

**TOWN OF ERIE**

Community Development Department – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: Rex Ranch Filing 3 (Gilliland Tract)**PROJECT ADDRESS:** 2839 N. 119th Street, Lafayette, CO, 80026**PROJECT DESCRIPTION:** Annexation and Re-zoning of 3.76 acre tract in Boulder County**LEGAL DESCRIPTION** (attach legal description if Metes & Bounds)

Subdivision Name: See attached legal description

Filing #:

Lot #:

Block #:

Section:

Township:

Range:

OWNER (attach separate sheets if multiple)

Name/Company: Thaine Gilliland

Contact Person: Thaine Gilliland

Address: 2839 N. 119th Street

City/State/Zip: Lafayette, CO 80026

Phone: 303.909.7658

Fax:

E-mail: rtgill16@msn.com**AUTHORIZED REPRESENTATIVE**

Company/Firm: HT Flatiron LP

Contact Person: Chad Murphy or Dave Klebba

Address: 1515 Wynkoop, Suite 800

City/State/Zip: Denver, CO 80202

Phone: 720.932.0522

Fax:

E-mail: chad.murphy@hines.com / dave.klebba@hines.com**MINERAL RIGHTS OWNER** (attach separate sheets if multiple)

Name/Company: See attached

Address:

City/State/Zip:

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company: See attached

Address:

City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: Ag

Proposed Zoning: Residential

Gross Acreage: 3.76

Gross Site Density (du/ac): 2

Lots/Units Proposed: 7 or 8 depending on density allowance

Gross Floor Area: NA

SERVICE PROVIDERS

Electric:

Metro District: Will incorporate into Rex Ranch Metro District

Water (if other than Town):

Gas:

Fire District:

Sewer (if other than Town):

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		SUBDIVISION	
☐ Major (10+ acres)	\$ 4000.00	☐ Sketch Plan	\$ 1000.00 + 10.00 per lot
☒ Minor (less than 10 acres)	\$ 2000.00	☐ Preliminary Plat	\$ 2000.00 + 40.00 per lot
☐ Deannexation	\$ 1000.00	☐ Final Plat	\$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		☐ Minor Subdivision Plat	\$ 2000.00
☐ Major	\$ 3000.00	☐ Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
☐ Minor	\$ 1200.00	☐ Road Vacation (constructed)	\$ 1000.00
ZONING/REZONING		☐ Road Vacation (paper)	\$ 100.00
☒ Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
☐ PUD Rezoning	\$ 1700.00 + 10.00 per acre	☐ Residential	\$ 1400.00 + 10.00 per unit
☐ PUD Amendment	\$ 1700.00 + 10.00 per acre	☐ Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
☐ Major PD Amendment	\$ 3700.00 + 10.00 per acre	☐ Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
☐ Minor PD Amendment	\$ 500.00	☐ Non-Resi. (<2,000 sq. ft.)	\$ 200.00
SPECIAL REVIEW USE		☐ Amendment (major)	\$ 1100.00
☐ Major	\$ 1000.00	☐ Amendment (minor)	\$ 350.00
☐ Minor	\$ 400.00	VARIANCE	
☐ Oil & Gas	\$ 1200.00	\$ 600.00	
		SERVICE PLAN	
		\$ 10,000.00	

All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: _____

Date: 6/13/17

Owner: _____

Date: _____

Applicant: Cyph

Date: 6/14/17

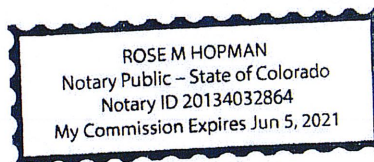
STATE OF COLORADO)

County of Boulder) ss.

The foregoing instrument was acknowledged before me this 13th day of June, 2017, by Thaine Grilliland.

My commission expires: June 5, 2021.

Witness my hand and official seal.



Rose M. Hopman
Notary Public

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, 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 (Rex Ranch Filing No. 3).

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 (Rex Ranch Filing

No. 3 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 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.

[Signature Page to Follow]

Respectfully submitted this 16th day of June, 2017. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

OWNER:

Name of Owner: ROBERT THOMAS GILLILAND

By: SAME

Title: OWNER

Date of Signature: 8/8/17

Mailing Address:

2839 N. 119th St.

LAKESIDE CO

8026

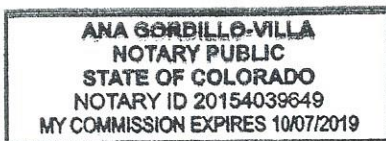
Resident of the Property: YES

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 08 day of August, 2017 by Robert T. Gilliland.

My commission expires: 10.07.2019

Witness My hand and official seal.



Notary Public

AGordillo

EXHIBIT A

Legal Description of Property to be Annexed

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26 AND CONSIDERING THE EAST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26 TO BEAR SOUTH 00°19'39" EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 00°19'39" EAST, ALONG THE EAST LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 446.43 FEET;
THENCE SOUTH 89°41'36" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET AS RECORDED IN BOOK 148 AT PAGE 135 AND A POINT ON THE TOWN OF ERIE TOWN LIMITS ACCORDING TO THE REX RANCH ANNEXATION MAP RECORDED AT RECEPTION NO. 2831557 OF THE RECORDS OF THE BOULDER COUNTY CLERK AND RECORDER, SAID POINT ALSO BEING THE

POINT OF BEGINNING;

THENCE ALONG SAID TOWN LIMITS THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 00°19'39" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 349.87 FEET;
 - 2) SOUTH 89°39'19" WEST A DISTANCE OF 467.58 FEET;
 - 3) NORTH 00°18'19" WEST A DISTANCE OF 350.18 FEET;
 - 4) NORTH 89°41'36" EAST A DISTANCE OF 467.45 FEET TO THE
- POINT OF BEGINNING;**

SAID PARCEL CONTAINS A CALCULATED AREA OF 163,641 SQUARE FEET, OR 3.76 ACRES, MORE OR LESS.

EXHIBIT B

Land Owned By Petitioner

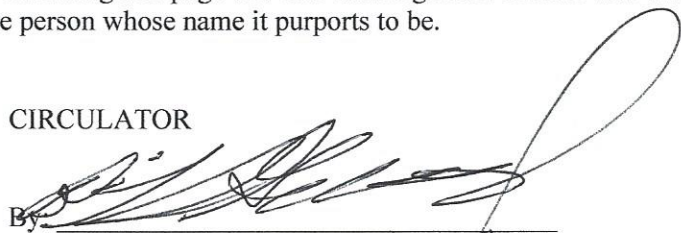
EXHIBIT C

Affidavit of Circulator

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

ROBERT THANE GILLILAND, 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 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

By 

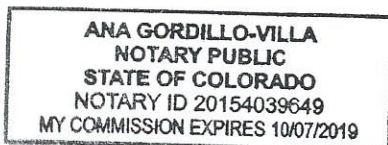
Name ROBERT THANE GILLILAND

STATE OF COLORADO)
) ss.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 08 day of August, 2017 by Robert T. Gilliland II.

My commission expires: 10.07.2019

Witness My hand and official seal.



Notary Public



REX RANCH ANNEXATION NO. 2 THE TOWN OF ERIE

A PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26,
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO
3.76 ACRES
AN-000906-2017

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 26 AND CONSIDERING THE EAST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26 TO BEAR SOUTH 00°19'39" EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 00°19'39" EAST, ALONG THE EAST LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 446.43 FEET;
THENCE SOUTH 89°41'36" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET AS RECORDED IN BOOK 148 AT PAGE 135 AND A POINT ON THE TOWN OF ERIE TOWN LIMITS ACCORDING TO THE REX RANCH ANNEXATION MAP RECORDED AT RECEPTION NO. 2831557 OF THE RECORDS OF THE BOULDER COUNTY CLERK AND RECORDER, SAID POINT ALSO BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID TOWN LIMITS THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 00°19'39" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 349.87 FEET;
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- 3) NORTH 00°18'19" WEST A DISTANCE OF 350.18 FEET;
- 4) NORTH 89°41'36" EAST A DISTANCE OF 467.45 FEET TO THE **POINT OF BEGINNING**;

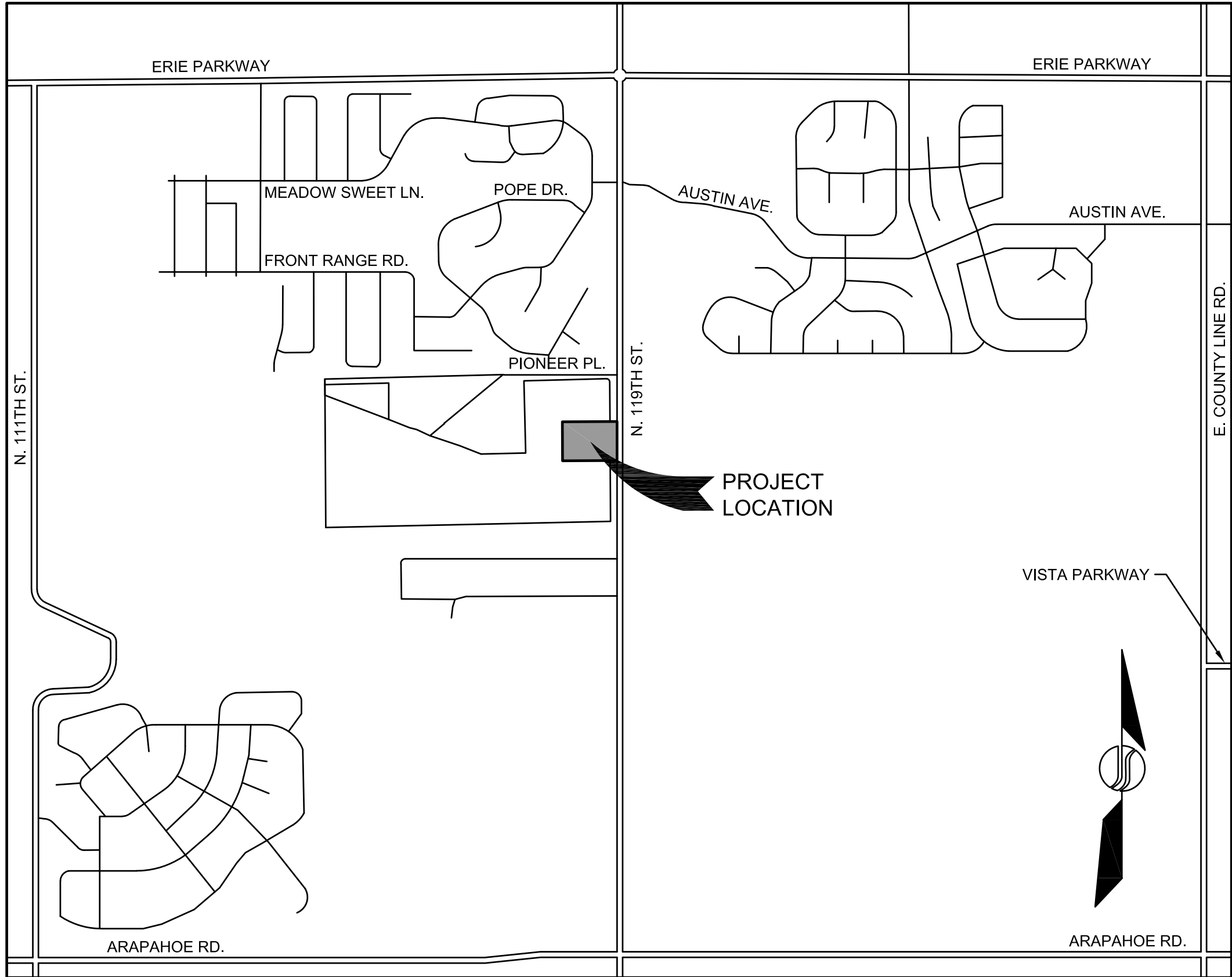
SAID PARCEL CONTAINS A CALCULATED AREA OF 163,641 SQUARE FEET, OR 3.76 ACRES, MORE OR LESS.

NOTES:

1. **BASIS OF BEARINGS:** THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN WAS ASSUMED TO BEAR SOUTH 00°19'39" EAST AND IS MONUMENTED AS SHOWN HEREON.
2. **NOTICE:** ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
3. THIS MAP WAS PREPARED WITHOUT BENEFIT OF A CURRENT TITLE COMMITMENT AND DOES NOT CONSTITUTE A TITLE SEARCH BY JANSEN STRAWN CONSULTING ENGINEERS TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF PUBLIC RECORD.
4. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT. THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY DEFINES THE U.S. SURVEY FOOT AS 1200/3937 METERS.

CONTIGUOUS SUMMARY TABLE

TOTAL PERIMETER:	1,635.07 FEET
CONTIGUOUS PERIMETER TO PRESENT ERIE TOWN LIMITS:	1,635.07 FEET
PERCENT CONTIGUOUS (STATE LAW REQUIRES A MINIMUM 1/6 (16.66%) CONTIGUITY WITH EXISTING TOWN BOUNDARY):	100%
1/6 PERIMETER:	272.51 FEET
TOTAL AREA ANNEXED	3.76 ACRES



VICINITY MAP

SCALE 1"=1000'

SURVEYOR'S CERTIFICATE

I, THOMAS D. STAAB, A DULY LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED PARCEL OF LAND AND THAT AT LEAST ONE SIXTH (1/6") OF THE PERIPHERAL BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT BOUNDARY OF THE TOWN OF ERIE.

I ATTEST THE ABOVE ON THIS ____ DAY OF _____, 201__ A.D.

THOMAS D. STAAB,
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR #25965
FOR AND ON BEHALF OF
JANSEN STRAWN CONSULTING ENGINEERS, INC.

BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS ANNEXATION MAP IS TO BE KNOWN AS THE "REX RANCH FILING NO. 3 ANNEXATION MAP TO THE TOWN OF ERIE" AND IS APPROVED AND ACCEPTED BY ORDINANCE NO. _____ PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON _____, 201__.

MAYOR

ATTEST _____
TOWN CLERK

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO)
COUNTY OF _____) SS.

I HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS FILED IN MY OFFICE THIS ____ DAY OF _____, 201__ A.D. AND WAS RECORDED AT RECEPTION NUMBER _____.

SIGNATURE

COUNTY CLERK & RECORDER

ENGINEER / SURVEYOR



JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company
45 WEST 2ND AVENUE
DENVER, CO 80223
P.303.561.3333
F.303.561.3339

Scale: N/A			
Date: MAY 5, 2017			
Job No.: 17000			
Sheet	1	of	2
No.	Revisions	Date	By
Designed By:		Checked By:	

A PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26,
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
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JANSEN STRAWN
CONSULTING ENGINEERS
A WARE MALCOMB Company

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No.	Revisions	Date	By
Designed By:		Checked By:	