

CITY

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-249-17 ANNEXATION AN-249-17

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:

XX 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).



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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:

XXThe 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 Owners Printed Name: Mid-Rail Real Estate, LLC

Legal Owners Signature: _____

Title (if Owner is an entity): Gary Stein, Manager

Legal Owners Address:

6000 Jensen Drive, Houston, TX 77026

Date Signed: _____

9.19.17

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 19 day of September 2017 by

GARY Stein

{Insert Owners' Name}

Witness my hand and official seal. Notary Public: _____

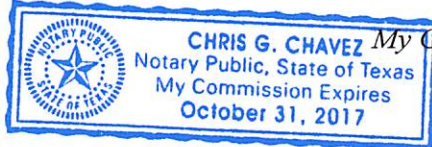
[Signature]

Address: _____

13038 Columbine Ln Houston, TX 77049

Street Number Street Name City State Zip Code

(SEAL)



CHRIS G. CHAVEZ
Notary Public, State of Texas
My Commission Expires
October 31, 2017

My Commission Expires: October 31, 2017

Exhibit A
Legal Description

ALL OF THAT PROPERTY DESCRIBED IN THE DEED RECORDED UNDER RECEPTION NO. 2016000088358 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., MONUMENTED AT BY A #5 REBAR IN A RANGE BOX AT THE CENTER 1/4 CORNER AND A 3-1/4" ALUMINUM CAP STAMPED "LS 7735" AT THE SOUTH 1/4 CORNER, SAID LINE BEARING S00°06'30"W AS REFERENCED TO THE CITY OF COMMERCE CITY CONTROL NETWORK.

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 28, SAID POINT LYING ON THE CITY LIMITS OF COMMERCE CITY PER THE ANNEXATION MAP AN-63-85 RECORDED UNDER RECEPTION NO. B616456 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER;

THENCE ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 28 AND THE CITY LIMITS OF COMMERCE CITY PER SAID ANNEXATION MAP, S00°06'30"W A DISTANCE OF 225.00 FEET, TO THE NORTHWESTERLY CORNER OF THAT PROPERTY DESCRIBED IN THE DEED RECORDED UNDER RECEPTION NO. 2016000088358 AND THE POINT OF BEGINNING;

THENCE ON THE PERIMETER OF SAID PROPERTY THE FOLLOWING FOUR (4) COURSES:

1. DEPARTING SAID CITY LIMITS, PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 28, N89°37'26"E A DISTANCE OF 130.00 FEET, TO A POINT ON THE CITY LIMITS OF COMMERCE CITY AS DESCRIBED IN THE ANNEXATION MAP AN-221-08 RECORDED UNDER RECEPTION NO. 2009000009539;
2. ON THE CITY LIMITS, PARALLEL TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 28, S00°06'30"W A DISTANCE OF 415.70 FEET;
3. ON THE CITY LIMITS AS DESCRIBED IN SAID ANNEXATION MAP AN-63-85 SAID LINE BEING PERPENDICULAR TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 28, N89°53'30"W A DISTANCE OF 130.00 FEET, TO A POINT ON SAID WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 28;
4. CONTINUING ON THE CITY LIMITS DESCRIBED IN THE ANNEXATION MAP AN-63-85 ALSO BEING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, N00°06'30"E A DISTANCE OF 414.60 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 53,970 SQUARE FEET OR 1.2390 ACRES.