



## 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

#### 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: DIBC HQTS, LLC

Legal Owner's Signature: H. Rickey Wells

Title (if Owner is an entity): Jr. V.P. of A.C. Fulerwider, Inc. as Manager

Legal Owner's Address: 270 St. Paul Street, Suite 300, Denver, CO 80206  
Street Number Street Name City State Zip Code

Date Signed: 5/3/2024

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

NOTARY CERTIFICATE

STATE OF )  
                  ) ss.  
COUNTY OF )

Subscribed and sworn to before me this 3rd day of may, 2024 by  
H. Rickey Wells  
(Insert Owners' Name)

Witness my hand and official seal. Notary Public: Sakane

(SEAL) Address: 270 St. Paul St., Suite 300 Denver CO 80206  
Street Number Street Name City State Zip Code

My Commission Expires: Jan 9, 2028



# EXHIBIT A



**NORTHERN  
ENGINEERING**

## **PROPERTY DESCRIPTION – REPUBLIC SERVICES ANNEXATION**

A parcel of land being a portion of the Southwest Quarter (SW1/4) of Section Twenty-three (23) and a portion of the West Half (W1/2) of Section Twenty-six (26), Township Two South (T.2S.), Range Sixty-six West (R.66W.) of the Sixth Principal Meridian (6<sup>th</sup> P.M.), County of Adams, State of Colorado being more particularly described as follows;

**BEGINNING** at the Northwest Corner of said Section 26 and assuming the North line of the West Half of Section 26 as bearing North 89° 03' 17" East a distance of 2637.11 feet with all other bearings contained herein relative thereto:

THENCE North 00° 18' 18" West along an Easterly line of Annexation Map AN-153-98 recorded February 19, 1999 as Reception No. 1999030506050 of the Records of Adams County a distance of 30.00 feet to the Northerly Right of Way Line of 88<sup>th</sup> Avenue and to the Southerly line of Annexation Map AN-102-89 recorded October 13, 1989 as Reception No. 1989020908599 of the Records of Adams County; THENCE North 89° 03' 17" East along said Southerly line of Annexation Map AN-102-89 a distance of 605.53 feet;

THENCE South 00° 56' 43" East departing said Southerly line of AN-102-89 a distance of 100.00 feet; The following Seven (7) courses are along the Southwesterly and Westerly lines and arcs of that parcel of land No. TK-128 of the E-470 Public Highway Authority described in Bargain and Sale Deed recorded October 12, 1995 as Reception No. 1995030114614 of the Records of Adams County.

THENCE South 84° 57' 33" East a distance of 429.25 feet;

THENCE South 56° 43' 42" East a distance of 99.32 feet;

THENCE South 18° 17' 28" East a distance of 1157.84 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southwest a distance of 454.67 feet, said curve has a Radius of 1424.13 feet, a Delta of 18° 17' 32" and is subtended by a Chord bearing South 09° 08' 42" East a distance of 452.74 feet to a Point of Tangency;

THENCE South 00° 00' 05" West a distance of 1250.00 feet;

THENCE South 08° 12' 59" East a distance of 224.07 feet;

THENCE South 00° 00' 05" West a distance of 131.46 feet to the South line of the North Half of the North Half of the Southwest Quarter of said Section 26 and to the Northerly line of the City and County of Denver as described in Rule and Order recorded August 10, 1990 as Reception No. 1990020958682 of the Records of Adams County;

THENCE South 89° 28' 39" West along said Northerly line of the City and County of Denver a distance of 1604.57 feet to the West line of the Southwest Quarter of said Section 26 and to an Easterly line of Annexation Map AN-153-98;

The following Three (3) courses are along the Easterly lines of said Annexation Map AN-153-98.

THENCE North 00° 29' 06" West along said West line of the Southwest Quarter of said Section 26 a distance of 664.98 feet to the West Quarter Corner of Section 26;

THENCE North 00° 32' 43" East along the West line of the Northwest Quarter of said Section 26 a distance of 2621.54 feet to the Southerly Right of Way line of 88<sup>th</sup> Avenue;

THENCE North 00° 32' 43" East continuing along said West line a distance of 30.01 feet to the **POINT OF BEGINNING**.

**TOTAL ANNEXED AREA** for the Republic Services Annexation is 4,816,240 square feet or 110.57 acres, more or less (±).

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4/27/2021  
*Arnon M. Lund*

**FORT COLLINS:** 301 North Howes Street, Suite 100, 80521 | 970.221.4158

**GREELEY:** 820 8<sup>th</sup> Street, 80631 | 970.395.9880 | **WEB:** www.northernengineering.com



**NORTHERN  
ENGINEERING**

**SURVEYOR'S CERTIFICATE**

I, Aaron M. Lund, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



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Aaron M. Lund – on Behalf of Northern Engineering  
Colorado Registered Professional  
Land Surveyor #38670

**NORTHERN ENGINEERING**  
820 8<sup>th</sup> Street  
Greeley, Colorado 80631  
(970) 488-1115

February 3, 2021

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