



## ANNEXATION PETITION

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

AN-257-20

#### 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 - check whichever statement is applicable:
  - ☒ 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.
  - ☐ 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 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 - check whichever statement is applicable:
  - ☒ 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
  - ☐ 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 annexation maps.



Petitioner(s) hereby request(s) that the City of Commerce City approve the annexation of the area proposed to be annexed. If any Petitioner is a legal entity (e.g., corporation, LLC, LLP, etc.), this Petition must be signed by person(s) authorized to execute this Petition on behalf of the Petitioner. Petitioner may be required to submit evidence of authority.

Legal Owner's Printed Name: Patricia L. Spencer

Legal Owner's Signature: Patricia L. Spencer

Title (if Owner is an entity): \_\_\_\_\_

Legal Owner's Address: 12141 E. 116th Circle, Henderson, CO 80640

Street Number

Street Name

City

State

Zip Code

Date Signed: 9-21-20

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

#### NOTARY CERTIFICATE

STATE OF Utah

ss.

COUNTY OF Utah

Subscribed and sworn to before me this 21 day of September, 2020, by

Patricia L. Spencer

(Insert Owners' Name)

Witness my hand and official seal.

Notary Public: Leslie Spencer

Address: 3292 Canyon Rd Springville, UT 84663

Street Number

Street Name

City

State

Zip Code

(SEAL)

My Commission Expires: April 02, 2023





## EXHIBIT A

### Legal Description of Property

PARCEL OF LAND, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 09, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST QUARTER CORNER OF SAID SECTION 09;  
THENCE NORTH 00°17'09" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 09, A DISTANCE OF 657.86 FEET TO THE POINT OF BEGINNING;

THENCE ALONG SAID CITY LIMITS THE FOLLOWING THREE (3) COURSES:

THENCE SOUTH 89°29'55" WEST, A DISTANCE OF 879.15 FEET;

THENCE NORTH 23°26'20" EAST, A DISTANCE OF 317.18 FEET;

THENCE NORTH 77°54'29" WEST, A DISTANCE OF 40.00 FEET;

THENCE DEPARTING SAID PERIMETER, NORTH 18°59'04" EAST, A DISTANCE OF 75.07 FEET;

THENCE NORTH 77°54'29" WEST, A DISTANCE OF 292.66 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD AND A POINT ON THE CITY OF COMMERCE CITY EXISTING CITY LIMITS (ANNEXATION AN-144-98);

THENCE NORTH 24°30'16" EAST ALONG SAID EAST LINE AND EXISTING CITY LIMITS LINE, A DISTANCE OF 250.86 FEET TO A POINT ON THE CITY OF COMMERCE CITY EXISTING CITY LIMITS (ANNEXATION AN-158-99);

THENCE ALONG SAID EXISTING CITY LIMITS LINE THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°40'02" EAST, A DISTANCE OF 946.50 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 09;
- 2) SOUTH 00°17'09" EAST ALONG SAID EAST LINE, A DISTANCE OF 657.75 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 581,968 SQUARE FEET OR 13.36 ACRES, MORE OR LESS.

# PLATTE PLACE ANNEXATION MAP

TO THE CITY OF COMMERCE CITY  
SITUATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 67  
WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO  
SHEET 1 OF 2

## ANNEXATION DESCRIPTION:

THE UNDERSIGNED, BEING THE OWNER OF A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST QUARTER CORNER OF SAID SECTION 9, THENCE NORTH 00°17'00" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, A DISTANCE OF 657.26 FEET TO THE POINT OF BEGINNING.

THENCE ALONG SAID CITY LIMITS THE FOLLOWING THREE (3) COURSES:

- 1) THENCE SOUTH 89°29'55" WEST, A DISTANCE OF 674.15 FEET;
  - 2) THENCE NORTH 22°28'20" EAST, A DISTANCE OF 317.18 FEET;
  - 3) THENCE NORTH 77°54'29" WEST, A DISTANCE OF 400.00 FEET;
- THENCE DEPARTING SAID PERMETER, NORTH 05°30'00" EAST, A DISTANCE OF 75.00 FEET;

THENCE NORTH 77°54'29" WEST, A DISTANCE OF 222.68 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF BRANTON BOULEVARD AND A POINT ON THE CITY OF COMMERCE CITY LIMITS (AMMUNITION AREA-14-89) RECEPTION NO. 2009-146, COUNTY RECORDS OFFICE, THENCE NORTH 24°30'16" EAST ALONG SAID EAST LINE AND EXISTING CITY LIMITS LINE, A DISTANCE OF 250.00 FEET TO A POINT ON THE CITY OF ADAMS CITY LIMITS LINE (AMMUNITION AREA-15-89) RECEPTION NO. 2009-146, COUNTY RECORDS OFFICE.

THENCE ALONG SAID EXISTING CITY LIMITS LINE THE FOLLOWING TWO (2) COURSES:

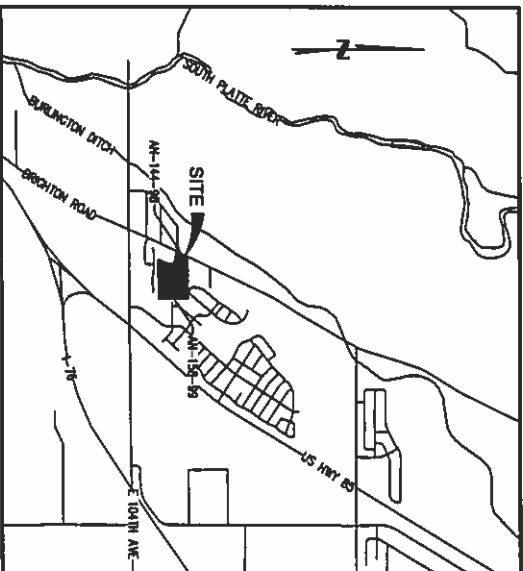
  - 1) SOUTH 89°29'55" WEST, A DISTANCE OF 754.50 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 9;
  - 2) SOUTH 00°17'00" EAST ALONG SAID EAST LINE, A DISTANCE OF 657.75 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 581,968 SQUARE FEET OR 13.28 ACRES, MORE OR LESS.

DECEASED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ AD 20\_\_\_\_

(OWNER'S SIGNATURE AND PRINTED NAME)

(WITNESS OR LEND HOLDER(S) SIGNATURE AND PRINTED NAME)



## GENERAL NOTES:

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EXISTENCE OF RECORD FOR ALL INFORMATION REGARDING EXISTING INTERESTS, ENCUMBRANCES, EASEMENTS, OR RECORDS. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE LAND AND RECORDS ISSUED BY LAND TITLE GUARANTEE COMPANY AND HAVING AN EFFECTIVE DATE OF OCTOBER 04, 2019 AT 5:00 P.M.
2. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
3. BASIS OF BEHAVIOR: BEHAVIOR IS BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 9, AS BEHAVIOR SOUTH-RECORDED WEST, AS SHOWN ON THE CONTROL QUADRA FOR THE CITY OF COMMERCE CITY, RECORDED AT RECEPTION NO. 2009-146, AS UNDEVELOPED SHOWN HEREON.

## SURVEYOR'S CERTIFICATE:

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 PERMETER TO BE ANNEXED IS CONTIGUOUS WITH THE ANNEXING JURISDICTION.

### CONTRAST STATEMENT:

- TOTAL PERMETER OF THE AREA CONSIDERED FOR ANNEXATION = 3468.18 FEET
  - ONE-SIXTH OF TOTAL PERMETER OF AREA = 578.03 FEET
  - PERMETER OF THE AREA CONTIGUOUS WITH EXISTING CITY LIMITS = 1884.11 FEET
- THE TOTAL CONTIGUOUS PERMETER IS SLACK, WHICH MEETS OR EXCEEDS THE 1/6 AREA REQUIREMENT.
- I, AARON WARRINT, A REGISTERED SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE AREA TO BE ANNEXED.

AARON WARRINT, PLS. SURVEYOR  
FOR AND ON BEHALF OF  
HARRIS KOCHER SMITH

ADAMS COUNTY CLERK AND RECORDER'S CERTIFICATE:  
THIS MAP WAS FILED FOR RECORD IN THE OFFICE OF ADAMS COUNTY CLERK AND RECORDER, IN THE STATE OF COLORADO, AT \_\_\_\_\_ M. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.  
BY \_\_\_\_\_  
DEPUTY COUNTY CLERK AND RECORDER

## CITY COUNCIL CERTIFICATE:

APPROVED BY CITY OF COMMERCE CITY, CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.  
ATTEST:  
CITY CLERK \_\_\_\_\_  
LAWYER \_\_\_\_\_

ISSUE DATE: 2/16/2020 PROJECT #: 191008  
DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
FOR: \_\_\_\_\_  
REVISION COMMENTS:

DRAFT

HKS HARRIS KOCHER SMITH  
1120 Linda Street, Suite 1000  
Denver, CO 80202  
P: 303.555.5555  
HarrisKocherSmith.com

TO THE CITY OF COMMERCE CITY  
SITUATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 6  
WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO  
SHEET 2 OF 2

BELL CREEK SUBDIVISION PLAT NO. 3 AGREEMENT NO. 3

EAST COR. SEC. 8  
TOWN 12S ALMA CAP  
STAMPED "725 687W"  
S9/510 1098 LS 7361"  
FLUSH WITH GROUND



**HKS**  
**HARRIS**  
**KOCHER**  
**SMITH**

1120 Lincoln Street, Suite 1100  
Denver, Colorado 80202  
P: 303-432-4300 F: 303-432-4511  
HarrisKocherSmith.com



BASE OF BEARING  
SOUTH LINE SOUTHWEST QUARTER, SECTION 9  
589.25 122° 5' 24.33 44"

POINT OF COMMENCEMENT  
SOUTHWEST COR. SEC.  
TOWNED 1/25 ALUM. CAP  
STANDARD COLO DEPT O  
TRANSPORTATION 125.1671  
1/4 SW 5/16 1963 PLS NO 25316  
50.50 510/515 1061 PLS NO 25316

LOT 2, BLOCK 1