, being first duly sworn upon oath, deposes and says that he was the circulator of this Petition for Annexation of lands to the Town of Erie, Colorado, consisting of 6 pages including this page and that each signature hereon was witnessed by your affiant and is the signature of the person whose name it purports to be.

 Circulator

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

¹⁶ The foregoing instrument was acknowledged before me this 9 day of August,
2010 by Michelle.

My commission expires: June 8, 2019
Witness My hand and official seal.

 Notary Public

MICHELLE FINE
Notary Public
State of Colorado
Notary ID: 20154022527
My Commission Expires June 8, 2019

EXHIBIT A
LEGAL DESCRIPTION
OWNER: ESTATE OF SUE OWEN SCHMIDT

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13,
THENCE NORTH 00° 10'48" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 116.80 FEET;
THENCE NORTH 89° 24'12" WEST, A DISTANCE OF 666.10 FEET;
THENCE NORTH 88° 05'06" WEST, A DISTANCE OF 258.00 FEET;
THENCE NORTH 2° 11'05" EAST, A DISTANCE OF 23.32 FEET TO A POINT ON THE APPARENT NORTH RIGHT OF WAY LINE OF JAY ROAD, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;
THENCE ALONG THE NORTH RIGHT OF WAY LINE OF JAY ROAD, NORTH 86° 53'01" WEST, A DISTANCE OF 400.00 FEET;
THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 03° 06'59" EAST, A DISTANCE OF 100.00 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 26° 20'43", AN ARC DISTANCE OF 241.40 FEET (CHORD BEARS NORTH 16° 17'21" EAST, A DISTANCE OF 239.28 FEET) TO A POINT OF COMPOUND CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 65° 46'18", AN ARC DISTANCE OF 22.96 FEET (CHORD BEARS NORTH 62° 20'51" EAST, A DISTANCE OF 21.72 FEET);
THENCE SOUTH 84° 46'00" EAST, A DISTANCE OF 128.96 FEET TO A POINT OF CURVE;
THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 82° 34'31", AN ARC DISTANCE OF 72.06 FEET (CHORD BEARS NORTH 53° 56'45" EAST, A DISTANCE OF 65.98 FEET);
THENCE SOUTH 87° 31'40" EAST, A DISTANCE OF 246.29 FEET;
THENCE SOUTH 00° 14'08" WEST, A DISTANCE OF 94.50 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND RECORDED AT RECEPTION NO. 2484649, BOULDER COUNTY CLERK AND RECORDER'S OFFICE;
THENCE NORTH 89° 36'22" WEST, A DISTANCE OF 0.66 FEET TO THE NORTHWEST CORNER OF SAID PARCEL, EVIDENCED BY A 5/8" REBAR AND ALUMINUM CAP, PLS 4846;
THENCE SOUTH 00° 14'06" WEST ALONG THE MOST WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 75.50 FEET TO A POINT, EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE NORTH 73° 58'04" WEST, A DISTANCE OF 114.01 FEET TO A POINT, AS EVIDENCED BY A 1-1/2" ALUMINUM CAP SET IN CONCRETE, PLS 2152;
THENCE SOUTH 02° 13'11" WEST, A DISTANCE OF 239.47 FEET TO THE TRUE POINT OF BEGINNING.