



## 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 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 POINT OF BEGINNING;

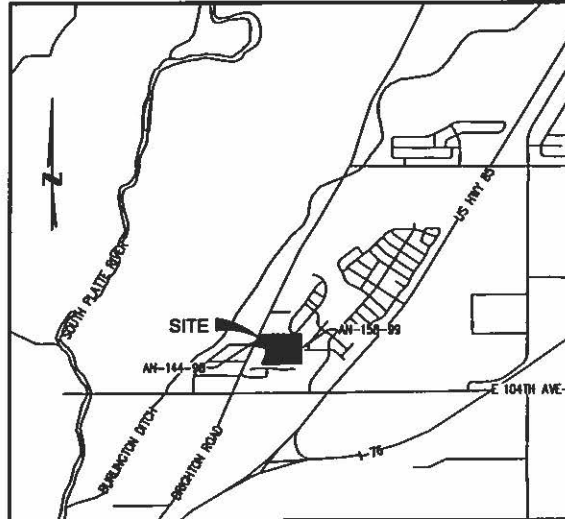
THENCE ALONG SAID CITY LIMITS THE FOLLOWING THREE (3) COURSES:  
THENCE SOUTH 89°29'55" WEST, A DISTANCE OF 879.15 FEET;  
THENCE NORTH 23°26'20" EAST, A DISTANCE OF 317.18 FEET;  
THENCE NORTH 77°54'29" WEST, A DISTANCE OF 40.00 FEET;  
THENCE DEPARTING SAID PERIMETER, NORTH 16°59'04" EAST, A DISTANCE OF 75.07 FEET;  
THENCE NORTH 77°54'29" WEST, A DISTANCE OF 292.60 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-144-99) RECEPTION NO. COM12997 ADAMS COUNTY RECORDERS OFFICE;  
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 LINE (ANNEXATION  
AN-158-99) RECEPTION NO. COM45017 ADAMS COUNTY RECORDERS OFFICE;  
THENCE ALONG SAID EXISTING CITY LIMITS LINE THE FOLLOWING TWO (2) COURSES:  
1) NORTH 88°40'02" EAST, A DISTANCE OF 948.50 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 13.38 ACRES, MORE OR LESS.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AD 20\_\_\_\_.

(OWNER(S) SIGNATURE AND PRINTED NAME)

(MORTGAGEE OR LIEN HOLDER(S) SIGNATURE AND PRINTED NAME)



VICINITY MAP  
SCALE: 1" = 200'

## GENERAL NOTES:

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELED UPON COMMITMENT FOR TITLE INSURANCE, ORDER NO. ABCT0840284 ISSUED BY LAND TITLE GUARANTEE COMPANY AND HAVING AN EFFECTIVE DATE OF OCTOBER 04, 2018 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 BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 9, AS BEARING SOUTH 89°34'02" WEST, AS SHOWN ON THE CONTROL DIAGRAM FOR THE CITY OF COMMERCE CITY, RECORDED AT RECEPTION NO. 2009-148, AS MONUMENTED 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 PERIMETER TO BE ANNEXED IS CONTIGUOUS WITH THE ANNEXING MUNICIPALITY.

### CONTIGUITY STATEMENT:

- TOTAL PERIMETER OF THE AREA CONSIDERED FOR ANNEXATION = 3468.18 FEET
- ONE-SIXTH OF TOTAL PERIMETER OF AREA = 578.33 FEET
- PERIMETER OF THE AREA CONTIGUOUS WITH EXISTING CITY LIMITS = 1855.91 FEET

THE TOTAL CONTIGUOUS PERIMETER IS 53.83%, WHICH MEETS OR EXCEEDS THE 1/6 AREA REQUIRED.

I, AARON MURPHY, 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 PRESENTS THE AREA TO BE ANNEXED.

AARON MURPHY, PLS 38162  
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

MAYOR

ISSUE DATE: 2/18/2020	PROJECT # 191009
DATE	REVISION COMMENTS
10/20/20	REV PER CITY COMMENTS
10/20/20	REV PER CITY COMMENTS
<b>DRAFT</b>	

**HKS** HARRIS KOCHER SMITH  
1130 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P: 303-423-4200 F: 303-423-4311  
HarrisKocherSmith.com

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



## AN-257-20


EAST COR. SEC. 9  
FOUND 3.25" ALUM. CAP  
STAMPED "725 R87W-  
S9/S10 1998 LS 7361"  
FLUSH WITH GROUND

FOUND #5 REBAR BARE  
2.0' DOWN  
N89°40'02"E 0.34'

10540 BRIGHTON RD  
OWNER: SPENCER, DENNIS  
& PATRICIA

FOUND MAG NAR  
WITH TAG PLS 16089  
SET IN CONCRETE  
FENCE BASE

- ◆ FOUND SECTION CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- ◆ FOUND #4 REBAR WITH RED PLASTIC CAP ILLEGIBLE
- SET #5 REBAR WITH 1-1/4" BLUE PLASTIC CAP PLS 38182

 PROPERTY LINE  
 RIGHT-OF-WAY LINE  
 CITY LIMITS

**HKS HARRIS KOCHER SMITH**  
1120 Lincoln Street, Suite 1200  
Denver, Colorado 80203  
P: 303-623-6300 F: 303-623-6311  
[HarrisKocherSmith.com](mailto:HarrisKocherSmith.com)

SOUTH COR. SEC. 9  
FOUND 3.25" ALUM. CAP  
STAMPED "COLD DEPT OF  
TRANSPORTATION SC 125 R67W  
1/4 S9/S16 1993 PLS NO 23516"  
0.4' DOWN IN RANGE BOX

POINT OF COMMENCEMENT  
SOUTHEAST COR. SEC. 9  
FOUND 3.25" ALLUM. CAP  
STAMPED "COLO DEPT OF-  
TRANSPORTATION T25 R87W  
S8/S10/S18/S15 1993 PLS NO 23518"  
0.4' DOWN IN RANCE BOX

TELETYPE UNIT: 19:008/SUPPLY/4441/F A/DWC LAYOUT: LAYOUT2  
NO. 0027  
PLOTTER: FBI 09/04/20 0:35:05A BY: GIL SATTENWHITE