



7887 East 60<sup>th</sup> Avenue  
Commerce City, Colorado 80022  
Phone (303) 289-3683 / Fax (303) 289-3731  
<http://www.c3gov.com>

*Community Development*  
*Department*

**PETITION FOR ANNEXATION OF UNINCORPORATED TERRITORY  
IN THE COUNTY OF ADAMS, STATE OF COLORADO,  
TO THE CITY OF COMMERCE CITY, STATE OF COLORADO**

**Parcels 0172300000272\_East ANNEXATION**

TO THE MAYOR AND THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO:

The undersigned, in accordance with the Municipal Annexation Act of 1965, Chapter 31, Article 12, of the Colorado Revised Statutes, 1973, as amended, hereby petition the City Council of the City of Commerce City for annexation to the City of Commerce City of the following described unincorporated territory located in the County of Adams, State of Colorado, to wit:

**LEGAL DESCRIPTION - SEE EXHIBIT A**

And in support of the said Petition, your Petitioner(s) allege(s) that:

1. It is desirable and necessary that the above-described territory be annexed to the City of Commerce City.
2. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Commerce City.
3. A community of interest exists between the territory proposed to be annexed and the City of Commerce City.
4. The territory to be annexed is urban or will be urbanized in the near future.
5. The territory proposed to be annexed is integrated or is capable of being integrated with the City of Commerce City.
6. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
  - a.) Is divided into separate parts or parcels without the written consent of the landowner(s) thereof, except and unless where such tracts or parcels are already separated by a dedicated street, road or other public way.
  - b.) Comprises 20 acres or more, which together with the buildings and improvements situated thereon, has an assessed value in excess of two-hundred thousand dollars for an ad



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valorem tax purpose for the year preceding the annexation is included within the territory proposed to be annexed, without the written consent of the landowner or landowner thereof. (CRS 31-12-105)

7. No annexation proceedings have been commenced by another municipality and are currently pending for the annexation of part or all of the area proposed herein to be annexed to the City of Commerce City.
8. The proposed annexation will not have the effect of extending a municipal boundary more than three miles in any direction from any point of the City boundary in any one year.
9. The entire width of any street or alley to be annexed is included within the annexation.
10. All requirements of CRS 31-12-104, as amended, and CRS 31-12-105, as amended, exist or have been met.
11. Petitioner should insert one of the following, whichever is applicable:
  - a.) The signer(s) of the Petition comprise(s) one-hundred percent (100%) of the landowners in the area and own one-hundred percent (100%) of the territory included in the area proposed to be annexed, exclusive of streets and alleys, and of any land owned by the annexing municipality; or
  - b.) The signers of the Petition comprise more than fifty percent (50%) of the landowners in the area to be annexed and are the landowners of more than fifty percent (50%) of the territory included in the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality.
12. The mailing address of each signer, the legal description of the land owned by each signer and the date of signing of each signature are all shown on this Petition.
13. Attached to this Petition is the Affidavit of the Circulator of this Petition affirming that each signature hereon is the signature of the person whose name it represents.
14. Accompanying this Petition is a minimum of four (4) annexation maps.



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Petitioner(s) hereby request(s) that the City of Commerce City approve the annexation of the area proposed to be annexed.

**Owner's Printed Name:** Public Service Company of Colorado

**Owner's Signature:**

**Address:** 1123 West 3rd Avenue, Denver, Colorado 80223

Street Number      Street Name      City      State      Zip Code

**Date Signed:** 3/24/2014

**Owner's Printed Name:**

**Owner's Signature:**

**Address:**

Street Number      Street Name      City      State      Zip Code

**Date Signed:**

If necessary, attach a separate sheet that contains the names, addresses, and signatures of additional property owners.

### NOTARY CERTIFICATE

STATE OF Colorado

)

COUNTY OF Denver

) ss.  
)

Subscribed and sworn to before me this 24<sup>th</sup> day of March, 2014, by

Richard J. Grady, as Manager, Siting and Land Rights, Right of Way's Permits Dept  
(Insert Owner or Owners' Name)  
of Public Service Company of Colorado, a Colorado corporation

Witness my hand and official seal.

Notary Public:

Address:

Cynthia J. Diedrich

8086 Grady Circle, Castle Rock, CO 80108

Street Number      Street Name      City      State      Zip Code

**(Signature)**  
NOTARY PUBLIC  
STATE OF COLORADO

NOTARY ID # 20024007348

MY COMMISSION EXPIRES MARCH 23, 2014

My Commission Expires:



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Phone (303) 289-3683 / Fax (303) 289-3731  
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## *Community Development Department*

PETITIONERS hereby constitute and appoint Carolyne White, our true and lawful attorney-in-fact, on our behalf and in our names in all matters lawfully arising out of this Petition and in respect of any and all proceedings conducted in connection herewith by or before the City Council of the City of Commerce City, County of Adams.

## AFFIDAVIT OF CIRCULATOR

STATE OF )  
COUNTY OF )  
SS.

Candynne C'White being duly sworn, upon oath, deposes and states:

1. That the affiant circulated the Petition for Annexation for the purposes of obtaining the signature(s) of the above Petitioner(s).
2. That each signature thereon is the signature of the person whose name it purports to be.

  
David J. S. Smith  
Circulator

## NOTARY CERTIFICATE

STATE OF COLORADO )  
CITY & )  
COUNTY OF DENVER )  
 ) SS.

Subscribed and sworn to before me this 25th day of MARCH, 2014, by

*(Insert Name of Circulator)*

*Witness my hand and official seal.*

Notary Public

Address:

910 17th St #2200 DENVER CO 80202

Street Number      Street Name      City      State   Zip Code

(SEAL)  
SUSAN B. GRIFFIN  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19874163520  
MISSION EXPIRES APRIL 16, 2016

My Commission Expires: 4/16/16

## Exhibit A

The typed legal description as it appears on the Annexation Map (see attached) is included below. A copy of the typed legal description is also included on a CD-ROM attached as part of this exhibit. The legal description for PIN 172300000272\_East that is to be annexed was prepared by Norman L. Simonson, PLS 28288 of SEH, Inc.

### ANNEXATION DESCRIPTION

A PARCEL OF LAND LYING IN THE NORTHWEST ONE-QUARTER (NW1/4) OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 66 WEST, OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST ONE-QUARTER (NW1/4); THENCE S00°13'40"W, 654.23 FEET, ALONG THE WEST LINE OF SAID NORTHWEST ONE-QUARTER (NW1/4), TO THE NORTHWEST CORNER OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (S1/2 NW1/4 NW 1/4) OF SAID SECTION 14, THE POINT OF BEGINNING, SAID POINT BEING ON THE EXISTING COMMERCE CITY LIMITS, ACCORDING TO ANNEXATION MAP AN-228-13, RECORDED AT RECEPTION NUMBER \_\_\_\_\_, ADAMS COUNTY RECORDS;

THENCE S78°14'06"E, 525.00 FEET, ALONG SAID COMMERCE CITY LIMITS;

THENCE S78°41'26"W, 525.00 FEET, ALONG SAID COMMERCE CITY LIMITS, TO THE SOUTHWEST CORNER OF THE NORTH 210 FEET OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (S1/2 NW1/4 NW1/4) OF SAID SECTION 14;

THENCE LEAVING SAID COMMERCE CITY LIMITS, N89°52'31"E, 1753.24 FEET, ALONG A LINE THAT LIES 210.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (S1/2 NW1/4 NW1/4) OF SAID SECTION 14, TO THE WEST LINE OF THAT PARCEL OF LAND DESCRIBED IN BOOK 3946, PAGE 239, ADAMS COUNTY RECORDS;

THENCE N00°07'41"E, 210.00 FEET, ALONG SAID WEST LINE, TO SAID NORTH LINE;

THENCE S89°52'31"W, 1752.87 FEET, ALONG SAID NORTH LINE, TO THE POINT OF BEGINNING.

CONTAINING 314,130 SQUARE FEET (7.211 ACRES), MORE OR LESS.

# AN-229-13

## ANNEXATION MAP, TO THE CITY OF COMMERCE CITY, COLORADO

(FOR ANNEXATION PURPOSES ONLY)

A PART OF THE NW1/4 OF SECTION 14, T2S, R66W, 6TH P.M.

COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 2

### ANNEXATION DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHWEST ONE-QUARTER (NW1/4) OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

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THENCE N00°07'41"E, 210.00 FEET, ALONG SAID WEST LINE, TO SAID NORTH LINE;

THENCE S89°52'31"W, 1752.87 FEET, ALONG SAID NORTH LINE, TO THE POINT OF BEGINNING.

CONTAINING 314,130 SQUARE FEET (7.211 ACRES), MORE OR LESS.

EXECUTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, AD 20 \_\_\_\_

OWNER: PUBLIC SERVICE COMPANY OF COLORADO

(SIGNATURE) \_\_\_\_\_

(PRINT NAME) \_\_\_\_\_

MORTGAGE OR LIEN HOLDER:

(SIGNATURE) \_\_\_\_\_

(PRINT NAME) \_\_\_\_\_

### NOTES:

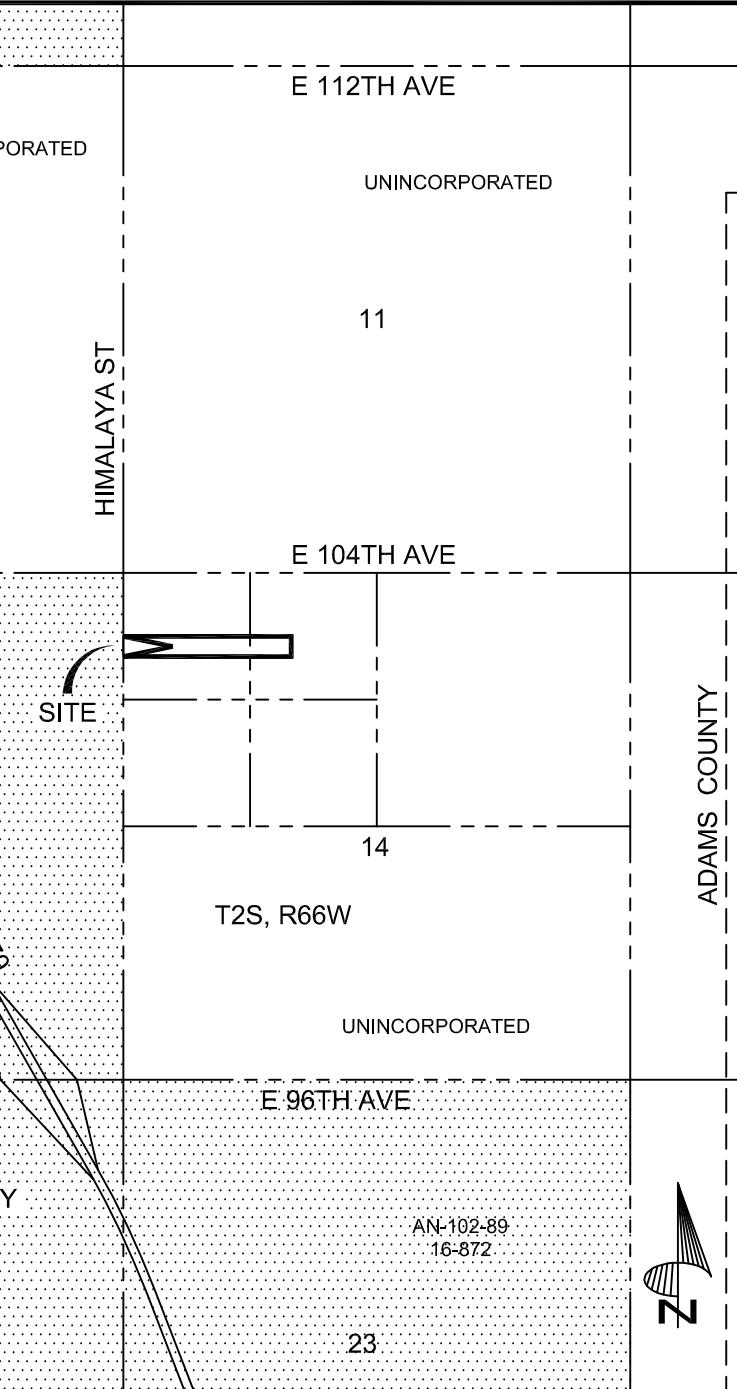
BASIS OF BEARINGS:  
BEARINGS ARE BASED ON THE NORTH LINE OF SECTION 15 BEING  
N89°44'14"E AS SHOWN ON THE CITY OF COMMERCE CITY CONTROL  
DIAGRAM.

THIS ANNEXATION MAP IS NOT A BOUNDARY SURVEY, LAND SURVEY  
PLAT OR IMPROVEMENT SURVEY PLAT AND IS FOR ANNEXATION  
PURPOSES ONLY.

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE  
LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN  
THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO  
EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY  
BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE  
CERTIFICATION SHOWN HEREON.

### LEGEND:

- DENOTES BOUNDARY OF LAND BEING ANNEXED
- DENOTES CITY OF COMMERCE CITY LIMITS



### STATEMENT OF SURVEY

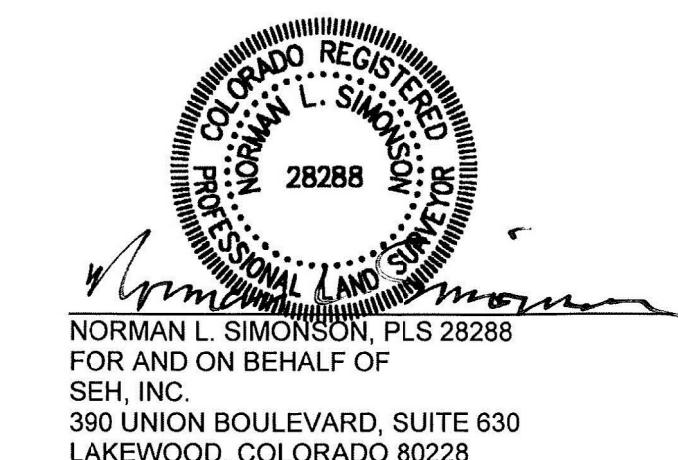
I, NORMAN L. SIMONSON, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS SURVEY WAS PREPARED BY ME AND ON BEHALF OF SEH, INC. 390 UNION BOULEVARD, SUITE 630, LAKEWOOD, COLORADO 80228.

I FURTHER STATE THAT THE ABOVE DESCRIBED LAND IS CONTIGUOUS TO THE CITY OF COMMERCE CITY AND MEETS THE REQUIREMENTS SET FORTH IN CRS 31-12-104-(1)(a) THAT ONE-SIXTH OR MORE OF THE PERIMETER TO BE ANNEXED IS CONTIGUOUS WITH THE ANNEXING MUNICIPALITY.

### CONTIGUITY STATEMENT

- TOTAL PERIMETER OF AREA CONSIDERED FOR ANNEXATION = 4,766.11 FEET
- ONE-SIXTH OF THE TOTAL PERIMETER OF AREA = 794.35 FEET
- PERIMETER OF THE AREA CONTIGUOUS WITH EXISTING CITY LIMITS = 1,050.00 FEET

THE TOTAL CONTIGUOUS PERIMETER IS 22.03%, WHICH MEETS OR EXCEEDS THE 1/6 AREA REQUIRED.



### CITY COUNCIL CERTIFICATE

APPROVAL BY CITY OF COMMERCE CITY, CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, AD 20 \_\_\_\_

ATTEST:

CITY CLERK \_\_\_\_\_

MAYOR \_\_\_\_\_

### ADAMS COUNTY CLERK AND RECORDER'S CERTIFICATE

THIS MAP WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER, IN THE STATE OF COLORADO, AT \_\_\_\_\_. M. ON THE \_\_\_\_ DAY OF \_\_\_\_\_, AD 20 \_\_\_\_

BY:  
DEPUTY COUNTY CLERK AND RECORDER \_\_\_\_\_

RECEPTION NO. \_\_\_\_\_



390 Union Boulevard  
Suite 630  
Lakewood, Colorado 80228  
Phone: 303-586-5800  
FAX: 303-586-5801  
www.sehinc.com

# AN-229-13

ANNEXATION MAP, TO THE CITY OF COMMERCE CITY, COLORADO

(FOR ANNEXATION PURPOSES ONLY)

A PART OF THE NW1/4 OF SECTION 14, T2S, R66W, 6TH P.M.

COUNTY OF ADAMS, STATE OF COLORADO

SHEET 2 OF 2

(UNPLATTED)

NORTH LINE, SECTION 15  
N89°44'14"E (BASIS OF BEARINGS)

S00°13'40"W  
654.23'

NW CORNER, SECTION 14  
POINT OF COMMENCEMENT

(UNPLATTED)

(UNPLATTED)

(UNPLATTED)

POINT OF BEGINNING  
NW CORNER,  
S1/2 NW1/4 NW1/4,  
SECTION 14

ANNEXATION MAP  
AN - 228 - 13  
FILE       , MAP         
REC. NO.       

S89°52'31"W

1752.87'

N89°52'31"E

1753.24'

BOOK 1034, PAGE 317

N00°07'41"E  
210.00'

BOOK 3946, PAGE 239  
210.00'

ANNEXATION MAP  
AN - 102 - 89  
FILE 17, MAP 828  
REC. NO. C0383363

HIMALAYA ST  
WEST LINE, NW1/4, SEC. 14

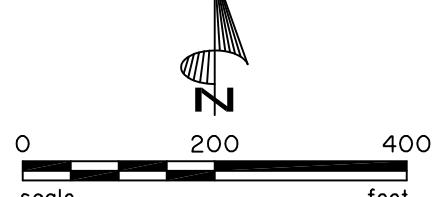
(UNPLATTED)

(UNPLATTED)

(UNPLATTED)

NW1/4,  
SEC 14,  
T2S, R66W

(UNPLATTED)



## LEGEND:

DENOTES BOUNDARY OF LAND BEING ANNEXED

DENOTES EXISTING COMMERCE CITY LIMITS

NORMAN L. SIMONSON, PLS 28288  
FOR AND ON BEHALF OF  
SEH, INC.  
390 UNION BOULEVARD, SUITE 630  
LAKEWOOD, COLORADO 80228



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