



## 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

#### NWC AT E. 96<sup>TH</sup> AVE. & PICADILLY RD. ANNEXATION

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

The undersigned (the "Petitioner(s)", in accordance with the Municipal Annexation Act of 1965, Chapter 31, Article 12, of the Colorado Revised Statutes, 1973, as amended (the "Act"), hereby petition ("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 (attached hereto and incorporated herein by this reference, the "Property")**

And in support of the said Petition, your Petitioners alleges that:

1. It is desirable and necessary that the Property be annexed to the City of Commerce City.
2. The condition set forth in Section 30(1)(b) of Article II of the Colorado Constitution has been met, the provisions of Section 30 of Article II of the Colorado Constitution have been complied with, and the requirements of Sections 31-12-104 and 31-12-105 of the Act exist or have been met in that:
  - (a) Not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the existing boundaries of City of Commerce City.
    - (a) Contiguity with the City of Commerce City is not established by use of any boundary:
      - (i) of an area previously annexed to the City of Commerce City that, at the time of its annexation, was not contiguous at any point with the boundary of the City of Commerce City, was not otherwise in compliance with Section 31-12-104(1)(a) of the Act, and was located more than three miles from the nearest boundary of the City of Commerce City ("Non-Contiguous Area"); or
      - (ii) of territory subsequently annexed directly to, or indirectly connected through subsequent annexations to, a Non-Contiguous Area.
    - (b) A community of interest exists between Property and the City of Commerce City.
    - (c) The Property is urban or will be urbanized in the near future.
    - (d) The Property is integrated or is capable of being integrated with the City of Commerce City.



(e) In establishing the boundaries of the Property, 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:

(i) 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; or

(ii) 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.

(f) No annexation proceedings have been commenced by another municipality and are currently pending for the annexation of part or all of the Property.

(g) The proposed annexation will not have the effect of extending a municipal boundary more than three (3) miles in any direction from any point of the City boundary in any one (1) year.

(h) The entire width of any street or alley to be annexed is included within the annexation. and annexation of the Property 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 City of Commerce City but is not bounded on both sides by the City of Commerce City.

(i) Annexation of the Property will not result in the detachment of area from any school district and the attachment of the same to another school district.

3. Petitioners comprise more than fifty percent (50%) of the landowners of the Property and own more than fifty percent (50%) of the Property, exclusive of streets and alleys, and of any land owned by the City of Commerce City.

4. The mailing address of each Petitioner and the date of signing of the signature of each Petitioner are all shown on this Petition.

5. The legal description of the land owned by each Petitioner is set forth on Exhibit B, attached hereto and incorporated herein by this reference. As more particularly described on Exhibit B, the land owned by Petitioner constitutes one hundred percent (100%) of the Property within the meaning of Section 31-12-107(1)(g) of the Act.

6. Attached to this Petition following the signature of each Petitioner is an Affidavit of the Circulator of this Petition affirming that such signature hereon is the signature of the person whose name it purports to be and certifying the accuracy of the date of such signature.

7. Accompanying this Petition are four copies of the annexation map for the Property in the form required by Section 31-12-107(1)(d) of the Act and containing the following information:



- 
- (a) A written legal description of the boundaries of the Property.
  - (b) A map showing the boundary of the Property.
  - (c) Within the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area to be platted, then the boundaries and the plat number of plots and blocks are shown.
  - (d) Next to the boundary of the Property is drawn the contiguous boundary of the City of Commerce City and the contiguous boundary of any other municipalities abutting the Property.
8. In connection with the processing of this Petition, the Petitioners request that the City of Commerce City:
- (a) Institute zoning approval processes for the Property in accordance with Section 31-12--115 of the Act and Article III, Division 1, Section E (Planned Unit Developments), of the Land Development Code of the City of Commerce City; and
  - (b) Approve and execute an annexation and development agreement ("Annexation and Development Agreement") which, among other matters, establishes vested property rights for the Property for an agreed upon term greater than three (3) years pursuant to Article 68, Title 24, Colorado Revised Statutes, and Section 21-3234 of the Land Development Code of the City of Commerce City, and otherwise establishes the development plan for the Property.
9. Petitioners have filed this Petition subject to the following conditions:
- (a) Concurrently with its approval of annexation of the Property, the City of Commerce City: (i) approves zoning which is substantially consistent with the application for zoning which Petitioner submits in connection with this Petition; and (ii) approves, authorizes execution of and executes the Annexation and Development Agreement (collectively, the "Approvals").
  - (b) Petitioners hereby reserve the sole, exclusive and unilateral right to withdraw this Petition by so notifying the City Clerk of the City of Commerce City in writing at any point prior to the latest to occur of:
    - (i) the latest of the final, non-appealable approval of the final ordinance(s) or other final approval(s) approving the Approvals;
    - (ii) final, non appealable resolution of any "Legal Challenge." For purposes of this Petition, "Legal Challenge" means either: (i) any third party commences any legal proceeding or other action that directly or indirectly challenges the annexation of the Property, any of the Approvals, or any of the City of Commerce City's ordinances, resolutions or other approvals approving the annexation of the Property or any of the Approvals; or (ii) any third party submits a petition for a referendum seeking to reverse or nullify any of such ordinances; and
    - (iii) any later date contemplated in the Annexation and Development Agreement.



(c) Prior to expiration of the period described in the foregoing subparagraph (b) without Petitioners having withdrawn the Petition, neither Petitioners nor the City of Commerce City shall cause or permit the occurrence of the conditions to effectiveness of the annexation as set forth in Section 31-12-113(2)(b) of the Act.

10. 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 and Development Agreement, the Property shall become subject to all ordinances, resolutions, rules and regulations of the City of Commerce City, except as otherwise set forth in the Annexation and Development Agreement, and except for general property taxes of the City of Commerce City, which shall become effective on January 1 of the next succeeding year following adoption of the annexation ordinance.
11. Except for the terms and conditions of this Petition, and of the Annexation and Development Agreement, which terms and conditions Petitioners expressly approve and therefore do not constitute an imposition of additional terms and conditions within the meaning of Sections 31 12 107(4), 110(2), 111 or 112(1) of the Act, Petitioners request that no additional terms and conditions be imposed upon annexation of the Property to the City of Commerce City.

*[ signature pages and exhibits follow this page ]*



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**

**SMT INVESTORS LIMITED PARTNERSHIP,**  
an Arizona limited partnership

By: CCT Investors, LLC  
an Arizona limited liability company  
its General Partner

By: Cowley Companies, Inc.  
an Arizona corporation  
its Manager

  
\_\_\_\_\_  
Michael T. Cowley, President

Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says: That (s)he was the circulator of the foregoing Petition for Annexation of lands to the City of Commerce City, Colorado, consisting of 32 pages, and that the signature of the foregoing Petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name s(he) purports to be, and that the date of such signature is correct.

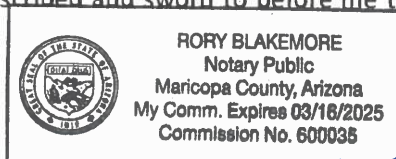
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Morson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*


**PETITIONER:**

**SCM – POG, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

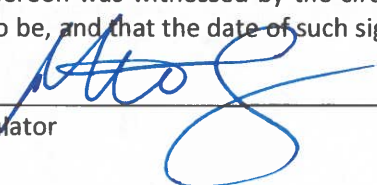
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

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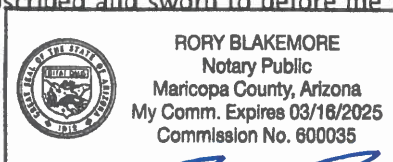
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 





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**PETITIONER:**

**GO WEST TOO DEFINED BENEFIT PENSION PLAN, DATED JANUARY 1, 2001**

Nathan Learner  
Nathan Learner, Trustee

Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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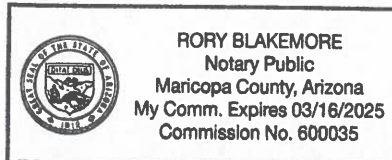
[Signature]  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: [Signature]




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**PETITIONER:**

**CCT INVESTORS, LLC,**  
an Arizona limited liability company

By: Cowley Companies, Inc.,  
an Arizona corporation  
its Manager

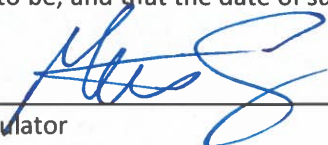
  
\_\_\_\_\_  
Michael T. Cowley, President  
Date: 2/13/25

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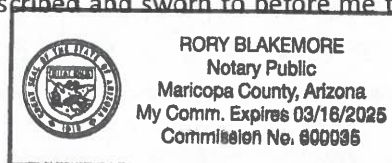
  
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Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/10/25



Notary Public: 





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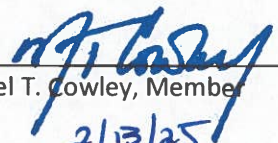
**PETITIONER:**

**SCM – HESS MYERS, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

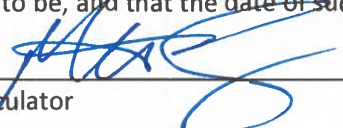
  
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Michael T. Cowley, Member  
Date: 2/13/25

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Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley

Witness my hand and official seal.

My commission expires: 3/16/25

  
RORY BLAKEMORE  
Notary Public  
Maricopa County, Arizona  
My Comm. Expires 03/16/2025  
Commission No. 800035  
Notary Public: 



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**PETITIONER:**

**SCM – Neal, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

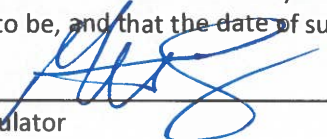
  
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Michael T. Cowley, Member  
Date: 2/13/25

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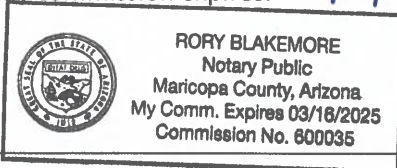
  
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Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

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Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 



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**PETITIONER:**

**SCM – CAGLE OKC, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

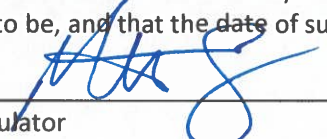
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

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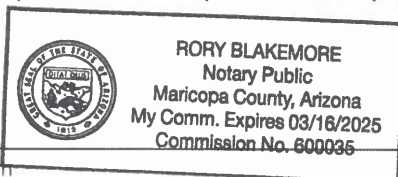
  
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Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

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Witness my hand and official seal.

My commission expires: 3/16/25



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**SCM – SCHOENHALS OKC, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

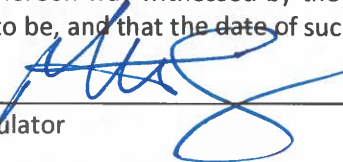
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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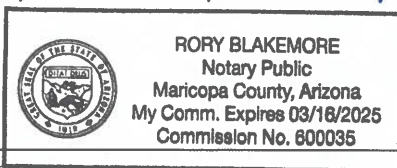
  
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Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

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Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 





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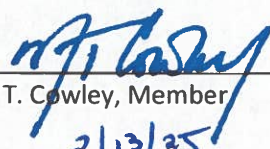
**PETITIONER:**

**SCM – CARRIER OKC, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
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its General Partner

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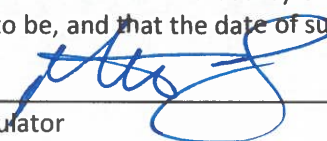
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

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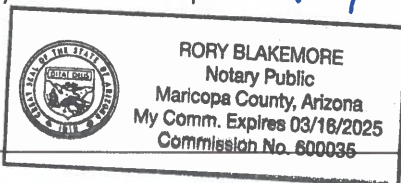
STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

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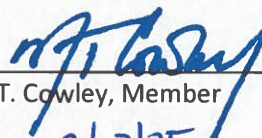
**PETITIONER:**

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an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

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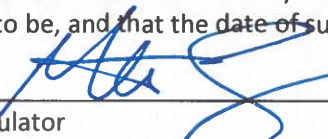
  
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Michael T. Cowley, Member  
Date: 2/13/25

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**AFFIDAVIT OF CIRCULATOR**

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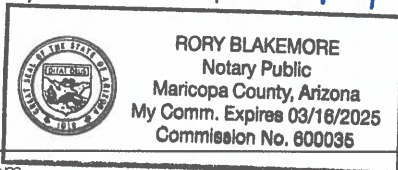
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

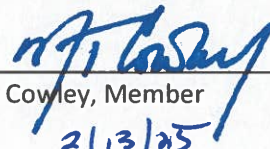
**PETITIONER:**

**SCM – BLAYLOCK OKC, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

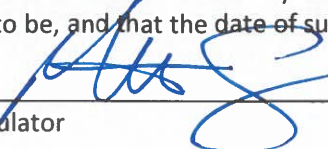
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says: That (s)he was the circulator of the foregoing Petition for Annexation of lands to the City of Commerce City, Colorado, consisting of 32 pages, and that the signature of the foregoing Petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name s(he) purports to be, and that the date of such signature is correct.

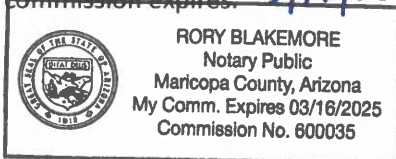
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

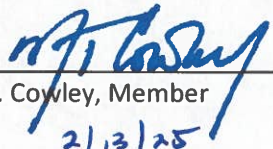
**PETITIONER:**

**SCM – TIBBS OKC, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

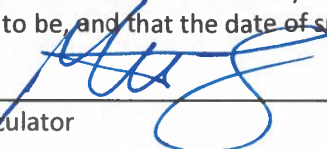
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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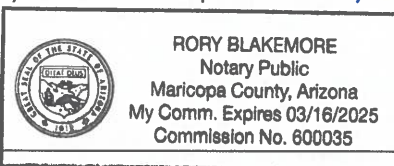
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Morson Cowley.

Witness my hand and official seal.

My commission expires: 3/10/25



Notary Public: 



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

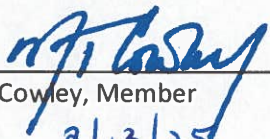
**PETITIONER:**

**SCM – REMONDINO OKC, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

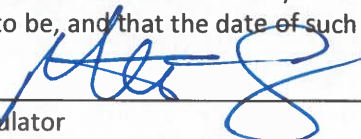
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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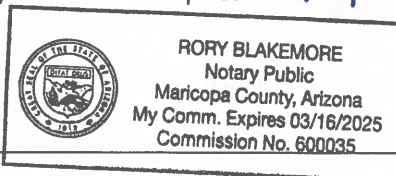
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 





Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**

**SCM – STEPHAN, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

  
Michael T. Cowley, Member

Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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Circulator

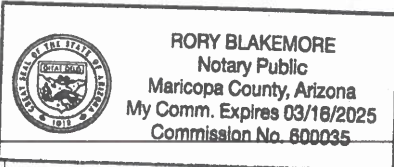
STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25

Notary Public: 







Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**


**SCM – MORRIS, LLLP,**

an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

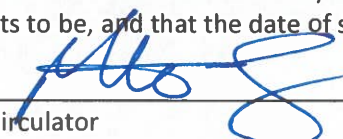
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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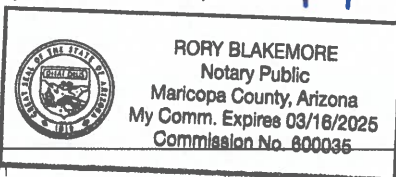
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Manson Cowley.

Witness my hand and official seal.

My commission expires: 3/14/25



Notary Public: 



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*


**PETITIONER:**

**SCM – KING, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

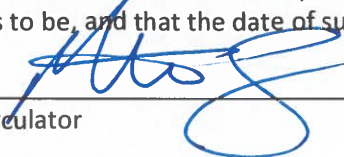
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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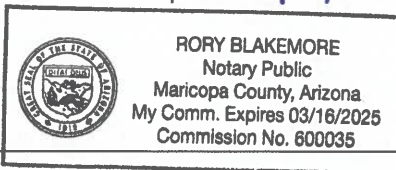
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025 by Manson Cowley.

Witness my hand and official seal.

My commission expires: 3/10/25



Notary Public: 



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**

**SCM – DONNELLY, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

  
\_\_\_\_\_  
Michael T. Cowley, Member

Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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\_\_\_\_\_  
Circulator

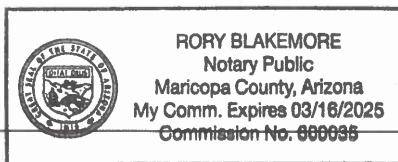
STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25

Notary Public: 





Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*


**PETITIONER:**

**SCM – MOORE, LLLP,**  
an Arizona limited liability limited partnership

By: Strategic Capital Management, LLLP,  
an Arizona limited liability limited partnership

By: Strategic Capital Management AZ, L.L.C.,  
an Arizona limited liability company  
its General Partner

By: Emerson Investments, LLC,  
an Arizona limited liability company

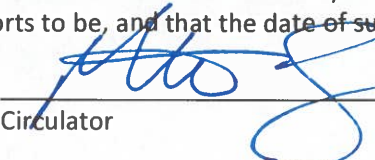
  
\_\_\_\_\_  
Michael T. Cowley, Member  
Date: 2/13/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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\_\_\_\_\_  
Circulator

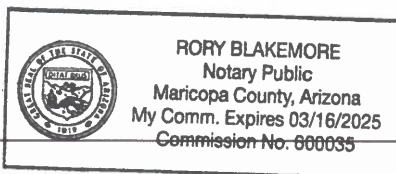
STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

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My commission expires: 3/16/25

Notary Public: 





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**PETITIONER:**

**HARVARD C.G. PROPERTIES II, L.L.C.,**  
an Arizona limited liability company

By: Harvard Investments, Inc.,  
a Nevada corporation  
its Manager

  
\_\_\_\_\_  
Craig L. Krumwiede, ~~Manager~~ CEO

Date: 2/12/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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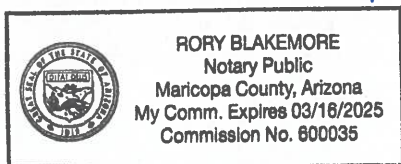
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 12<sup>th</sup> day of February 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 





Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**

**FAR MAREL, LLC,**  
an Arizona limited liability company

B.A. Bowden

Brent A. Bowden, Manager

Date: 12 Feb 2025

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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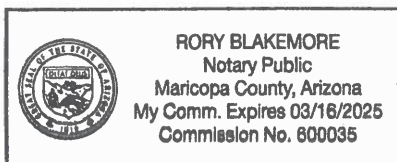
[Signature]  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 12<sup>th</sup> day of February 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: [Signature]



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. 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. Petitioners may be required to submit evidence of authority.

**PETITIONER:**

**NEAL MANAGEMENT, LLC,**  
an Arizona limited liability company

Darrell Kirk Neal, Manager

Date: 2-13-2028

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says: That (s)he was the circulator of the foregoing Petition for Annexation of lands to the City of Commerce City, Colorado, consisting of 32 pages, and that the signature of the foregoing Petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name s(he) purports to be, and that the date of such signature is correct.

Circulator

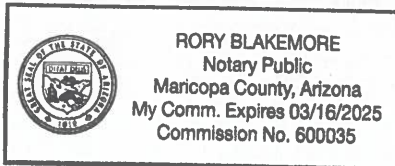
STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25

Notary Public:





Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**

**MT. OLYMPUS INVESTMENTS, LLC,**  
an Arizona limited liability company

  
\_\_\_\_\_  
Broc C. Hiatt, Manager

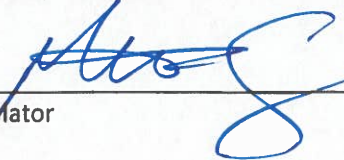
Date: 12 FEB 2025

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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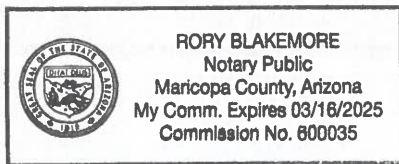
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

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Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 



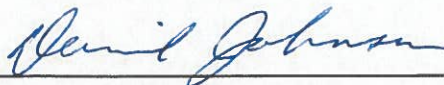


Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *If any Petitioner is a legal entity (e.g., corporation, LLC, LLP, etc.), this Petition must be signed by person(s) authorized to execute this Petition on behalf of the Petitioner. Petitioners may be required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

**PETITIONER:**

**DLJ THIRD CREEK, LLC,**  
a Colorado limited liability company

By: DLJ Properties, LLC,  
an Arizona limited liability company  
its Manager



David Johnson, Manager

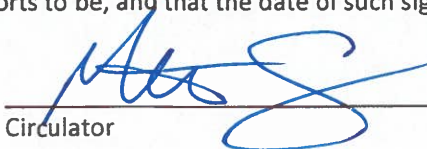
Date: 2/12/2025

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

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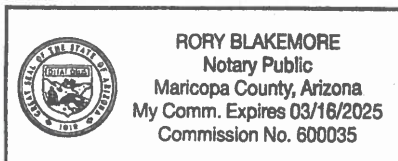
  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 12<sup>th</sup> day of February, 2025, by Rory Blakemore Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 



Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**

**FOREVER 7, LLC,**  
an Arizona limited liability company

Chris Zaharis, Authorized Agent

Date:

2-12-25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says: That (s)he was the circulator of the foregoing Petition for Annexation of lands to the City of Commerce City, Colorado, consisting of 32 pages, and that the signature of the foregoing Petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name s(he) purports to be, and that the date of such signature is correct.

Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

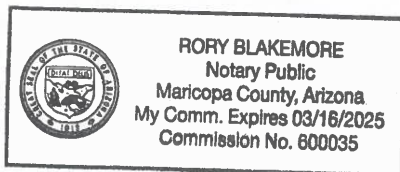
The foregoing Affidavit of Circulator was subscribed and sworn to before me this 12<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25

Notary Public:

[Signature]







Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**

**AZ THIRD CREEK, LLC,**  
an Arizona limited liability company

By: VE Management, Inc.,  
an Arizona corporation  
its Manager

  
\_\_\_\_\_  
Gregory J. Vogel, President

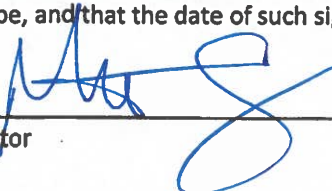
Date: 2-13-25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says: That (s)he was the circulator of the foregoing Petition for Annexation of lands to the City of Commerce City, Colorado, consisting of 32 pages, and that the signature of the foregoing Petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name s(he) purports to be, and that the date of such signature is correct.

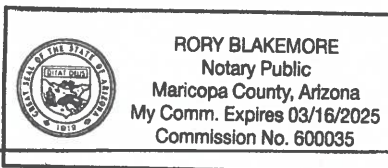
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 13<sup>th</sup> day of February, 2025, by Monson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



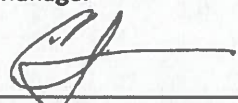
Notary Public: 

Petitioners hereby request that the City of Commerce City approve the annexation of the Property. *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. Petitioners may be required to submit evidence of authority.*

**PETITIONER:**

**HASSAYAMPA RANCH PARTNERS, L.L.C.,**  
an Arizona limited liability company

By: CLK-NV, LLC,  
a Nevada limited liability company  
its Manager

  
\_\_\_\_\_  
Craig L. Krumwiede, Manager

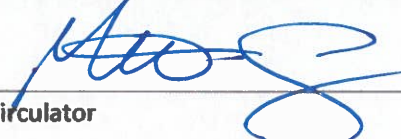
Date: 2/12/25

Petitioner's mailing address: c/o Rory Blakemore, Cowley Companies, 1242 East Jackson Street, Phoenix, AZ 85034.

Is Petitioner a resident of the Property? No.

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says: That (s)he was the circulator of the foregoing Petition for Annexation of lands to the City of Commerce City, Colorado, consisting of 32 pages, and that the signature of the foregoing Petitioner thereon was witnessed by the circulator and is the true and original signature of the person whose name s(he) purports to be, and that the date of such signature is correct.

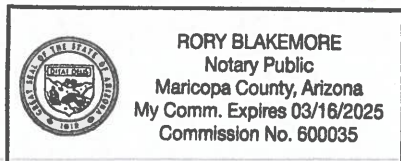
  
\_\_\_\_\_  
Circulator

STATE OF Arizona )  
 ) ss.  
COUNTY OF Maricopa )

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 12<sup>th</sup> day of February, 2025, by Manson Cowley.

Witness my hand and official seal.

My commission expires: 3/16/25



Notary Public: 



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## EXHIBIT A

### Legal Description of the Property

A parcel of land in the east half (E1/2) of Section 14, Township 2 South, Range 66 West of the Sixth Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

The east half (E/2) of Section 14, except the north half (N1/2) of the north half (N1/2) of the north half (N1/2) and except the north 210 feet of the south half (S1/2) of the north half (N1/2) of the north half (1/2) of said Section 14 as conveyed to Public Service Company of Colorado by deed recorded December 11, 1962 in Book 1034 at Page 13.



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## **EXHIBIT B**

### **Legal Description of the Property Owned by each Petitioner**

Each Petitioner owns an undivided interest in the entirety of the Property:

A parcel of land in the east half (E1/2) of Section 14, Township 2 South, Range 66 West of the Sixth Principal Meridian, County of Adams, State of Colorado, being more particularly described as follows:

The east half (E/2) of Section 14, except the north half (N1/2) of the north half (N1/2) of the north half (N1/2) and except the north 210 feet of the south half (S1/2) of the north half (N1/2) of the north half (1/2) of said Section 14 as conveyed to Public Service Company of Colorado by deed recorded December 11, 1962 in Book 1034 at Page 13.