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

RE: PETITION FOR ANNEXATION

DATE:

The undersigned landowner ("Petitioner"), in accordance with it's the Municipal Annexation Act of 1965 as set forth in Article 12, Title31, 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.
- 1) 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 the two annexation maps (Lombardi St

#1 and Lombardi St. #2 Annexation Maps) containing the following information:

- 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.
- 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 Open space/low density residential and approval by the Petitioner of an annexation agreement acceptable to the Petitioner and the Town.

MIST.

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.

[Signature Page to Follow]

Respectfully submitted this Day of May 2019. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.
OWNER:
Name of Owner: Marjorie L. Jordan Trust By: Marjuries S. Jusdan Title: trustee Date of Signature: $g = 12 - 19$
Mailing Address:
867 Quintana Lane
Erie Colorado 80516
Resident of the Property: NO
STATE OF COLORADO)) ss. COUNTY OF BOULDER)
The foregoing instrument was acknowledged before me this 12 day of <u>August</u> , 2019 by Marjorie L. Jordan, trustee of the Marjorie L. Jordan Trust
My commission expires: 5/19/2022
Witness My hand and official scal. Notary Public State of Colorado Notary ID # 19944007508 Notary Public My Commission Expires 05-19-2022

EXHIBIT A

Legal Description of Property to be Annexed

NORTH ANNEX (LARGER OF THE TWO)

A PARCEL OF LAND LOCATED IN NORTHWEST QUARTER OF SECTION 13, TOWNSHIP I NORTH, RANGE 69 WEST 6TH P.M. COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13, BEING CONSIDERED TO BEAR SOUTH 89°08'12" EAST, A DISTANCE OF 1333.02 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

-NORTH QUARTER CORNER SECTION 13, BEING A FOUND 4" BRASS CAP PLS 13446 PER MONUMENT RECORD FILED 2-13-1998.

-EAST SIXTEENTH CORNER SECTION 13 BEING A FOUND 3-1/4" ALUMINUM CAP PLS 25614 PER MONUMENT RECORD FILED 6-14-2012

BEGINNING AT SAID NORTH QUARTER CORNER;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13 SOUTH 00°07'34" WEST, A DISTANCE OF 561.91 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 435.00 FEET, A CENTRAL ANGLE OF 25°58'56", WHOSE CHORD BEARS NORTH 12°51'54" WEST A DISTANCE OF 195.58 FEET, FOR AN ARC DISTANCE OF 197.26 FEET;

THENCE NORTH 25°51'22" WEST, A DISTANCE OF 168.68 FEET;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 515.00 FEET, A CENTRAL ANGLE OF 25°34'08", WHOSE CHORD BEARS NORTH 13°04'18" WEST A DISTANCE OF 227.92 FEET, FOR AN ARC DISTANCE OF 229.82 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE ALONG SAID LINE SOUTH 89°08'07" EAST, A DISTANCE OF 169.91 FEET TO THE POINT OF BEGINNING.

CONTAINING 48,689 SQUARE FEET OR 1.118 ACRES, MORE OR LESS.

SOUTH ANNEX (SMALLER OF THE TWO)

A PARCEL OF LAND LOCATED IN NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 69 WEST 6TH P.M. COUNTY OF BOULDER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13, BEING CONSIDERED TO BEAR SOUTH 89°08'12" EAST, A DISTANCE OF 1333.02 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

-NORTH QUARTER CORNER SECTION 13, BEING A FOUND 4" BRASS CAP PLS 13446 PER MONUMENT RECORD FILED 2-13-1998.

-EAST SIXTEENTH CORNER SECTION 13 BEING A FOUND 3-1/4" ALUMINUM CAP PLS 25614 PER MONUMENT RECORD FILED 6-14-2012

COMMENCING AT SAID NORTH QUARTER CORNER;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13 SOUTH 00°07'34" WEST, A DISTANCE OF 1,165.94 FEET TO THE POINT OF BEGINNING:

THENCE CONTINUING ALONG SAID LINE SOUTH 00°07'34" WEST, A DISTANCE OF 98.84 FEET TO THE NORTHERLY RIGHT-OF-WAY OF JASPER ROAD;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY NORTH 89°55'10" WEST, A DISTANCE OF 73.37 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 78.00 FEET, A CENTRAL ANGLE OF 80°40'27", WHOSE CHORD BEARS NORTH 45°40'49" EAST A DISTANCE OF 100.98 FEET, FOR AN ARC DISTANCE OF 109.83 FEET;

THENCE ALONG A COMPOUND CURVE TO THE LEFT, HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 05°13'01", WHOSE CHORD BEARS NORTH 02°44'05" EAST A DISTANCE OF 28.22 FEET, FOR AN ARC DISTANCE OF 28.23 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,368 SQUARE FEET OR 0.031 ACRES, MORE OR LESS.

EXHIBIT B

Land Owned By Petitioner

A PARCEL OF LAND BEING A PORTION OF COUNTY ROAD BOOK B, PAGE 32, ALL OF THE LAND DESCRIBED IN RECEPTION NUMBER 3566775, ALL OF THE LAND DESCRIBED IN RECEPTION NUMBER 2622331, ALL OF THAT PARCEL DESCRIBED IN RECEPTION NUMBER 90603799, A PORTION OF THE LAND DESCRIBED IN RECEPTION NUMBER 03466895 ALL OF THE BOULDER COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP I NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT EAST QUARTER CORNER OF SAID SECTION 13;

THENCE NORTH 78°19'29" WEST, A DISTANCE OF 530.49 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89°03'44" WEST, A DISTANCE OF 146.94 FEET;

THENCE NORTH 88°40'57" WEST, A DISTANCE OF 257.83 FEET;

THENCE NORTH 86°53'01" WEST, A DISTANCE OF 494.38 FEET;

THENCE NORTH 84°46'00" WEST, A DISTANCE OF 930.87 FEET;

THENCE SOUTH 05°27'34" WEST, A DISTANCE OF 3.99 FEET;

THENCE NORTH 84°32'26" WEST, A DISTANCE OF 321.33 FEET;

THENCE NORTH 00°28'28" WEST, A DISTANCE OF 24.95 FEET;

THENCE SOUTH 84°39'05" EAST, A DISTANCE OF 2.60 FEET TO THE WEST LINE OF THE SOUTHWEST OUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE ALONG SAID WEST LINE NORTH 00°07'34" EAST, A DISTANCE OF 852.61 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 256.00 FEET, A CENTRAL ANGLE OF 90°00'02", WHOSE CHORD BEARS NORTH 44°52'39" WEST A DISTANCE OF 362.04 FEET, FOR AN ARC DISTANCE OF 402.13 FEET;

THENCE NORTH 00°05'43" EAST, A DISTANCE OF 40.34 FEET;

THENCE SOUTH 89°54'17" EAST, A DISTANCE OF 256.04 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE ALONG SAID WEST LINE NORTH 00°07'34" EAST, A DISTANCE OF 1,264.78 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 13;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13 SOUTH 89°08'12" EAST, A DISTANCE OF 1,789.05 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH:

THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING FIVE (5) COURSES AND DISTANCES;

- 1) THENCE SOUTH 05°18'53" WEST, A DISTANCE OF 85.95 FEET;
- 2) THENCE SOUTH 09°21'45" WEST, A DISTANCE OF 18.85 FEET;
- 3) THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 171.00 FEET, A CENTRAL ANGLE OF 71°01'12", WHOSE CHORD BEARS SOUTH 44°52'21" WEST A DISTANCE OF 198.65 FEET, FOR AN ARC DISTANCE OF 211.96 FEET;

- 4) THENCE SOUTH 80°22'57" WEST, A DISTANCE OF 39,94 FEET;
- 5) THENCE SOUTH 84°33'07" WEST, A DISTANCE OF 108.82 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 (2) COURSES AND DISTANCES:

- 1) THENCE NORTH 76°16'12" WEST, A DISTANCE OF 118.14 FEET;
- 2) THENCE SOUTH 67°07'48" WEST, A DISTANCE OF 46.69 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 13;

THENCE SOUTH 00°09'11" WEST, A DISTANCE OF 847.48 FEET TO A POINT, EVIDENCED BY A 5/8" REBAR AND PLASTIC CAP, PLS 6716;

THENCE NORTH 89°29'13" EAST, A DISTANCE OF 104.55 FEET;

THENCE SOUTH 00°09'16" WEST, A DISTANCE OF 17.93 FEET A POINT ON THE APPROXIMATE CENTERLINE OF AN IRRIGATION DITCH:

THENCE ALONG SAID DITCH CENTERLINE THE FOLLOWING NINE (9) COURSES AND DISTANCES:

- 1) THENCE SOUTH 87°53'01" EAST, A DISTANCE OF 96.53 FEET;
- 2) THENCE SOUTH 54°47'37" EAST, A DISTANCE OF 37.79 FEET;
- 3) THENCE SOUTH 35°58'27" EAST, A DISTANCE OF 46.95 FEET;
- 4) THENCE SOUTH 30°22'26" EAST, A DISTANCE OF 187.12 FEET;
- 5) THENCE SOUTH 27°11'53" EAST, A DISTANCE OF 237.04 FEET;
- 6) THENCE SOUTH 20°56'33" EAST, A DISTANCE OF 133.69 FEET;
- 7) THENCE SOUTH 08°05'21" EAST, A DISTANCE OF 67.96 FEET;
- 8) THENCE SOUTH 01°39'24" EAST, A DISTANCE OF 209.10 FEET:
- 9) THENCE SOUTH 00°14'08" 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°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, 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;

THENCE SOUTH 88°40'57" EAST, A DISTANCE OF 257.08 FEET;

THENCE SOUTH 89°03'44" EAST, A DISTANCE OF 146.43 FEET;

THENCE SOUTH 00°23'41" WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT C

Affidavit of Circulator

STATE OF COLORADO)	
COUNTY OF BOULDER) ss.	
that he was the circulator of this Petition for Anne consisting of Seventeal (11) pages including this by your affiant and is the signature of the person whose	page and that each signature hereon was witnessed
By:	Stutes Notice Trevery
STATE OF COLORADO) ss. county of Aropanoe)	
The foregoing instrument was acknowledged by Andrew Triestey. My commission expires: Witness My hand and official seal. Notary Public	ASHLEY WEISS Notary Public State of Colorado Notary ID # 20174020366 My Commission Expires 05-12-2021















