

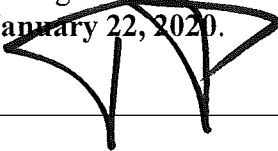
# AFFIDAVIT OF PUBLICATION

Colorado Hometown Weekly

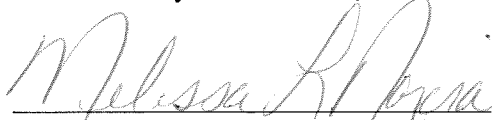
State of Colorado  
County of Boulder, County of Weld

I, the undersigned agent, do solemnly swear that the Colorado Hometown Weekly is a weekly newspaper published in the County of Boulder and County of Weld, State of Colorado, and has general circulation therein; that said newspaper has been published continuously and uninterrupted in said County of Boulder and County of Weld for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement' that said newspaper has been admitted to the United States mails as second-class matter under provisions of the Act of March 3, 1879, and amendments thereto; and that said newspaper is duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado;

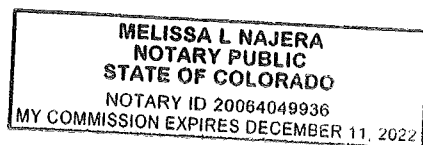
That the attached legal notice or advertisement was published in the regular and entire issue of the Colorado Hometown Weekly for a period of 5 advertisement(s) in said issue dated **December 25, 2019**, and that the final publication of said legal notice or advertisement was in the issue dated **January 22, 2020**.

  
Agent

Subscribed and sworn to before me, the 23rd day of **January, 2020** in the County of Boulder, State of Colorado.

  
Notary Public

Account #1051149  
Ad #1669267  
Fee \$308.89



## NOTICE OF PUBLIC HEARING BOARD OF TRUSTEES TOWN OF ERIE

NOTICE IS HEREBY GIVEN that on January 28, 2020, at 6:30 PM, or as soon as possible thereafter, in the Town Hall, 645 Hobrock, Erie, Colorado, or at such place and time as the hearing may be adjourned to, a PUBLIC HEARING, in accordance with C.R.S. § 31-12-103, will be held upon the following petition for annexation of certain real property to the Town of Erie for the purpose of determining and deciding whether the petition and the real property proposed to be annexed comply with the applicable requirements of the Colorado Constitution Article II, Section 30 and C.R.S. § 31-12-101, et seq., and is eligible for annexation.

A copy of the resolution of intent titled A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 150.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION is included with this Notice.

The Petition for Annexation is on file with the Town of Erie.

Any person may appear at the Public Hearing and present evidence upon any matter to be determined by the Board of Trustees.

/s/ Jessica Kooris  
Town Clerk

FOR QUESTIONS OR COMMENTS, CONTACT  
TOWN OF ERIE  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 150  
ERIE, COLORADO 80516-0150  
PHONE: (303) 926-2770  
FAX: (303) 926-2766

## TOWN OF ERIE RESOLUTION NO. 172-2019

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 150.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION

WHEREAS, Erie Land Company, LLC, owner of unincorporated territory comprising more than 50% of the area proposed for annexation pursuant to C.R.S. § 31-12-107 ("Petitioner"), has filed a petition for annexation (the "Petition") of certain unincorporated land to the Town, which land is more particularly described in Exhibit A, attached to the Petition;

WHEREAS, the Petition was submitted to the Town on October 16, 2018, and updated on October 11, 2019, and has been part of continuous discussions and negotiations between Petitioner and the Town regarding a complex annexation and development agreement for the property to be annexed in conjunction with development of other property already within the Town's boundaries;

WHEREAS, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if appropriate, and establish a date, time and place that the Board of Trustees will hold a public hearing to consider the annexation and the applicable requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, et seq.; and

WHEREAS, the Board of Trustees, at its regular meeting on December 10, 2019, reviewed the Petition and various documents submitted in support of the Petition.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:

Section 1. The Petition is hereby accepted and found to be substantially in compliance with the petition requirements set forth under the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, et seq.

Section 2. A public hearing is scheduled for Tuesday, January 28, 2020, at 6:30 PM, at the Erie Town Hall, 645 Hobrock Street, Erie, Colorado 80516, to determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, et seq., and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any resident of a municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Weld County may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

ADOPTED this 18th day of December 2019.

ATTEST:

  
Joanne Salter, Deputy Town Clerk

Published Colorado Hometown Weekly  
December 25, 2019, January 1, 8, 15, 2020 - 1669267



NOTICE OF PUBLIC HEARING  
BOARD OF TRUSTEES  
TOWN OF ERIE

NOTICE IS HEREBY GIVEN that on January 28, 2020, at 6:30 PM, or as soon as possible thereafter, in the Town Hall, 645 Holbrook, Erie, Colorado, or at such place and time as the hearing may be adjourned to, a PUBLIC HEARING, in accordance with C.R.S. § 31-12-108, will be held upon the following petition for annexation of certain real property to the Town of Erie for the purpose of determining and finding whether the petition and the real property proposed to be annexed comply with the applicable requirements of the Colorado Constitution Article II Section 30 and C.R.S. § 31-12-101, *et seq.*, and is eligible for annexation.

A copy of the resolution of Intent titled A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 160.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION is included with this Notice.

The Petition for Annexation is on file with the Town of Erie.

Any person may appear at the Public Hearing and present evidence upon any matter to be determined by the Board of Trustees.

/s/ Jessica Koenig  
Town Clerk

FOR QUESTIONS OR COMMENTS, CONTACT  
TOWN OF ERIE  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 750  
ERIE, COLORADO 80518-0750  
PHONE: (303) 926-2770  
FAX: (303) 926-2708

TOWN OF ERIE  
RESOLUTION NO. 172-2019

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 160.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION

WHEREAS, Erie Land Company, LLC, owner of unincorporated territory comprising more than 60% of the area proposed for annexation pursuant to C.R.S. § 31-12-107 ("Petitioner"), has filed a petition for annexation (the "Petition") of certain unincorporated land to the Town, which land is more particularly described in Exhibit A, attached to the Petition;

WHEREAS, the Petition was submitted to the Town on October 16, 2018, and updated on October 11, 2019, and has been part of continuous discussions and negotiations between Petitioner and the Town regarding a complex annexation and development agreement for the property to be annexed in conjunction with development of other property already within the Town's boundaries;

WHEREAS, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if complete, and establish a date, time and place that the Board of Trustees will hold a public hearing to consider the annexation and the applicable requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*; and

WHEREAS, the Board of Trustees, at its regular meeting on December 10, 2019, reviewed the Petition and various documents submitted in support of the Petition.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:

Section 1. The Petition is hereby accepted and found to be substantially in compliance with the petition requirements set forth under the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*

Section 2. A public hearing is scheduled for Tuesday, January 28, 2020, at 6:30 PM, at the Erie Town Hall, 645 Holbrook Street, Erie, Colorado 80518, to determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any resident of a municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Weld County may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

ADOPTED this 10th day of December 2019.

ATTEST:

Joanne Saiser  
Joanne Saiser, Deputy Town Clerk



Jennifer Carroll  
Jennifer Carroll, Mayor

TOWN OF ERIE  
RESOLUTION NO. ~~172~~ 2019

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 150.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION**

**WHEREAS**, Erie Land Company, LLC, owner of unincorporated territory comprising more than 50% of the area proposed for annexation pursuant to C.R.S. § 31-12-107 ("Petitioner"), has filed a petition for annexation (the "Petition") of certain unincorporated land to the Town, which land is more particularly described in **Exhibit A**, attached to the Petition;

**WHEREAS**, the Petition was submitted to the Town on October 16, 2018, and updated on October 11, 2019, and has been part of continuous discussions and negotiations between Petitioner and the Town regarding a complex annexation and development agreement for the property to be annexed in conjunction with development of other property already within the Town's boundaries;

**WHEREAS**, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if complete, and establish a date, time and place that the Board of Trustees will hold a public hearing to consider the annexation and the applicable requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*; and

**WHEREAS**, the Board of Trustees, at its regular meeting on December 10, 2019, reviewed the Petition and various documents submitted in support of the Petition.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:**

Section 1. The Petition is hereby accepted and found to be substantially in compliance with the petition requirements set forth under the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*

Section 2. A public hearing is scheduled for Tuesday, January 28, 2020, at 6:30 p.m., at the Erie Town Hall, 645 Holbrook Street, Erie, Colorado 80516, to determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any resident of a municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Weld County may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

ADOPTED this 10<sup>th</sup> day of December 2019.



*Jennifer Carroll*  
Jennifer Carroll, Mayor

ATTEST:

*Jessica Koenig*  
Jessica Koenig, Town Clerk

*Shanne Salser*  
Shanne Salser, Deputy town Clerk

## PETITION FOR ANNEXATION

### **TO THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO**

The undersigned ("**Petitioner**"), in accordance with the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Section 30(1)(b) of Articles II of the Constitution of the State of Colorado (the "**State Constitution**") and other applicable statutes and ordinances, as amended and as in effect on the submission date set forth below (the "**Annexation Act**") hereby petitions the Board of Trustees of the Town of Erie, Colorado (the "**Board**") to annex to the Town of Erie, Colorado (the "**Town**") certain unincorporated territory located in the County of Weld, State of Colorado, legally described on Exhibit A attached hereto and incorporated herein by this reference (the "**Property**"). In support of this Petition (this "**Petition**"), Petitioner alleges that:

1. It is desirable and necessary that the Property be annexed to the Town.
2. The requirements of Section 30(1)(b) of Article II of the State Constitution and Sections –104 and –105 of the Annexation Act exist or have been met.
3. Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the Town's current municipal boundaries.
4. A community of interest exists between the Property and the Town.
5. The Property is urban or will be urbanized in the near future.
6. The Property is integrated with or is capable of being integrated with the Town.
7. The Petitioner comprises more than fifty percent (50%) of the landowners in the area proposed to be annexed and owns more than fifty percent (50%) of the area proposed to be annexed excluding public streets and alleys and any land owned by the annexing municipality. The portion of the Property owned by Petitioner is set forth on Exhibit B attached hereto and incorporated herein by this reference.
8. The Property is not presently a part of any incorporated city, city and county, or town. No proceedings have been commenced for incorporation or annexation of part or all of the Property to any other municipality. No election for annexation of the Property or substantially the same territory to the Town has been held within the twelve (12) months immediately preceding the filing of this Petition.
9. The proposed annexation will not result in detachment of area from any school district or attachment of the same to another school district.
10. 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 (3) 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.
11. The proposed annexation will not result in the denial of reasonable access to any landowner, owner of an easement, or owner of a franchise adjoining a platted street or alley which has been annexed by the Town but is not bounded on both sides by the Town.

12. In establishing the boundaries of the property to be annexed, no land which is held in identical ownership, whether consisting of a single tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
  - (a) is being divided into separate parts or parcels without the written consent of the landowner thereof unless such tracts or parcels are separated by a dedicated street, road or other public way; or
  - (b) comprising twenty (20) acres or more and together with buildings and improvements situate thereon having a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the proposed annexation, is included in the Property without the written consent of the landowner.
13. If a portion of a platted street or alley is to be annexed, the entire width thereof is included within the Property.
14. The affidavit of the circulator of this Petition certifying that the signature on this Petition is the signature of the person whose name it purports to be and certifying the accuracy of the date of such signature is attached hereto as Exhibit C and is incorporated herein by this reference.
15. This Petition is accompanied by four (4) prints of an annexation map containing, among other things, the following information:
  - (a) a written legal description of the boundaries of the Property;
  - (b) a map showing the boundaries of the Property;
  - (c) within the annexation 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 the plots or of lots and blocks; and
  - (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.
16. In connection with the processing of this Petition, the Petitioner requests that the Town:
  - (a) initiate the process with the submittal of an application for zoning of the Property to establish zoning for the Property as Agriculture/Open Space (AG/OS), Low-density Residential (LR) and Medium-density Residential (MR) as set forth in Petitioner's application therefor (the "**Zoning**"), in accordance with applicable provisions of the Town's Unified Development Code (the "**Code**") and any applicable provisions of Section -115 of the Annexation Act; and
  - (b) approve and execute an annexation and vested rights agreement acceptable to Petitioner and the Town (the "**Annexation Agreement**") which establishes vested property rights for the Property for an agreed upon term, pursuant to Article 68, Title 24, Colorado Revised Statutes.

17. Petitioner has filed this Petition subject to the following conditions:
- (a) Unless otherwise agreed in writing by Petitioner, the annexation of the Property into the Town shall not be effective unless:
    - (i) concurrently with the Board's final approval of an ordinance annexing the Property into the Town, the Board gives its final approval to (A) zoning regulations for the Property in form and substance satisfactory to the Petitioner, and (B) the Annexation Agreement in form and substance satisfactory to Petitioner; and
    - (ii) the Town and Petitioner enter into the Annexation Agreement.
  - (b) Petitioner hereby reserves the right to withdraw this Petition, and thereby prevent the Property from being annexed into the Town, by so notifying the Town Clerk in writing prior to the later to occur of:
    - (i) the occurrence of the conditions to effectiveness of the annexation as set forth in Section -113(2)(b) of the Annexation Act;
    - (ii) the Petitioner's delivery to the Town of Petitioner's written consent described in paragraph 18(c) below; and
    - (iii) a later date, if any, set forth in the Annexation Agreement.
  - (c) Neither the Town, nor any representative thereof, shall cause or permit the occurrence of the conditions to effectiveness of the annexation as set forth in Sections -113(2)(a)(II)(A) and -113(2)(b) of the Annexation Act, without the express written consent of the Petitioner. This Petition shall not constitute such written consent.
18. Upon the annexation of the Property becoming effective, and subject to the conditions set forth in this Petition, and to be set forth in the Annexation Agreement, the Property shall be subject to the regulations of the Town, except as otherwise set forth in the Annexation Agreement, and except for general property taxes of the Town which shall become effective on January 1 of the next succeeding year following adoption of the annexation ordinance.
19. Except for the terms and conditions of this Petition and to be set forth in the Annexation Agreement, which terms and conditions Petitioner has approved or shall expressly approve, which do not constitute an imposition of additional terms and conditions within the meaning of Section -112(1) of the Annexation Act, Petitioner requests that no additional terms and conditions be imposed upon annexation of the Property to the Town.\

[The signature of Petitioner appears on the following page.]

THEREFORE, Petitioner requests that the Board of Trustees of the Town of Erie, Colorado, complete and approve the annexation of the Property pursuant to and subject to the provisions of the Municipal Annexation Act of 1965, as amended, and this Petition.

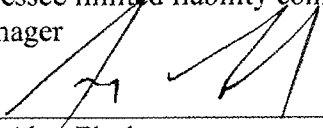
Respectfully submitted this 11<sup>th</sup> day of October, 2019.

Signature of Landowner/Petitioner:

ERIE LAND COMPANY, LLC,  
a Delaware limited liability company

By: Redwood-Southern Land Investment and Development, LLC,  
a Maryland limited liability company,  
its Sole Owner

By: Southern Land Company, LLC,  
a Tennessee limited liability company,  
its Manager

By:   
Name: Alex Fisch  
Title: Chief Investment Officer



LEGAL DESCRIPTION:

A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'36" EAST, A DISTANCE OF 2663.38 FEET.

**COMMENCE** AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152 SAID POINT ALSO BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 2,043.98 FEET TO THE NORTHERLY LINE OF THAT CERTAIN 50.00 FEET WIDE DITCH PARCEL DESCRIBED IN A DOCUMENT RECORDED DECEMBER 20, 1886 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT BOOK 63 AT PAGE 464;

THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY LINE, THE FOLLOWING 32 COURSES:

1. THENCE SOUTH 51°26'38" WEST A DISTANCE OF 70.94 FEET TO A 375.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
2. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 31°10'55" AN ARC DISTANCE OF 204.09 FEET;
3. THENCE SOUTH 82°37'33" WEST A DISTANCE OF 226.26 FEET TO A 525.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
4. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°34'39" AN ARC DISTANCE OF 124.41 FEET;
5. THENCE NORTH 83°47'48" WEST A DISTANCE OF 212.21 FEET TO A 565.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
6. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 20°51'49" AN ARC DISTANCE OF 205.74 FEET;
7. THENCE SOUTH 75°20'23" WEST A DISTANCE OF 6.27 FEET TO A 225.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;

## Swink Annexation Legal Description

8. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°53'26" AN ARC DISTANCE OF 89.89 FEET;
9. THENCE SOUTH 52°26'57" WEST A DISTANCE OF 22.72 FEET TO A 165.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
10. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 46°45'36" AN ARC DISTANCE OF 134.66 FEET;
11. THENCE SOUTH 05°41'21" WEST A DISTANCE OF 106.91 FEET;
12. THENCE SOUTH 01°41'27" WEST A DISTANCE OF 92.68 FEET;
13. THENCE SOUTH 01°00'54" WEST A DISTANCE OF 269.23 FEET TO A 1,075.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
14. THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°38'04" AN ARC DISTANCE OF 180.76 FEET;
15. THENCE SOUTH 10°38'58" WEST A DISTANCE OF 50.93 FEET TO A 1,225.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
16. THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°50'26" AN ARC DISTANCE OF 124.87 FEET;
17. THENCE SOUTH 16°29'24" WEST A DISTANCE OF 29.52 FEET TO 235.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
18. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45°35'41" AN ARC DISTANCE OF 187.01 FEET;
19. THENCE SOUTH 62°05'05" WEST A DISTANCE OF 52.47 FEET;
20. THENCE SOUTH 57°50'12" WEST A DISTANCE OF 48.87 FEET TO A 150.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
21. THENCE SOUTHWESTERLY, ALONG SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 24°38'29" AN ARC DISTANCE OF 64.51;
22. THENCE SOUTH 33°11'43" WEST A DISTANCE OF 111.15 FEET TO A 200.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
23. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°47'56" AN ARC DISTANCE OF 128.45 FEET;

Swink Annexation Legal Description

24. THENCE SOUTH 69°59'39" WEST A DISTANCE OF 171.86 FEET TO A 925.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
25. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°52'09" AN ARC DISTANCE OF 207.76 FEET;
26. THENCE SOUTH 57°07'30" WEST A DISTANCE OF 139.10 FEET TO A 200.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
27. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 21°33'50" AN ARC DISTANCE OF 75.27 FEET;
28. THENCE SOUTH 78°41'20" WEST A DISTANCE OF 119.10 FEET TO A 145.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
29. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°20'04" AN ARC DISTANCE OF 84.36 FEET;
30. THENCE NORTH 67°58'36" WEST A DISTANCE OF 47.24 FEET TO A 275.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHWESTERLY;
31. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°56'55" AN ARC DISTANCE OF 172.54 FEET;
32. THENCE SOUTH 76°04'29" WEST A DISTANCE OF 23.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 21;

THENCE NORTH 00°16'05" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1,223.81 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST ONE-QUARTER;

THENCE NORTH 00°16'06" WEST, ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21, A DISTANCE OF 2,619.86 FEET TO A LINE BEING 30 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST ONE QUARTER ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 8 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED OCTOBER 14, 1889 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 86 AT PAGE 273;

THENCE NORTH 89°38'36" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 2,633.50 FEET **TO THE POINT OF BEGINNING.**

THE ABOVE DESCRIPTION YIELDS A CALCULATED AREA OF 7,868,244 SQUARE FEET (180.63002 ACRES), MORE OR LESS.

**EXCEPTING THEREFROM:**

(EXCEPTION PARCEL 1)

A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO. WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'56" EAST, A DISTANCE OF 2663.38 FEET

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152 SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 758.81 FEET TO THE MOST NORTHERLY CORNER OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152;

THENCE SOUTH 12°10'26" WEST, ALONG THE WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 6.88 FEET TO THE SOUTHERLY LINE OF THAT CERTAIN 50.00 FEET WIDE DITCH PARCEL DESCRIBED IN A DOCUMENT RECORDED DECEMBER 20, 1886 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT BOOK 63 AT PAGE 464;

THENCE WESTERLY AND NORTHERLY, ALONG THE SOUTHERLY AND WESTERLY LINE OF SAID DITCH PARCEL, THE FOLLOWING ELEVEN COURSES:

1. THENCE NORTH 67°28'48" WEST A DISTANCE OF 226.67 FEET TO A 575.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHERLY;

2. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°50'33", AN ARC DISTANCE OF 329.60 FEET;

Swink Annexation Legal Description

3.THENCE SOUTH 79°40'39" WEST A DISTANCE OF 294.87 FEET;

4.THENCE SOUTH 77°11'24" WEST A DISTANCE OF 214.63 FEET;

5.THENCE SOUTH 74°41'14" WEST A DISTANCE OF 127.29 FEET;

6.THENCE SOUTH 73°56'17" WEST A DISTANCE OF 64.14 FEET;

7. THENCE SOUTH 80°39'30" WEST, A DISTANCE OF 123.80 FEET TO A 47.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHERLY;

8. THENCE NORTHWESTERLY, ALONG SAID THROUGH A CENTRAL ANGLE OF 97°55'18" AN ARC DISTANCE OF 80.33 FEET;

9. THENCE NORTH 01°25'12" WEST A DISTANCE OF 155.38 FEET;

10. THENCE NORTH 00°42'57" EAST A DISTANCE OF 225.38 FEET;

11. THENCE NORTH 00°49'26" EAST A DISTANCE OF 381.55 FEET TO A LINE BEING 30 FEET SOUTHERLY OF AND PARALLEL WITH THE PREVIOUSLY CITED NORTH LINE OF THE NORTHEAST ONE QUARTER OF SECTION 21 ALSO BEING THE SOUTHERLY RIGHT-OF-WAY OF WELD COUNTY ROAD 8 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED OCTOBER 14, 1889 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 86 AT PAGE 273;

THENCE NORTH 89°38'36" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 1,383.69 FEET TO **THE POINT OF BEGINNING.**

THE ABOVE DESCRIPTION YIELDS A CALCULATED AREA OF 982,677 SQUARE FEET (22.55916 ACRES), MORE OR LESS.

**ALSO EXCEPTING THEREFROM:**

Swink Annexation Legal Description

(EXCEPTION PARCEL 2)

A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO. WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'56" EAST, A DISTANCE OF 2663.38 FEET

**COMMENCE** AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152; THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF- WAY AND PARALLEL LINE, A DISTANCE OF 1,365.76 FEET TO THE MOST SOUTHERLY CORNER OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152 ALSO BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE CONTINUE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF- WAY AND PARALLEL LINE, A DISTANCE OF 564.57 FEET TO THE SOUTH LINE OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED MARCH 23, 2012 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 3833970;

THENCE ALONG THE EXTERIOR OF SAID PARCEL THE FOLLOWING THREE COURSES;

1. THENCE SOUTH 89°30'19" WEST A DISTANCE OF 500.00 FEET;
2. THENCE NORTH 00°29'41" WEST A DISTANCE OF 680.00 FEET;
3. THENCE NORTH 89°30'19" EAST A DISTANCE OF 483.79 FEET TO THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152 ;

THENCE SOUTH 08°29'23" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 116.54 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 339,065 SQUARE FEET (7.78387 ACRES), MORE OR LESS.

Swink Annexation Legal Description

THE ABOVE DESCRIBED PARCEL CONTAINS A NET AREA OF 6546502 SQ. FT. (150.28699 ACRES) MORE OR LESS.

**EXHIBIT B**  
**TO PETITION FOR ANNEXATION**

**Legal Description of that Portion of the Property Owned by Petitioner**

A portion of the East 1/2 of Section 21, Township 1 North, Range 68 West of the 6th Principal Meridian, County of Weld, State of Colorado. Basis of Bearings: Assuming the South line of the Southeast corner of Section 21, Township 1 North, Range 68 West of the 6th Principal Meridian, as monumented by a No. 6 Rebar with a 2 inch aluminum cap marked "LS 25937 1995" at the Southeast corner of said Section 21 and a No. 6 Rebar with a 3 1/4 inch aluminum cap marked "LS 13155 1998" at the South 1/4 corner of said Section 21 to bear South 89°23'58" West, a distance of 2684.63 feet with all bearings contained herein relative thereto.

Beginning at the Southeast corner of said Section 21: Thence South 89°23'58" West along said South line of the Southeast 1/4 of Section 21 a distance of 2,684.63 feet to the South 1/4 corner of said Section 21; Thence North 00°16'05" West along the West line of the Southeast 1/4 of said Section 21 a distance of 1,426.59 feet to the Northerly line of said 50 foot wide Ditch Parcel as described in Book 63 at Page 464 and the Point of Beginning; Thence North 00°16'05" West continuing along said West line of the Southeast 1/4 of Section 21 a distance of 1,223.81 feet to the Center 1/4 corner of Section 21;

Thence North 00°16'06" West along the West line of the Northeast 1/4 of Section 21 a distance of 2,649.86 feet to the North 1/4 corner of Section 21; Thence North 89°38'36" East along the North line of the Northeast 1/4 of said Section 21 a distance of 1,250.37 feet to the Westerly line of said 50 foot wide Ditch Parcel as described in Book 63 at Page 464; Thence along the Westerly and Southerly line of said ditch the following eleven (11) courses:

- 1.) South 00°49'26" West a distance of 411.56 feet;
- 2.) South 00°42'57" West a distance of 225.38 feet;
- 3.) South 01°25'12" East a distance of 155.38 feet to a point of curve;
- 4.) Along the arc of a tangent curve to the left, having a central angle of 97°55'18", a radius of 47.00 feet and an arc length of 80.33 feet;
- 5.) North 80°39'30" East a distance of 123.80 feet;
- 6.) North 73°56'17" East a distance of 64.14 feet;
- 7.) North 74°41'14" East a distance of 127.29 feet;
- 8.) North 77°11'24" East a distance of 214.63 feet;
- 9.) North 79°40'39" East a distance of 294.87 feet to a point of curve;
- 10.) Along the arc of a tangent curve to the right, having a central angle of 32°50'33", a radius of 575.00 feet and an arc length of 329.60 feet;
- 11.) South 67°28'48" East a distance of 260.91 feet to the East line of the Northeast 1/4 of said Section 21;

Thence South 00°29'40" East along said East line of the Northeast 1/4 of Section 21 a distance of 471.43 feet to the Northerly line of a Parcel conveyed to Left Hand Water District as described at Reception No. 3833970; Thence South 89°30'19" West along said Northerly line a distance of 530.00 feet to the Northwest corner of said Parcel; Thence South 00°29'41" East along the Westerly line of said Parcel a distance of 680.00 feet to the Southwest corner of said Parcel; Thence North 89°30'19" East along the Southerly line of said Parcel a distance of 530.00 feet to said East line of the Northeast 1/4 of Section 21;

Thence South 00°29'40" East along said East line of the Northeast 1/4 of Section 21 a distance of



90.15 feet to said Northerly line of the 50 foot wide Ditch Parcel as described in Book 63 at Page 464; Thence along said Northerly line the following thirty two (32) courses:

- 1.) South  $51^{\circ}26'38''$  West a distance of 109.05 feet to a point of curve;
- 2.) Along the arc of a tangent curve to the right, having a central angle of  $31^{\circ}10'54''$ , a radius of 375.00 feet and an arc length of 204.08 feet;
- 3.) South  $82^{\circ}37'33''$  West a distance of 226.27 feet to a point of curve;
- 4.) Along the arc of a tangent curve to the right, having a central angle of  $13^{\circ}34'39''$ , a radius of 525.00 feet and an arc length of 124.41 feet;
- 5.) North  $83^{\circ}47'48''$  West a distance of 212.21 feet to a point of curve;
- 6.) Along the arc of a tangent curve to the left, having a central angle of  $20^{\circ}51'49''$ , a radius of 565.00 feet and an arc length of 205.74 feet;
- 7.) South  $75^{\circ}20'23''$  West a distance of 6.27 feet to a point of curve;
- 8.) Along the arc of a tangent curve to the left, having a central angle of  $22^{\circ}53'26''$ , a radius of 225.00 feet and an arc length of 89.89 feet;
- 9.) South  $52^{\circ}26'57''$  West a distance of 22.72 feet to a point of curve;
- 10.) Along the arc of a tangent curve to the left, having a central angle of  $46^{\circ}45'36''$ , a radius of 165.00 feet and an arc length of 134.66 feet;
- 11.) South  $05^{\circ}41'21''$  West a distance of 106.91 feet;
- 12.) South  $01^{\circ}41'27''$  West a distance of 92.68 feet;
- 13.) South  $01^{\circ}00'54''$  West a distance of 269.23 feet to a point of curve;
- 14.) Along the arc of a tangent curve to the right, having a central angle of  $09^{\circ}38'04''$ , a radius of 1,075.00 feet and an arc length of 180.76 feet;
- 15.) South  $10^{\circ}38'58''$  West a distance of 50.93 feet to a point of curve;
- 16.) Along the arc of a tangent curve to the right, having a central angle of  $05^{\circ}50'26''$ , a radius of 1,225.00 feet and an arc length of 124.87 feet;
- 17.) South  $16^{\circ}29'24''$  West a distance of 29.52 feet to a point of curve;
- 18.) Along the arc of a tangent curve to the right, having a central angle of  $45^{\circ}35'42''$ , a radius of 235.00 feet and an arc length of 187.01 feet;
- 19.) South  $62^{\circ}05'05''$  West a distance of 52.47 feet;
- 20.) South  $57^{\circ}50'12''$  West a distance of 48.87 feet to a point of curve;
- 21.) Along the arc of a tangent curve to the left, having a central angle of  $24^{\circ}38'29''$ , a radius of 150.00 feet and an arc length of 64.51 feet;
- 22.) South  $33^{\circ}11'43''$  West a distance of 111.15 feet to a point of curve;
- 23.) Along the arc of a tangent curve to the right, having a central angle of  $36^{\circ}47'55''$ , a radius of 200.00 feet and an arc length of 128.45 feet;
- 24.) South  $69^{\circ}59'39''$  West a distance of 171.86 feet to a point of curve;
- 25.) Along the arc of a tangent curve to the left, having a central angle of  $12^{\circ}52'09''$ , a radius of 925.00 feet and an arc length of 207.76 feet;
- 26.) South  $57^{\circ}07'30''$  West a distance of 139.10 feet to a point of curve;
- 27.) Along the arc of a tangent curve to the right, having a central angle of  $21^{\circ}33'51''$ , a radius of 200.00 feet and an arc length of 75.27 feet;
- 28.) South  $78^{\circ}41'20''$  West a distance of 119.10 feet to a point of curve;
- 29.) Along the arc of a tangent curve to the right, having a central angle of  $33^{\circ}20'04''$ , a radius of 145.00 feet and an arc length of 84.36 feet;
- 30.) North  $67^{\circ}58'36''$  West a distance of 47.24 feet to a point of curve;
- 31.) Along the arc of a tangent curve to the left, having a central angle of  $35^{\circ}56'55''$ , a radius of

275.00 feet and an arc length of 172.54 feet;

32.) South  $76^{\circ}04'29''$  West a distance of 23.27 feet to the Point of beginning,

EXCEPTING therefrom that Parcel of land dedicated to Weld County as a Public Highway in that Deed of Dedication recorded July 22, 1996 at Reception No. 2502152,  
SUBJECT to the rights-of-way for County Road Numbers 7 and 8 as described in Book 86 at Page 273,

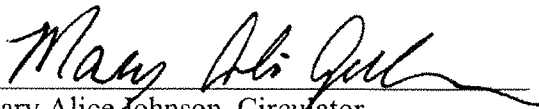
County of Weld, State of Colorado.

**EXHIBIT C**  
**TO PETITION FOR ANNEXATION**

**Affidavit of Circulator**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says:

That the undersigned was the circulator of the foregoing Petition for Annexation of lands to the Town of Erie, Colorado, consisting of 11 pages, including this page, and that the signature of the petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name it purports to be, and that the date of such signature is correct.

  
Mary Alice Johnson, Circulator


STATE OF TENNESSEE     )  
  ) ss.  
COUNTY OF DAVIDSON    )

The foregoing AFFIDAVIT OF CIRCULATOR was subscribed and sworn to before me this 11<sup>th</sup> day of October, 2019, by Mary Alice Johnson.

Witness my hand and official seal.

My commission expires



  
Notary Public

NOTICE OF PUBLIC HEARING  
BOARD OF TRUSTEES  
TOWN OF ERIE

NOTICE IS HEREBY GIVEN that on January 28, 2020, at 6:30 PM, or as soon as possible thereafter, in the Town Hall, 645 Holbrook, Erie, Colorado, or at such place and time as the hearing may be adjourned to, a PUBLIC HEARING, in accordance with C.R.S. § 31-12-108, will be held upon the following petition for annexation of certain real property to the Town of Erie for the purpose of determining and finding whether the petition and the real property proposed to be annexed comply with the applicable requirements of the Colorado Constitution Article II Section 30 and C.R.S. § 31-12-101, *et seq.*, and is eligible for annexation.

A copy of the resolution of Intent titled A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 160.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION is included with this Notice.

The Petition for Annexation is on file with the Town of Erie.

Any person may appear at the Public Hearing and present evidence upon any matter to be determined by the Board of Trustees.

/s/ Jessica Koenig  
Town Clerk

FOR QUESTIONS OR COMMENTS, CONTACT  
TOWN OF ERIE  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 750  
ERIE, COLORADO 80518-0750  
PHONE: (303) 926-2770  
FAX: (303) 926-2708

TOWN OF ERIE  
RESOLUTION NO. 172-2019

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 160.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION

WHEREAS, Erie Land Company, LLC, owner of unincorporated territory comprising more than 60% of the area proposed for annexation pursuant to C.R.S. § 31-12-107 ("Petitioner"), has filed a petition for annexation (the "Petition") of certain unincorporated land to the Town, which land is more particularly described in Exhibit A, attached to the Petition;

WHEREAS, the Petition was submitted to the Town on October 16, 2018, and updated on October 11, 2019, and has been part of continuous discussions and negotiations between Petitioner and the Town regarding a complex annexation and development agreement for the property to be annexed in conjunction with development of other property already within the Town's boundaries;

WHEREAS, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if complete, and establish a date, time and place that the Board of Trustees will hold a public hearing to consider the annexation and the applicable requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*; and

WHEREAS, the Board of Trustees, at its regular meeting on December 10, 2019, reviewed the Petition and various documents submitted in support of the Petition.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:

Section 1. The Petition is hereby accepted and found to be substantially in compliance with the petition requirements set forth under the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*

Section 2. A public hearing is scheduled for Tuesday, January 28, 2020, at 6:30 PM, at the Erie Town Hall, 645 Holbrook Street, Erie, Colorado 80518, to determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any resident of a municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Weld County may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

ADOPTED this 10th day of December 2019.

ATTEST:

Joanne Saiser  
Joanne Saiser, Deputy Town Clerk



Jennifer Carroll  
Jennifer Carroll, Mayor

TOWN OF ERIE  
RESOLUTION NO. ~~172~~ 2019

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 150.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION**

**WHEREAS**, Erie Land Company, LLC, owner of unincorporated territory comprising more than 50% of the area proposed for annexation pursuant to C.R.S. § 31-12-107 ("Petitioner"), has filed a petition for annexation (the "Petition") of certain unincorporated land to the Town, which land is more particularly described in **Exhibit A**, attached to the Petition;

**WHEREAS**, the Petition was submitted to the Town on October 16, 2018, and updated on October 11, 2019, and has been part of continuous discussions and negotiations between Petitioner and the Town regarding a complex annexation and development agreement for the property to be annexed in conjunction with development of other property already within the Town's boundaries;

**WHEREAS**, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if complete, and establish a date, time and place that the Board of Trustees will hold a public hearing to consider the annexation and the applicable requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*; and

**WHEREAS**, the Board of Trustees, at its regular meeting on December 10, 2019, reviewed the Petition and various documents submitted in support of the Petition.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:**

Section 1. The Petition is hereby accepted and found to be substantially in compliance with the petition requirements set forth under the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*

Section 2. A public hearing is scheduled for Tuesday, January 28, 2020, at 6:30 p.m., at the Erie Town Hall, 645 Holbrook Street, Erie, Colorado 80516, to determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any resident of a municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Weld County may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

ADOPTED this 10<sup>th</sup> day of December 2019.



*Jennifer Carroll*  
Jennifer Carroll, Mayor

ATTEST:

*Jessica Koenig*  
Jessica Koenig, Town Clerk

*Shanne Salser*  
Shanne Salser, Deputy town Clerk

## PETITION FOR ANNEXATION

### **TO THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO**

The undersigned ("**Petitioner**"), in accordance with the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Section 30(1)(b) of Articles II of the Constitution of the State of Colorado (the "**State Constitution**") and other applicable statutes and ordinances, as amended and as in effect on the submission date set forth below (the "**Annexation Act**") hereby petitions the Board of Trustees of the Town of Erie, Colorado (the "**Board**") to annex to the Town of Erie, Colorado (the "**Town**") certain unincorporated territory located in the County of Weld, State of Colorado, legally described on Exhibit A attached hereto and incorporated herein by this reference (the "**Property**"). In support of this Petition (this "**Petition**"), Petitioner alleges that:

1. It is desirable and necessary that the Property be annexed to the Town.
2. The requirements of Section 30(1)(b) of Article II of the State Constitution and Sections -104 and -105 of the Annexation Act exist or have been met.
3. Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the Town's current municipal boundaries.
4. A community of interest exists between the Property and the Town.
5. The Property is urban or will be urbanized in the near future.
6. The Property is integrated with or is capable of being integrated with the Town.
7. The Petitioner comprises more than fifty percent (50%) of the landowners in the area proposed to be annexed and owns more than fifty percent (50%) of the area proposed to be annexed excluding public streets and alleys and any land owned by the annexing municipality. The portion of the Property owned by Petitioner is set forth on Exhibit B attached hereto and incorporated herein by this reference.
8. The Property is not presently a part of any incorporated city, city and county, or town. No proceedings have been commenced for incorporation or annexation of part or all of the Property to any other municipality. No election for annexation of the Property or substantially the same territory to the Town has been held within the twelve (12) months immediately preceding the filing of this Petition.
9. The proposed annexation will not result in detachment of area from any school district or attachment of the same to another school district.
10. 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 (3) 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.
11. The proposed annexation will not result in the denial of reasonable access to any landowner, owner of an easement, or owner of a franchise adjoining a platted street or alley which has been annexed by the Town but is not bounded on both sides by the Town.

12. In establishing the boundaries of the property to be annexed, no land which is held in identical ownership, whether consisting of a single tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
  - (a) is being divided into separate parts or parcels without the written consent of the landowner thereof unless such tracts or parcels are separated by a dedicated street, road or other public way; or
  - (b) comprising twenty (20) acres or more and together with buildings and improvements situate thereon having a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the proposed annexation, is included in the Property without the written consent of the landowner.
13. If a portion of a platted street or alley is to be annexed, the entire width thereof is included within the Property.
14. The affidavit of the circulator of this Petition certifying that the signature on this Petition is the signature of the person whose name it purports to be and certifying the accuracy of the date of such signature is attached hereto as Exhibit C and is incorporated herein by this reference.
15. This Petition is accompanied by four (4) prints of an annexation map containing, among other things, the following information:
  - (a) a written legal description of the boundaries of the Property;
  - (b) a map showing the boundaries of the Property;
  - (c) within the annexation 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 the plots or of lots and blocks; and
  - (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.
16. In connection with the processing of this Petition, the Petitioner requests that the Town:
  - (a) initiate the process with the submittal of an application for zoning of the Property to establish zoning for the Property as Agriculture/Open Space (AG/OS), Low-density Residential (LR) and Medium-density Residential (MR) as set forth in Petitioner's application therefor (the "**Zoning**"), in accordance with applicable provisions of the Town's Unified Development Code (the "**Code**") and any applicable provisions of Section -115 of the Annexation Act; and
  - (b) approve and execute an annexation and vested rights agreement acceptable to Petitioner and the Town (the "**Annexation Agreement**") which establishes vested property rights for the Property for an agreed upon term, pursuant to Article 68, Title 24, Colorado Revised Statutes.



17. Petitioner has filed this Petition subject to the following conditions:
- (a) Unless otherwise agreed in writing by Petitioner, the annexation of the Property into the Town shall not be effective unless:
    - (i) concurrently with the Board's final approval of an ordinance annexing the Property into the Town, the Board gives its final approval to (A) zoning regulations for the Property in form and substance satisfactory to the Petitioner, and (B) the Annexation Agreement in form and substance satisfactory to Petitioner; and
    - (ii) the Town and Petitioner enter into the Annexation Agreement.
  - (b) Petitioner hereby reserves the right to withdraw this Petition, and thereby prevent the Property from being annexed into the Town, by so notifying the Town Clerk in writing prior to the later to occur of:
    - (i) the occurrence of the conditions to effectiveness of the annexation as set forth in Section -113(2)(b) of the Annexation Act;
    - (ii) the Petitioner's delivery to the Town of Petitioner's written consent described in paragraph 18(c) below; and
    - (iii) a later date, if any, set forth in the Annexation Agreement.
  - (c) Neither the Town, nor any representative thereof, shall cause or permit the occurrence of the conditions to effectiveness of the annexation as set forth in Sections -113(2)(a)(II)(A) and -113(2)(b) of the Annexation Act, without the express written consent of the Petitioner. This Petition shall not constitute such written consent.
18. Upon the annexation of the Property becoming effective, and subject to the conditions set forth in this Petition, and to be set forth in the Annexation Agreement, the Property shall be subject to the regulations of the Town, except as otherwise set forth in the Annexation Agreement, and except for general property taxes of the Town which shall become effective on January 1 of the next succeeding year following adoption of the annexation ordinance.
19. Except for the terms and conditions of this Petition and to be set forth in the Annexation Agreement, which terms and conditions Petitioner has approved or shall expressly approve, which do not constitute an imposition of additional terms and conditions within the meaning of Section -112(1) of the Annexation Act, Petitioner requests that no additional terms and conditions be imposed upon annexation of the Property to the Town.\

[The signature of Petitioner appears on the following page.]

THEREFORE, Petitioner requests that the Board of Trustees of the Town of Erie, Colorado, complete and approve the annexation of the Property pursuant to and subject to the provisions of the Municipal Annexation Act of 1965, as amended, and this Petition.

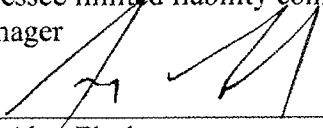
Respectfully submitted this 11<sup>th</sup> day of October, 2019.

Signature of Landowner/Petitioner:

ERIE LAND COMPANY, LLC,  
a Delaware limited liability company

By: Redwood-Southern Land Investment and Development, LLC,  
a Maryland limited liability company,  
its Sole Owner

By: Southern Land Company, LLC,  
a Tennessee limited liability company,  
its Manager

By:   
Name: Alex Fisch  
Title: Chief Investment Officer

LEGAL DESCRIPTION:

A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'36" EAST, A DISTANCE OF 2663.38 FEET.

**COMMENCE** AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152 SAID POINT ALSO BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 2,043.98 FEET TO THE NORTHERLY LINE OF THAT CERTAIN 50.00 FEET WIDE DITCH PARCEL DESCRIBED IN A DOCUMENT RECORDED DECEMBER 20, 1886 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT BOOK 63 AT PAGE 464;

THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY LINE, THE FOLLOWING 32 COURSES:

1. THENCE SOUTH 51°26'38" WEST A DISTANCE OF 70.94 FEET TO A 375.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
2. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 31°10'55" AN ARC DISTANCE OF 204.09 FEET;
3. THENCE SOUTH 82°37'33" WEST A DISTANCE OF 226.26 FEET TO A 525.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
4. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°34'39" AN ARC DISTANCE OF 124.41 FEET;
5. THENCE NORTH 83°47'48" WEST A DISTANCE OF 212.21 FEET TO A 565.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
6. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 20°51'49" AN ARC DISTANCE OF 205.74 FEET;
7. THENCE SOUTH 75°20'23" WEST A DISTANCE OF 6.27 FEET TO A 225.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;

## Swink Annexation Legal Description

8. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°53'26" AN ARC DISTANCE OF 89.89 FEET;
9. THENCE SOUTH 52°26'57" WEST A DISTANCE OF 22.72 FEET TO A 165.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
10. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 46°45'36" AN ARC DISTANCE OF 134.66 FEET;
11. THENCE SOUTH 05°41'21" WEST A DISTANCE OF 106.91 FEET;
12. THENCE SOUTH 01°41'27" WEST A DISTANCE OF 92.68 FEET;
13. THENCE SOUTH 01°00'54" WEST A DISTANCE OF 269.23 FEET TO A 1,075.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
14. THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°38'04" AN ARC DISTANCE OF 180.76 FEET;
15. THENCE SOUTH 10°38'58" WEST A DISTANCE OF 50.93 FEET TO A 1,225.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
16. THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°50'26" AN ARC DISTANCE OF 124.87 FEET;
17. THENCE SOUTH 16°29'24" WEST A DISTANCE OF 29.52 FEET TO 235.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
18. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45°35'41" AN ARC DISTANCE OF 187.01 FEET;
19. THENCE SOUTH 62°05'05" WEST A DISTANCE OF 52.47 FEET;
20. THENCE SOUTH 57°50'12" WEST A DISTANCE OF 48.87 FEET TO A 150.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
21. THENCE SOUTHWESTERLY, ALONG SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 24°38'29" AN ARC DISTANCE OF 64.51;
22. THENCE SOUTH 33°11'43" WEST A DISTANCE OF 111.15 FEET TO A 200.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
23. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°47'56" AN ARC DISTANCE OF 128.45 FEET;

Swink Annexation Legal Description

24. THENCE SOUTH 69°59'39" WEST A DISTANCE OF 171.86 FEET TO A 925.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
25. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°52'09" AN ARC DISTANCE OF 207.76 FEET;
26. THENCE SOUTH 57°07'30" WEST A DISTANCE OF 139.10 FEET TO A 200.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
27. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 21°33'50" AN ARC DISTANCE OF 75.27 FEET;
28. THENCE SOUTH 78°41'20" WEST A DISTANCE OF 119.10 FEET TO A 145.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
29. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°20'04" AN ARC DISTANCE OF 84.36 FEET;
30. THENCE NORTH 67°58'36" WEST A DISTANCE OF 47.24 FEET TO A 275.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHWESTERLY;
31. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°56'55" AN ARC DISTANCE OF 172.54 FEET;
32. THENCE SOUTH 76°04'29" WEST A DISTANCE OF 23.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 21;

THENCE NORTH 00°16'05" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1,223.81 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST ONE-QUARTER;

THENCE NORTH 00°16'06" WEST, ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21, A DISTANCE OF 2,619.86 FEET TO A LINE BEING 30 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST ONE QUARTER ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 8 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED OCTOBER 14, 1889 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 86 AT PAGE 273;

THENCE NORTH 89°38'36" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 2,633.50 FEET **TO THE POINT OF BEGINNING.**

THE ABOVE DESCRIPTION YIELDS A CALCULATED AREA OF 7,868,244 SQUARE FEET (180.63002 ACRES), MORE OR LESS.

**EXCEPTING THEREFROM:**

(EXCEPTION PARCEL 1)

A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO. WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'56" EAST, A DISTANCE OF 2663.38 FEET

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152 SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 758.81 FEET TO THE MOST NORTHERLY CORNER OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152;

THENCE SOUTH 12°10'26" WEST, ALONG THE WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 6.88 FEET TO THE SOUTHERLY LINE OF THAT CERTAIN 50.00 FEET WIDE DITCH PARCEL DESCRIBED IN A DOCUMENT RECORDED DECEMBER 20, 1886 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT BOOK 63 AT PAGE 464;

THENCE WESTERLY AND NORTHERLY, ALONG THE SOUTHERLY AND WESTERLY LINE OF SAID DITCH PARCEL, THE FOLLOWING ELEVEN COURSES:

1. THENCE NORTH 67°28'48" WEST A DISTANCE OF 226.67 FEET TO A 575.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHERLY;

2. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°50'33", AN ARC DISTANCE OF 329.60 FEET;

Swink Annexation Legal Description

3.THENCE SOUTH 79°40'39" WEST A DISTANCE OF 294.87 FEET;

4.THENCE SOUTH 77°11'24" WEST A DISTANCE OF 214.63 FEET;

5.THENCE SOUTH 74°41'14" WEST A DISTANCE OF 127.29 FEET;

6.THENCE SOUTH 73°56'17" WEST A DISTANCE OF 64.14 FEET;

7. THENCE SOUTH 80°39'30" WEST, A DISTANCE OF 123.80 FEET TO A 47.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHERLY;

8. THENCE NORTHWESTERLY, ALONG SAID THROUGH A CENTRAL ANGLE OF 97°55'18" AN ARC DISTANCE OF 80.33 FEET;

9. THENCE NORTH 01°25'12" WEST A DISTANCE OF 155.38 FEET;

10. THENCE NORTH 00°42'57" EAST A DISTANCE OF 225.38 FEET;

11. THENCE NORTH 00°49'26" EAST A DISTANCE OF 381.55 FEET TO A LINE BEING 30 FEET SOUTHERLY OF AND PARALLEL WITH THE PREVIOUSLY CITED NORTH LINE OF THE NORTHEAST ONE QUARTER OF SECTION 21 ALSO BEING THE SOUTHERLY RIGHT-OF-WAY OF WELD COUNTY ROAD 8 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED OCTOBER 14, 1889 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 86 AT PAGE 273;

THENCE NORTH 89°38'36" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 1,383.69 FEET TO **THE POINT OF BEGINNING.**

THE ABOVE DESCRIPTION YIELDS A CALCULATED AREA OF 982,677 SQUARE FEET (22.55916 ACRES), MORE OR LESS.

**ALSO EXCEPTING THEREFROM:**

Swink Annexation Legal Description

(EXCEPTION PARCEL 2)

A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO. WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'56" EAST, A DISTANCE OF 2663.38 FEET

**COMMENCE** AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152; THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF- WAY AND PARALLEL LINE, A DISTANCE OF 1,365.76 FEET TO THE MOST SOUTHERLY CORNER OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152 ALSO BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE CONTINUE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF- WAY AND PARALLEL LINE, A DISTANCE OF 564.57 FEET TO THE SOUTH LINE OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED MARCH 23, 2012 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 3833970;

THENCE ALONG THE EXTERIOR OF SAID PARCEL THE FOLLOWING THREE COURSES;

1. THENCE SOUTH 89°30'19" WEST A DISTANCE OF 500.00 FEET;
2. THENCE NORTH 00°29'41" WEST A DISTANCE OF 680.00 FEET;
3. THENCE NORTH 89°30'19" EAST A DISTANCE OF 483.79 FEET TO THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152 ;

THENCE SOUTH 08°29'23" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 116.54 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 339,065 SQUARE FEET (7.78387 ACRES), MORE OR LESS.



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THE ABOVE DESCRIBED PARCEL CONTAINS A NET AREA OF 6546502 SQ. FT. (150.28699 ACRES) MORE OR LESS.

**EXHIBIT B**  
**TO PETITION FOR ANNEXATION**

**Legal Description of that Portion of the Property Owned by Petitioner**

A portion of the East 1/2 of Section 21, Township 1 North, Range 68 West of the 6th Principal Meridian, County of Weld, State of Colorado. Basis of Bearings: Assuming the South line of the Southeast corner of Section 21, Township 1 North, Range 68 West of the 6th Principal Meridian, as monumented by a No. 6 Rebar with a 2 inch aluminum cap marked "LS 25937 1995" at the Southeast corner of said Section 21 and a No. 6 Rebar with a 3 1/4 inch aluminum cap marked "LS 13155 1998" at the South 1/4 corner of said Section 21 to bear South 89°23'58" West, a distance of 2684.63 feet with all bearings contained herein relative thereto.

Beginning at the Southeast corner of said Section 21: Thence South 89°23'58" West along said South line of the Southeast 1/4 of Section 21 a distance of 2,684.63 feet to the South 1/4 corner of said Section 21; Thence North 00°16'05" West along the West line of the Southeast 1/4 of said Section 21 a distance of 1,426.59 feet to the Northerly line of said 50 foot wide Ditch Parcel as described in Book 63 at Page 464 and the Point of Beginning; Thence North 00°16'05" West continuing along said West line of the Southeast 1/4 of Section 21 a distance of 1,223.81 feet to the Center 1/4 corner of Section 21;

Thence North 00°16'06" West along the West line of the Northeast 1/4 of Section 21 a distance of 2,649.86 feet to the North 1/4 corner of Section 21; Thence North 89°38'36" East along the North line of the Northeast 1/4 of said Section 21 a distance of 1,250.37 feet to the Westerly line of said 50 foot wide Ditch Parcel as described in Book 63 at Page 464; Thence along the Westerly and Southerly line of said ditch the following eleven (11) courses:

- 1.) South 00°49'26" West a distance of 411.56 feet;
- 2.) South 00°42'57" West a distance of 225.38 feet;
- 3.) South 01°25'12" East a distance of 155.38 feet to a point of curve;
- 4.) Along the arc of a tangent curve to the left, having a central angle of 97°55'18", a radius of 47.00 feet and an arc length of 80.33 feet;
- 5.) North 80°39'30" East a distance of 123.80 feet;
- 6.) North 73°56'17" East a distance of 64.14 feet;
- 7.) North 74°41'14" East a distance of 127.29 feet;
- 8.) North 77°11'24" East a distance of 214.63 feet;
- 9.) North 79°40'39" East a distance of 294.87 feet to a point of curve;
- 10.) Along the arc of a tangent curve to the right, having a central angle of 32°50'33", a radius of 575.00 feet and an arc length of 329.60 feet;
- 11.) South 67°28'48" East a distance of 260.91 feet to the East line of the Northeast 1/4 of said Section 21;

Thence South 00°29'40" East along said East line of the Northeast 1/4 of Section 21 a distance of 471.43 feet to the Northerly line of a Parcel conveyed to Left Hand Water District as described at Reception No. 3833970; Thence South 89°30'19" West along said Northerly line a distance of 530.00 feet to the Northwest corner of said Parcel; Thence South 00°29'41" East along the Westerly line of said Parcel a distance of 680.00 feet to the Southwest corner of said Parcel; Thence North 89°30'19" East along the Southerly line of said Parcel a distance of 530.00 feet to said East line of the Northeast 1/4 of Section 21;

Thence South 00°29'40" East along said East line of the Northeast 1/4 of Section 21 a distance of

90.15 feet to said Northerly line of the 50 foot wide Ditch Parcel as described in Book 63 at Page 464; Thence along said Northerly line the following thirty two (32) courses:

- 1.) South  $51^{\circ}26'38''$  West a distance of 109.05 feet to a point of curve;
- 2.) Along the arc of a tangent curve to the right, having a central angle of  $31^{\circ}10'54''$ , a radius of 375.00 feet and an arc length of 204.08 feet;
- 3.) South  $82^{\circ}37'33''$  West a distance of 226.27 feet to a point of curve;
- 4.) Along the arc of a tangent curve to the right, having a central angle of  $13^{\circ}34'39''$ , a radius of 525.00 feet and an arc length of 124.41 feet;
- 5.) North  $83^{\circ}47'48''$  West a distance of 212.21 feet to a point of curve;
- 6.) Along the arc of a tangent curve to the left, having a central angle of  $20^{\circ}51'49''$ , a radius of 565.00 feet and an arc length of 205.74 feet;
- 7.) South  $75^{\circ}20'23''$  West a distance of 6.27 feet to a point of curve;
- 8.) Along the arc of a tangent curve to the left, having a central angle of  $22^{\circ}53'26''$ , a radius of 225.00 feet and an arc length of 89.89 feet;
- 9.) South  $52^{\circ}26'57''$  West a distance of 22.72 feet to a point of curve;
- 10.) Along the arc of a tangent curve to the left, having a central angle of  $46^{\circ}45'36''$ , a radius of 165.00 feet and an arc length of 134.66 feet;
- 11.) South  $05^{\circ}41'21''$  West a distance of 106.91 feet;
- 12.) South  $01^{\circ}41'27''$  West a distance of 92.68 feet;
- 13.) South  $01^{\circ}00'54''$  West a distance of 269.23 feet to a point of curve;
- 14.) Along the arc of a tangent curve to the right, having a central angle of  $09^{\circ}38'04''$ , a radius of 1,075.00 feet and an arc length of 180.76 feet;
- 15.) South  $10^{\circ}38'58''$  West a distance of 50.93 feet to a point of curve;
- 16.) Along the arc of a tangent curve to the right, having a central angle of  $05^{\circ}50'26''$ , a radius of 1,225.00 feet and an arc length of 124.87 feet;
- 17.) South  $16^{\circ}29'24''$  West a distance of 29.52 feet to a point of curve;
- 18.) Along the arc of a tangent curve to the right, having a central angle of  $45^{\circ}35'42''$ , a radius of 235.00 feet and an arc length of 187.01 feet;
- 19.) South  $62^{\circ}05'05''$  West a distance of 52.47 feet;
- 20.) South  $57^{\circ}50'12''$  West a distance of 48.87 feet to a point of curve;
- 21.) Along the arc of a tangent curve to the left, having a central angle of  $24^{\circ}38'29''$ , a radius of 150.00 feet and an arc length of 64.51 feet;
- 22.) South  $33^{\circ}11'43''$  West a distance of 111.15 feet to a point of curve;
- 23.) Along the arc of a tangent curve to the right, having a central angle of  $36^{\circ}47'55''$ , a radius of 200.00 feet and an arc length of 128.45 feet;
- 24.) South  $69^{\circ}59'39''$  West a distance of 171.86 feet to a point of curve;
- 25.) Along the arc of a tangent curve to the left, having a central angle of  $12^{\circ}52'09''$ , a radius of 925.00 feet and an arc length of 207.76 feet;
- 26.) South  $57^{\circ}07'30''$  West a distance of 139.10 feet to a point of curve;
- 27.) Along the arc of a tangent curve to the right, having a central angle of  $21^{\circ}33'51''$ , a radius of 200.00 feet and an arc length of 75.27 feet;
- 28.) South  $78^{\circ}41'20''$  West a distance of 119.10 feet to a point of curve;
- 29.) Along the arc of a tangent curve to the right, having a central angle of  $33^{\circ}20'04''$ , a radius of 145.00 feet and an arc length of 84.36 feet;
- 30.) North  $67^{\circ}58'36''$  West a distance of 47.24 feet to a point of curve;
- 31.) Along the arc of a tangent curve to the left, having a central angle of  $35^{\circ}56'55''$ , a radius of

275.00 feet and an arc length of 172.54 feet;

32.) South  $76^{\circ}04'29''$  West a distance of 23.27 feet to the Point of beginning,

EXCEPTING therefrom that Parcel of land dedicated to Weld County as a Public Highway in that Deed of Dedication recorded July 22, 1996 at Reception No. 2502152,  
SUBJECT to the rights-of-way for County Road Numbers 7 and 8 as described in Book 86 at Page 273,

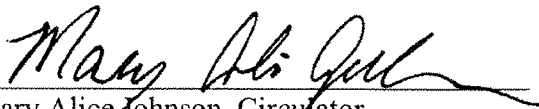
County of Weld, State of Colorado.

**EXHIBIT C**  
**TO PETITION FOR ANNEXATION**

**Affidavit of Circulator**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says:

That the undersigned was the circulator of the foregoing Petition for Annexation of lands to the Town of Erie, Colorado, consisting of 11 pages, including this page, and that the signature of the petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name it purports to be, and that the date of such signature is correct.

  
Mary Alice Johnson, Circulator

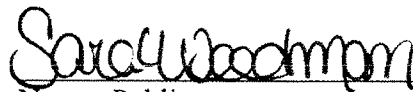
STATE OF TENNESSEE    )  
  ) ss.  
COUNTY OF DAVIDSON    )

The foregoing AFFIDAVIT OF CIRCULATOR was subscribed and sworn to before me this 11<sup>th</sup> day of October, 2019, by Mary Alice Johnson.

Witness my hand and official seal.

My commission expires



  
Notary Public

Registered No.

RF318052749US

Date Stamp



To Be Completed By Post Office	Postage \$	\$1.60	Extra Services & Fees (continued)
	Extra Services & Fees		<input type="checkbox"/> Signature Confirmation
	<input type="checkbox"/> Registered Mail	\$12.40	<input type="checkbox"/> Signature Confirmation
	<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00	<input type="checkbox"/> Restricted Delivery
	<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00	
	<input type="checkbox"/> Restricted Delivery	\$0.00	Total Postage & Fees
			\$14.00
Customer Must Declare Full Value		\$0.00	Received by
			12/30/2019

Domestic Insurance up to \$50,000  
is included based upon the  
declared value. International  
Indemnity is limited. (See Reverse)

OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	DENVER, CO 80202
		Ottens, Johnson, Robinson, Neff & Ragonetti, P.C.
		950 Seventeenth Street, Suite 1600
		Denver, CO 80202
TO	Weld County Bd. Commissioners 1150 O Street Greeley, CO 80631	

PS Form 3806, Registered Mail Receipt

April 2015, PSN 7530-02-000-9051

For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com)

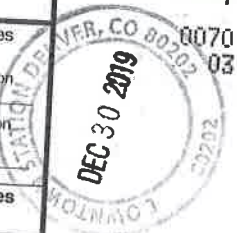
Copy 1 - Customer

(See Information on Reverse)

Registered No.

RF318052735US

Date Stamp



To Be Completed By Post Office	Postage \$	\$1.30	Extra Services & Fees (continued)
	Extra Services & Fees		<input type="checkbox"/> Signature Confirmation
	<input type="checkbox"/> Registered Mail	\$12.40	<input type="checkbox"/> Signature Confirmation
	<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00	<input type="checkbox"/> Restricted Delivery
	<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00	
	<input type="checkbox"/> Restricted Delivery	\$0.00	Total Postage & Fees
			\$13.70
Customer Must Declare Full Value		\$0.00	Received by
			12/30/2019

Domestic Insurance up to \$50,000  
is included based upon the  
declared value. International  
Indemnity is limited. (See Reverse)

OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	DENVER, CO 80202
		Ottens, Johnson, Robinson, Neff & Ragonetti, P.C.
		950 Seventeenth Street, Suite 1600
		Denver, CO 80202
TO	Boulder Valley Conservation District 9595 Nelson Rd, Suite D Longmont, CO 80501	

PS Form 3806, Registered Mail Receipt

April 2015, PSN 7530-02-000-9051

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Registered No.

RF318052721US

Date Stamp



To Be Completed By Post Office	Postage \$	\$1.30	Extra Services & Fees (continued)
	Extra Services & Fees		<input type="checkbox"/> Signature Confirmation
	<input type="checkbox"/> Registered Mail	\$12.40	<input type="checkbox"/> Signature Confirmation
	<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00	<input type="checkbox"/> Restricted Delivery
	<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00	
	<input type="checkbox"/> Restricted Delivery	\$0.00	Total Postage & Fees
			\$13.70
Customer Must Declare Full Value		\$0.00	Received by
			12/30/2019

Domestic Insurance up to \$50,000  
is included based upon the  
declared value. International  
Indemnity is limited. (See Reverse)

OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	DENVER, CO 80202
		Ottens, Johnson, Robinson, Neff & Ragonetti, P.C.
		950 Seventeenth Street, Suite 1600
		Denver, CO 80202
TO	Weld County Attorney 1150 O Street Greeley, CO 80631	

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April 2015, PSN 7530-02-000-9051

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Copy 1 - Customer

(See Information on Reverse)

Registered No.

RF318052718US

Date Stamp



To Be Completed By Post Office	Postage \$	\$1.30	Extra Services & Fees (continued)
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	<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00	<input type="checkbox"/> Restricted Delivery
	<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00	
	<input type="checkbox"/> Restricted Delivery	\$0.00	Total Postage & Fees
			\$13.70
Customer Must Declare Full Value		\$0.00	Received by
			12/30/2019

Domestic Insurance up to \$50,000  
is included based upon the  
declared value. International  
Indemnity is limited. (See Reverse)

OFFICIAL USE

To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	DENVER, CO 80202
		Ottens, Johnson, Robinson, Neff & Ragonetti, P.C.
		950 Seventeenth Street, Suite 1600
		Denver, CO 80202
TO	Weld County 1150 O Street Greeley, CO 80631	

PS Form 3806, Registered Mail Receipt

April 2015, PSN 7530-02-000-9051

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Copy 1 - Customer

(See Information on Reverse)



Registered No.

RF318052770US

Date Stamp

0070  
03To Be Completed  
By Post Office

Postage \$	\$1.45	Extra Services & Fees (continued)
Extra Services & Fees		<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Registered Mail	\$12.40	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00	
<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00	
<input type="checkbox"/> Restricted Delivery \$	\$0.00	
<b>Total Postage &amp; Fees</b>		
\$		\$13.85

Customer Must Declare Full Value	\$0.00	Received by	12/30/2019
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Domestic Insurance up to \$50,000  
is included based upon the  
declared value. International  
Indemnity is limited. (See Reverse).

OFFICIAL USE

To Be Completed By Customer  
(Please Print)  
All Entries Must Be in Ballpoint or Typed

FROM	DENVER, CO 80202 Otten, Johnson, Robinson, Neff & Ragonetti, P.C. 950 Seventeenth Street, Suite 1600 Denver, CO 80202
TO	Northern Colorado Water Conservation District 220 Water Street Berthoud CO 80513-9245

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April 2015, PSN 7530-02-000-9051

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Copy 1 - Customer

(See Information on Reverse)

Registered No.

RF318052783US

Date Stamp

0070  
03To Be Completed  
By Post Office

Postage \$	\$1.30	Extra Services & Fees (continued)
Extra Services & Fees		<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Registered Mail	\$12.40	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00	
<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00	
<input type="checkbox"/> Restricted Delivery \$	\$0.00	
<b>Total Postage &amp; Fees</b>		
\$		\$13.70

Customer Must Declare Full Value	\$0.00	Received by	12/30/2019
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Domestic Insurance up to \$50,000  
is included based upon the  
declared value. International  
Indemnity is limited. (See Reverse).

OFFICIAL USE

To Be Completed By Customer  
(Please Print)  
All Entries Must Be in Ballpoint or Typed

FROM	DENVER, CO 80202 Otten, Johnson, Robinson, Neff & Ragonetti, P.C. 950 Seventeenth Street, Suite 1600 Denver, CO 80202
TO	Mt View Fire Rescue District 354 LONGMONT, CO 80504 Longmont CO 80504

PS Form 3806, Registered Mail Receipt

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Copy 1 - Customer

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Registered No.

RF318052752US

Date Stamp

0070  
03To Be Completed  
By Post Office

Postage \$	\$1.30	Extra Services & Fees (continued)
Extra Services & Fees		<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Registered Mail	\$12.40	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00	
<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00	
<input type="checkbox"/> Restricted Delivery \$	\$0.00	
<b>Total Postage &amp; Fees</b>		
\$		\$13.70

Customer Must Declare Full Value	\$0.00	Received by	12/30/2019
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Domestic Insurance up to \$50,000  
is included based upon the  
declared value. International  
Indemnity is limited. (See Reverse).

OFFICIAL USE

To Be Completed By Customer  
(Please Print)  
All Entries Must Be in Ballpoint or Typed

FROM	DENVER, CO 80202 Otten, Johnson, Robinson, Neff & Ragonetti, P.C. 950 Seventeenth Street, Suite 1600 Denver, CO 80202
TO	St. Vrain Valley REI-J Longmont School District 395 South Pratt Parkway Longmont CO 80501

PS Form 3806, Registered Mail Receipt

April 2015, PSN 7530-02-000-9051

For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com)

Copy 1 - Customer

(See Information on Reverse)

Registered No.

RF318052766US

Date Stamp

0070  
03To Be Completed  
By Post Office

Postage \$	\$1.45	Extra Services & Fees (continued)
Extra Services & Fees		<input type="checkbox"/> Signature Confirmation
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<input type="checkbox"/> Return Receipt (hardcopy) \$	\$0.00	
<input type="checkbox"/> Return Receipt (electronic) \$	\$0.00	
<input type="checkbox"/> Restricted Delivery \$	\$0.00	
<b>Total Postage &amp; Fees</b>		
\$		\$13.85

Customer Must Declare Full Value	\$0.00	Received by	12/30/2019
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Domestic Insurance up to \$50,000  
is included based upon the  
declared value. International  
Indemnity is limited. (See Reverse).

OFFICIAL USE

To Be Completed By Customer  
(Please Print)  
All Entries Must Be in Ballpoint or Typed

FROM	DENVER, CO 80202 Otten, Johnson, Robinson, Neff & Ragonetti, P.C. 950 Seventeenth Street, Suite 1600 Denver, CO 80202
TO	High Plains Library District 26 GREELEY CO 80631 Greeley CO 80631

PS Form 3806, Registered Mail Receipt

April 2015, PSN 7530-02-000-9051

For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com)

Copy 1 - Customer

(See Information on Reverse)

## **CERTIFICATE OF MAILING**

The undersigned hereby confirms that on this 30th day of December, 2019, copies of the Published Notice of Public Hearing, Town of Erie Resolution No. 172-2019, and a copy of the Petition for Annexation as filed (each as attached to this Certificate of Mailing), were sent by United States registered mail, addressed to the following:

**Weld County**

1150 O Street  
Greeley, Colorado 80631

**Mountain View Fire Rescue District**

3561 North Stagecoach Road, #200,  
Longmont, Colorado 80504

**Northern Colorado Water Conservancy  
District**

220 Water Avenue  
Berthoud, Colorado 80513-9245

**High Plains Library District**

2650 West 29<sup>th</sup> Street  
Greeley, Colorado 80631

**St. Vrain Valley RE1-J Longmont School  
District**

395 South Pratt Parkway  
Longmont, CO 80501

**Boulder Valley Conservation District**

9595 Nelson Road, Suite D  
Longmont, CO 80501

**Weld County Attorney**

1150 O Street  
Greeley, CO 80631

**Weld County Board of County**

**Commissioners** (along with a copy of the  
Annexation Impact Report for Swink  
Property)  
1150 O Street  
Greeley, CO 80631

/s/ Allison P. Altaras

Allison P. Altaras



NOTICE OF PUBLIC HEARING  
BOARD OF TRUSTEES  
TOWN OF ERIE

NOTICE IS HEREBY GIVEN that on January 28, 2020, at 6:30 PM, or as soon as possible thereafter, in the Town Hall, 645 Holbrook, Erie, Colorado, or at such place and time as the hearing may be adjourned to, a PUBLIC HEARING, in accordance with C.R.S. § 31-12-108, will be held upon the following petition for annexation of certain real property to the Town of Erie for the purpose of determining and finding whether the petition and the real property proposed to be annexed comply with the applicable requirements of the Colorado Constitution Article II Section 30 and C.R.S. § 31-12-101, *et seq.*, and is eligible for annexation.

A copy of the resolution of Intent titled A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 160.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION is included with this Notice.

The Petition for Annexation is on file with the Town of Erie.

Any person may appear at the Public Hearing and present evidence upon any matter to be determined by the Board of Trustees.

/s/ Jessica Koenig  
Town Clerk

FOR QUESTIONS OR COMMENTS, CONTACT  
TOWN OF ERIE  
COMMUNITY DEVELOPMENT DEPARTMENT  
P.O. BOX 750  
ERIE, COLORADO 80518-0750  
PHONE: (303) 926-2770  
FAX: (303) 926-2708

TOWN OF ERIE  
RESOLUTION NO. 172-2019

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 160.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION

WHEREAS, Erie Land Company, LLC, owner of unincorporated territory comprising more than 60% of the area proposed for annexation pursuant to C.R.S. § 31-12-107 ("Petitioner"), has filed a petition for annexation (the "Petition") of certain unincorporated land to the Town, which land is more particularly described in Exhibit A, attached to the Petition;

WHEREAS, the Petition was submitted to the Town on October 16, 2018, and updated on October 11, 2019, and has been part of continuous discussions and negotiations between Petitioner and the Town regarding a complex annexation and development agreement for the property to be annexed in conjunction with development of other property already within the Town's boundaries;

WHEREAS, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if complete, and establish a date, time and place that the Board of Trustees will hold a public hearing to consider the annexation and the applicable requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*; and

WHEREAS, the Board of Trustees, at its regular meeting on December 10, 2019, reviewed the Petition and various documents submitted in support of the Petition.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:

Section 1. The Petition is hereby accepted and found to be substantially in compliance with the petition requirements set forth under the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*

Section 2. A public hearing is scheduled for Tuesday, January 28, 2020, at 6:30 PM, at the Erie Town Hall, 645 Holbrook Street, Erie, Colorado 80518, to determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any resident of a municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Weld County may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

ADOPTED this 10th day of December 2019.

ATTEST:

Joanne Saiser  
Joanne Saiser, Deputy Town Clerk



Jennifer Carroll  
Jennifer Carroll, Mayor

TOWN OF ERIE  
RESOLUTION NO. ~~172~~ 2019

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED WELD COUNTY AND COMPRISED OF APPROXIMATELY 150.287 ACRES, IDENTIFIED AS A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST, AND SETTING A PUBLIC HEARING ON THE ANNEXATION**

**WHEREAS**, Erie Land Company, LLC, owner of unincorporated territory comprising more than 50% of the area proposed for annexation pursuant to C.R.S. § 31-12-107 ("Petitioner"), has filed a petition for annexation (the "Petition") of certain unincorporated land to the Town, which land is more particularly described in **Exhibit A**, attached to the Petition;

**WHEREAS**, the Petition was submitted to the Town on October 16, 2018, and updated on October 11, 2019, and has been part of continuous discussions and negotiations between Petitioner and the Town regarding a complex annexation and development agreement for the property to be annexed in conjunction with development of other property already within the Town's boundaries;

**WHEREAS**, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if complete, and establish a date, time and place that the Board of Trustees will hold a public hearing to consider the annexation and the applicable requirements of the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*; and

**WHEREAS**, the Board of Trustees, at its regular meeting on December 10, 2019, reviewed the Petition and various documents submitted in support of the Petition.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:**

Section 1. The Petition is hereby accepted and found to be substantially in compliance with the petition requirements set forth under the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*

Section 2. A public hearing is scheduled for Tuesday, January 28, 2020, at 6:30 p.m., at the Erie Town Hall, 645 Holbrook Street, Erie, Colorado 80516, to determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the Town, any resident of a municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Weld County may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

ADOPTED this 10<sup>th</sup> day of December 2019.



*Jennifer Carroll*  
Jennifer Carroll, Mayor

ATTEST:

*Jessica Koenig*  
Jessica Koenig, Town Clerk

*Shanne Salser*  
Shanne Salser, Deputy town Clerk

## PETITION FOR ANNEXATION

### **TO THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO**

The undersigned ("**Petitioner**"), in accordance with the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Section 30(1)(b) of Articles II of the Constitution of the State of Colorado (the "**State Constitution**") and other applicable statutes and ordinances, as amended and as in effect on the submission date set forth below (the "**Annexation Act**") hereby petitions the Board of Trustees of the Town of Erie, Colorado (the "**Board**") to annex to the Town of Erie, Colorado (the "**Town**") certain unincorporated territory located in the County of Weld, State of Colorado, legally described on Exhibit A attached hereto and incorporated herein by this reference (the "**Property**"). In support of this Petition (this "**Petition**"), Petitioner alleges that:

1. It is desirable and necessary that the Property be annexed to the Town.
2. The requirements of Section 30(1)(b) of Article II of the State Constitution and Sections -104 and -105 of the Annexation Act exist or have been met.
3. Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the Town's current municipal boundaries.
4. A community of interest exists between the Property and the Town.
5. The Property is urban or will be urbanized in the near future.
6. The Property is integrated with or is capable of being integrated with the Town.
7. The Petitioner comprises more than fifty percent (50%) of the landowners in the area proposed to be annexed and owns more than fifty percent (50%) of the area proposed to be annexed excluding public streets and alleys and any land owned by the annexing municipality. The portion of the Property owned by Petitioner is set forth on Exhibit B attached hereto and incorporated herein by this reference.
8. The Property is not presently a part of any incorporated city, city and county, or town. No proceedings have been commenced for incorporation or annexation of part or all of the Property to any other municipality. No election for annexation of the Property or substantially the same territory to the Town has been held within the twelve (12) months immediately preceding the filing of this Petition.
9. The proposed annexation will not result in detachment of area from any school district or attachment of the same to another school district.
10. 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 (3) 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.
11. The proposed annexation will not result in the denial of reasonable access to any landowner, owner of an easement, or owner of a franchise adjoining a platted street or alley which has been annexed by the Town but is not bounded on both sides by the Town.

12. In establishing the boundaries of the property to be annexed, no land which is held in identical ownership, whether consisting of a single tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
  - (a) is being divided into separate parts or parcels without the written consent of the landowner thereof unless such tracts or parcels are separated by a dedicated street, road or other public way; or
  - (b) comprising twenty (20) acres or more and together with buildings and improvements situate thereon having a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the proposed annexation, is included in the Property without the written consent of the landowner.
13. If a portion of a platted street or alley is to be annexed, the entire width thereof is included within the Property.
14. The affidavit of the circulator of this Petition certifying that the signature on this Petition is the signature of the person whose name it purports to be and certifying the accuracy of the date of such signature is attached hereto as Exhibit C and is incorporated herein by this reference.
15. This Petition is accompanied by four (4) prints of an annexation map containing, among other things, the following information:
  - (a) a written legal description of the boundaries of the Property;
  - (b) a map showing the boundaries of the Property;
  - (c) within the annexation 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 the plots or of lots and blocks; and
  - (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.
16. In connection with the processing of this Petition, the Petitioner requests that the Town:
  - (a) initiate the process with the submittal of an application for zoning of the Property to establish zoning for the Property as Agriculture/Open Space (AG/OS), Low-density Residential (LR) and Medium-density Residential (MR) as set forth in Petitioner's application therefor (the "**Zoning**"), in accordance with applicable provisions of the Town's Unified Development Code (the "**Code**") and any applicable provisions of Section -115 of the Annexation Act; and
  - (b) approve and execute an annexation and vested rights agreement acceptable to Petitioner and the Town (the "**Annexation Agreement**") which establishes vested property rights for the Property for an agreed upon term, pursuant to Article 68, Title 24, Colorado Revised Statutes.

17. Petitioner has filed this Petition subject to the following conditions:
- (a) Unless otherwise agreed in writing by Petitioner, the annexation of the Property into the Town shall not be effective unless:
    - (i) concurrently with the Board's final approval of an ordinance annexing the Property into the Town, the Board gives its final approval to (A) zoning regulations for the Property in form and substance satisfactory to the Petitioner, and (B) the Annexation Agreement in form and substance satisfactory to Petitioner; and
    - (ii) the Town and Petitioner enter into the Annexation Agreement.
  - (b) Petitioner hereby reserves the right to withdraw this Petition, and thereby prevent the Property from being annexed into the Town, by so notifying the Town Clerk in writing prior to the later to occur of:
    - (i) the occurrence of the conditions to effectiveness of the annexation as set forth in Section -113(2)(b) of the Annexation Act;
    - (ii) the Petitioner's delivery to the Town of Petitioner's written consent described in paragraph 18(c) below; and
    - (iii) a later date, if any, set forth in the Annexation Agreement.
  - (c) Neither the Town, nor any representative thereof, shall cause or permit the occurrence of the conditions to effectiveness of the annexation as set forth in Sections -113(2)(a)(II)(A) and -113(2)(b) of the Annexation Act, without the express written consent of the Petitioner. This Petition shall not constitute such written consent.
18. Upon the annexation of the Property becoming effective, and subject to the conditions set forth in this Petition, and to be set forth in the Annexation Agreement, the Property shall be subject to the regulations of the Town, except as otherwise set forth in the Annexation Agreement, and except for general property taxes of the Town which shall become effective on January 1 of the next succeeding year following adoption of the annexation ordinance.
19. Except for the terms and conditions of this Petition and to be set forth in the Annexation Agreement, which terms and conditions Petitioner has approved or shall expressly approve, which do not constitute an imposition of additional terms and conditions within the meaning of Section -112(1) of the Annexation Act, Petitioner requests that no additional terms and conditions be imposed upon annexation of the Property to the Town.\

[The signature of Petitioner appears on the following page.]

THEREFORE, Petitioner requests that the Board of Trustees of the Town of Erie, Colorado, complete and approve the annexation of the Property pursuant to and subject to the provisions of the Municipal Annexation Act of 1965, as amended, and this Petition.

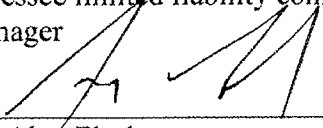
Respectfully submitted this 11<sup>th</sup> day of October, 2019.

Signature of Landowner/Petitioner:

ERIE LAND COMPANY, LLC,  
a Delaware limited liability company

By: Redwood-Southern Land Investment and Development, LLC,  
a Maryland limited liability company,  
its Sole Owner

By: Southern Land Company, LLC,  
a Tennessee limited liability company,  
its Manager

By:   
Name: Alex Fisch  
Title: Chief Investment Officer

LEGAL DESCRIPTION:

A PORTION OF THE EAST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'36" EAST, A DISTANCE OF 2663.38 FEET.

**COMMENCE** AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152 SAID POINT ALSO BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 2,043.98 FEET TO THE NORTHERLY LINE OF THAT CERTAIN 50.00 FEET WIDE DITCH PARCEL DESCRIBED IN A DOCUMENT RECORDED DECEMBER 20, 1886 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT BOOK 63 AT PAGE 464;

THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY LINE, THE FOLLOWING 32 COURSES:

1. THENCE SOUTH 51°26'38" WEST A DISTANCE OF 70.94 FEET TO A 375.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
2. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 31°10'55" AN ARC DISTANCE OF 204.09 FEET;
3. THENCE SOUTH 82°37'33" WEST A DISTANCE OF 226.26 FEET TO A 525.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
4. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°34'39" AN ARC DISTANCE OF 124.41 FEET;
5. THENCE NORTH 83°47'48" WEST A DISTANCE OF 212.21 FEET TO A 565.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
6. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 20°51'49" AN ARC DISTANCE OF 205.74 FEET;
7. THENCE SOUTH 75°20'23" WEST A DISTANCE OF 6.27 FEET TO A 225.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;



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8. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°53'26" AN ARC DISTANCE OF 89.89 FEET;
9. THENCE SOUTH 52°26'57" WEST A DISTANCE OF 22.72 FEET TO A 165.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
10. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 46°45'36" AN ARC DISTANCE OF 134.66 FEET;
11. THENCE SOUTH 05°41'21" WEST A DISTANCE OF 106.91 FEET;
12. THENCE SOUTH 01°41'27" WEST A DISTANCE OF 92.68 FEET;
13. THENCE SOUTH 01°00'54" WEST A DISTANCE OF 269.23 FEET TO A 1,075.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
14. THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°38'04" AN ARC DISTANCE OF 180.76 FEET;
15. THENCE SOUTH 10°38'58" WEST A DISTANCE OF 50.93 FEET TO A 1,225.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
16. THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°50'26" AN ARC DISTANCE OF 124.87 FEET;
17. THENCE SOUTH 16°29'24" WEST A DISTANCE OF 29.52 FEET TO 235.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
18. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 45°35'41" AN ARC DISTANCE OF 187.01 FEET;
19. THENCE SOUTH 62°05'05" WEST A DISTANCE OF 52.47 FEET;
20. THENCE SOUTH 57°50'12" WEST A DISTANCE OF 48.87 FEET TO A 150.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
21. THENCE SOUTHWESTERLY, ALONG SAID TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 24°38'29" AN ARC DISTANCE OF 64.51;
22. THENCE SOUTH 33°11'43" WEST A DISTANCE OF 111.15 FEET TO A 200.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
23. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°47'56" AN ARC DISTANCE OF 128.45 FEET;

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24. THENCE SOUTH 69°59'39" WEST A DISTANCE OF 171.86 FEET TO A 925.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHEASTERLY;
25. THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°52'09" AN ARC DISTANCE OF 207.76 FEET;
26. THENCE SOUTH 57°07'30" WEST A DISTANCE OF 139.10 FEET TO A 200.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
27. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 21°33'50" AN ARC DISTANCE OF 75.27 FEET;
28. THENCE SOUTH 78°41'20" WEST A DISTANCE OF 119.10 FEET TO A 145.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHWESTERLY;
29. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°20'04" AN ARC DISTANCE OF 84.36 FEET;
30. THENCE NORTH 67°58'36" WEST A DISTANCE OF 47.24 FEET TO A 275.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHWESTERLY;
31. THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°56'55" AN ARC DISTANCE OF 172.54 FEET;
32. THENCE SOUTH 76°04'29" WEST A DISTANCE OF 23.28 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 21;

THENCE NORTH 00°16'05" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1,223.81 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST ONE-QUARTER;

THENCE NORTH 00°16'06" WEST, ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21, A DISTANCE OF 2,619.86 FEET TO A LINE BEING 30 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST ONE QUARTER ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 8 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED OCTOBER 14, 1889 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 86 AT PAGE 273;

THENCE NORTH 89°38'36" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 2,633.50 FEET **TO THE POINT OF BEGINNING.**

THE ABOVE DESCRIPTION YIELDS A CALCULATED AREA OF 7,868,244 SQUARE FEET (180.63002 ACRES), MORE OR LESS.

**EXCEPTING THEREFROM:**

(EXCEPTION PARCEL 1)

A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO. WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'56" EAST, A DISTANCE OF 2663.38 FEET

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152 SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 758.81 FEET TO THE MOST NORTHERLY CORNER OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152;

THENCE SOUTH 12°10'26" WEST, ALONG THE WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 6.88 FEET TO THE SOUTHERLY LINE OF THAT CERTAIN 50.00 FEET WIDE DITCH PARCEL DESCRIBED IN A DOCUMENT RECORDED DECEMBER 20, 1886 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER AT BOOK 63 AT PAGE 464;

THENCE WESTERLY AND NORTHERLY, ALONG THE SOUTHERLY AND WESTERLY LINE OF SAID DITCH PARCEL, THE FOLLOWING ELEVEN COURSES:

1.THENCE NORTH 67°28'48" WEST A DISTANCE OF 226.67 FEET TO A 575.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS SOUTHERLY;

2.THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°50'33", AN ARC DISTANCE OF 329.60 FEET;

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3.THENCE SOUTH 79°40'39" WEST A DISTANCE OF 294.87 FEET;

4.THENCE SOUTH 77°11'24" WEST A DISTANCE OF 214.63 FEET;

5.THENCE SOUTH 74°41'14" WEST A DISTANCE OF 127.29 FEET;

6.THENCE SOUTH 73°56'17" WEST A DISTANCE OF 64.14 FEET;

7. THENCE SOUTH 80°39'30" WEST, A DISTANCE OF 123.80 FEET TO A 47.00 FOOT RADIUS TANGENT CURVE WHOSE CENTER BEARS NORTHERLY;

8. THENCE NORTHWESTERLY, ALONG SAID THROUGH A CENTRAL ANGLE OF 97°55'18" AN ARC DISTANCE OF 80.33 FEET;

9. THENCE NORTH 01°25'12" WEST A DISTANCE OF 155.38 FEET;

10. THENCE NORTH 00°42'57" EAST A DISTANCE OF 225.38 FEET;

11. THENCE NORTH 00°49'26" EAST A DISTANCE OF 381.55 FEET TO A LINE BEING 30 FEET SOUTHERLY OF AND PARALLEL WITH THE PREVIOUSLY CITED NORTH LINE OF THE NORTHEAST ONE QUARTER OF SECTION 21 ALSO BEING THE SOUTHERLY RIGHT-OF-WAY OF WELD COUNTY ROAD 8 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED OCTOBER 14, 1889 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER IN BOOK 86 AT PAGE 273;

THENCE NORTH 89°38'36" EAST, ALONG SAID RIGHT-OF-WAY AND PARALLEL LINE, A DISTANCE OF 1,383.69 FEET TO **THE POINT OF BEGINNING.**

THE ABOVE DESCRIPTION YIELDS A CALCULATED AREA OF 982,677 SQUARE FEET (22.55916 ACRES), MORE OR LESS.

**ALSO EXCEPTING THEREFROM:**

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(EXCEPTION PARCEL 2)

A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO. WITH BEARINGS REFERENCED TO THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 21 MONUMENTED ON THE EAST END OF SAID LINE BY A FOUND 3/4 INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED "LS 14087 1994" AND ON THE WEST END BY A FOUND REBAR WITH A 2 INCH ALUMINUM CAP ILLEGIBLY STAMPED; ASSUMED TO BEAR NORTH 89°38'56" EAST, A DISTANCE OF 2663.38 FEET

**COMMENCE** AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE SOUTH 44°34'28" WEST A DISTANCE OF 42.38 FEET TO A POINT ON A LINE BEING 30 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 21 ALSO BEING THE WEST RIGHT-OF-WAY OF WELD COUNTY ROAD 7 ACCORDING TO THAT CERTAIN DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2502152; THENCE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF- WAY AND PARALLEL LINE, A DISTANCE OF 1,365.76 FEET TO THE MOST SOUTHERLY CORNER OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152 ALSO BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREINAFTER DESCRIBED;

THENCE CONTINUE SOUTH 00°29'40" EAST, ALONG SAID RIGHT-OF- WAY AND PARALLEL LINE, A DISTANCE OF 564.57 FEET TO THE SOUTH LINE OF THAT CERTAIN PARCEL DESCRIBED IN A DOCUMENT RECORDED MARCH 23, 2012 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 3833970;

THENCE ALONG THE EXTERIOR OF SAID PARCEL THE FOLLOWING THREE COURSES;

1. THENCE SOUTH 89°30'19" WEST A DISTANCE OF 500.00 FEET;
2. THENCE NORTH 00°29'41" WEST A DISTANCE OF 680.00 FEET;
3. THENCE NORTH 89°30'19" EAST A DISTANCE OF 483.79 FEET TO THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN A DOCUMENT RECORDED JULY 22, 1996 IN THE OFFICE OF THE WELD COUNTY CLERK AND RECORDER UNDER RECEPTION NUMBER 2502152 ;

THENCE SOUTH 08°29'23" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 116.54 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 339,065 SQUARE FEET (7.78387 ACRES), MORE OR LESS.

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THE ABOVE DESCRIBED PARCEL CONTAINS A NET AREA OF 6546502 SQ. FT. (150.28699 ACRES) MORE OR LESS.

**EXHIBIT B**  
**TO PETITION FOR ANNEXATION**

**Legal Description of that Portion of the Property Owned by Petitioner**

A portion of the East 1/2 of Section 21, Township 1 North, Range 68 West of the 6th Principal Meridian, County of Weld, State of Colorado. Basis of Bearings: Assuming the South line of the Southeast corner of Section 21, Township 1 North, Range 68 West of the 6th Principal Meridian, as monumented by a No. 6 Rebar with a 2 inch aluminum cap marked "LS 25937 1995" at the Southeast corner of said Section 21 and a No. 6 Rebar with a 3 1/4 inch aluminum cap marked "LS 13155 1998" at the South 1/4 corner of said Section 21 to bear South 89°23'58" West, a distance of 2684.63 feet with all bearings contained herein relative thereto.

Beginning at the Southeast corner of said Section 21: Thence South 89°23'58" West along said South line of the Southeast 1/4 of Section 21 a distance of 2,684.63 feet to the South 1/4 corner of said Section 21; Thence North 00°16'05" West along the West line of the Southeast 1/4 of said Section 21 a distance of 1,426.59 feet to the Northerly line of said 50 foot wide Ditch Parcel as described in Book 63 at Page 464 and the Point of Beginning; Thence North 00°16'05" West continuing along said West line of the Southeast 1/4 of Section 21 a distance of 1,223.81 feet to the Center 1/4 corner of Section 21;

Thence North 00°16'06" West along the West line of the Northeast 1/4 of Section 21 a distance of 2,649.86 feet to the North 1/4 corner of Section 21; Thence North 89°38'36" East along the North line of the Northeast 1/4 of said Section 21 a distance of 1,250.37 feet to the Westerly line of said 50 foot wide Ditch Parcel as described in Book 63 at Page 464; Thence along the Westerly and Southerly line of said ditch the following eleven (11) courses:

- 1.) South 00°49'26" West a distance of 411.56 feet;
- 2.) South 00°42'57" West a distance of 225.38 feet;
- 3.) South 01°25'12" East a distance of 155.38 feet to a point of curve;
- 4.) Along the arc of a tangent curve to the left, having a central angle of 97°55'18", a radius of 47.00 feet and an arc length of 80.33 feet;
- 5.) North 80°39'30" East a distance of 123.80 feet;
- 6.) North 73°56'17" East a distance of 64.14 feet;
- 7.) North 74°41'14" East a distance of 127.29 feet;
- 8.) North 77°11'24" East a distance of 214.63 feet;
- 9.) North 79°40'39" East a distance of 294.87 feet to a point of curve;
- 10.) Along the arc of a tangent curve to the right, having a central angle of 32°50'33", a radius of 575.00 feet and an arc length of 329.60 feet;
- 11.) South 67°28'48" East a distance of 260.91 feet to the East line of the Northeast 1/4 of said Section 21;

Thence South 00°29'40" East along said East line of the Northeast 1/4 of Section 21 a distance of 471.43 feet to the Northerly line of a Parcel conveyed to Left Hand Water District as described at Reception No. 3833970; Thence South 89°30'19" West along said Northerly line a distance of 530.00 feet to the Northwest corner of said Parcel; Thence South 00°29'41" East along the Westerly line of said Parcel a distance of 680.00 feet to the Southwest corner of said Parcel; Thence North 89°30'19" East along the Southerly line of said Parcel a distance of 530.00 feet to said East line of the Northeast 1/4 of Section 21;

Thence South 00°29'40" East along said East line of the Northeast 1/4 of Section 21 a distance of

90.15 feet to said Northerly line of the 50 foot wide Ditch Parcel as described in Book 63 at Page 464; Thence along said Northerly line the following thirty two (32) courses:

- 1.) South  $51^{\circ}26'38''$  West a distance of 109.05 feet to a point of curve;
- 2.) Along the arc of a tangent curve to the right, having a central angle of  $31^{\circ}10'54''$ , a radius of 375.00 feet and an arc length of 204.08 feet;
- 3.) South  $82^{\circ}37'33''$  West a distance of 226.27 feet to a point of curve;
- 4.) Along the arc of a tangent curve to the right, having a central angle of  $13^{\circ}34'39''$ , a radius of 525.00 feet and an arc length of 124.41 feet;
- 5.) North  $83^{\circ}47'48''$  West a distance of 212.21 feet to a point of curve;
- 6.) Along the arc of a tangent curve to the left, having a central angle of  $20^{\circ}51'49''$ , a radius of 565.00 feet and an arc length of 205.74 feet;
- 7.) South  $75^{\circ}20'23''$  West a distance of 6.27 feet to a point of curve;
- 8.) Along the arc of a tangent curve to the left, having a central angle of  $22^{\circ}53'26''$ , a radius of 225.00 feet and an arc length of 89.89 feet;
- 9.) South  $52^{\circ}26'57''$  West a distance of 22.72 feet to a point of curve;
- 10.) Along the arc of a tangent curve to the left, having a central angle of  $46^{\circ}45'36''$ , a radius of 165.00 feet and an arc length of 134.66 feet;
- 11.) South  $05^{\circ}41'21''$  West a distance of 106.91 feet;
- 12.) South  $01^{\circ}41'27''$  West a distance of 92.68 feet;
- 13.) South  $01^{\circ}00'54''$  West a distance of 269.23 feet to a point of curve;
- 14.) Along the arc of a tangent curve to the right, having a central angle of  $09^{\circ}38'04''$ , a radius of 1,075.00 feet and an arc length of 180.76 feet;
- 15.) South  $10^{\circ}38'58''$  West a distance of 50.93 feet to a point of curve;
- 16.) Along the arc of a tangent curve to the right, having a central angle of  $05^{\circ}50'26''$ , a radius of 1,225.00 feet and an arc length of 124.87 feet;
- 17.) South  $16^{\circ}29'24''$  West a distance of 29.52 feet to a point of curve;
- 18.) Along the arc of a tangent curve to the right, having a central angle of  $45^{\circ}35'42''$ , a radius of 235.00 feet and an arc length of 187.01 feet;
- 19.) South  $62^{\circ}05'05''$  West a distance of 52.47 feet;
- 20.) South  $57^{\circ}50'12''$  West a distance of 48.87 feet to a point of curve;
- 21.) Along the arc of a tangent curve to the left, having a central angle of  $24^{\circ}38'29''$ , a radius of 150.00 feet and an arc length of 64.51 feet;
- 22.) South  $33^{\circ}11'43''$  West a distance of 111.15 feet to a point of curve;
- 23.) Along the arc of a tangent curve to the right, having a central angle of  $36^{\circ}47'55''$ , a radius of 200.00 feet and an arc length of 128.45 feet;
- 24.) South  $69^{\circ}59'39''$  West a distance of 171.86 feet to a point of curve;
- 25.) Along the arc of a tangent curve to the left, having a central angle of  $12^{\circ}52'09''$ , a radius of 925.00 feet and an arc length of 207.76 feet;
- 26.) South  $57^{\circ}07'30''$  West a distance of 139.10 feet to a point of curve;
- 27.) Along the arc of a tangent curve to the right, having a central angle of  $21^{\circ}33'51''$ , a radius of 200.00 feet and an arc length of 75.27 feet;
- 28.) South  $78^{\circ}41'20''$  West a distance of 119.10 feet to a point of curve;
- 29.) Along the arc of a tangent curve to the right, having a central angle of  $33^{\circ}20'04''$ , a radius of 145.00 feet and an arc length of 84.36 feet;
- 30.) North  $67^{\circ}58'36''$  West a distance of 47.24 feet to a point of curve;
- 31.) Along the arc of a tangent curve to the left, having a central angle of  $35^{\circ}56'55''$ , a radius of



275.00 feet and an arc length of 172.54 feet;

32.) South  $76^{\circ}04'29''$  West a distance of 23.27 feet to the Point of beginning,

EXCEPTING therefrom that Parcel of land dedicated to Weld County as a Public Highway in that Deed of Dedication recorded July 22, 1996 at Reception No. 2502152,  
SUBJECT to the rights-of-way for County Road Numbers 7 and 8 as described in Book 86 at Page 273,

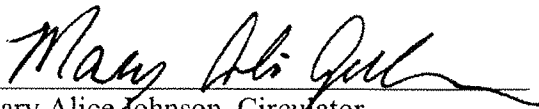
County of Weld, State of Colorado.

**EXHIBIT C**  
**TO PETITION FOR ANNEXATION**

**Affidavit of Circulator**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says:

That the undersigned was the circulator of the foregoing Petition for Annexation of lands to the Town of Erie, Colorado, consisting of 11 pages, including this page, and that the signature of the petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name it purports to be, and that the date of such signature is correct.

  
Mary Alice Johnson, Circulator


STATE OF TENNESSEE     )  
  ) ss.  
COUNTY OF DAVIDSON    )

The foregoing AFFIDAVIT OF CIRCULATOR was subscribed and sworn to before me this 11<sup>th</sup> day of October, 2019, by Mary Alice Johnson.

Witness my hand and official seal.

My commission expires



  
Notary Public