

## PETITION TO ANNEX TERRITORY TO THE CITY OF LONGMONT

The undersigned owner(s) of real property, pursuant to C.R.S. § 31-12-107, Municipal Annexation Act of 1965, petition the council of the City of Longmont, Colorado, for annexation of certain territory, and state:

1. That the territory generally located at **21 S. Sunset St.** and containing **21.13** acres, more or less, is more particularly described in the attached legal description.
2. That the petitioning owners represent more than 50 percent of the area described above, excluding public streets and alleys.
3. That petitioners further allege that:
  - A. It is desirable and necessary that such area be annexed to the City of Longmont.
  - B. The requirements of C.R.S. §§ 31-12-104 and 31-12-105 exist or have been met, including:
    - i. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Longmont, more specifically the perimeter of the area is **5,859.10** feet, of which **4,930.92** feet are contiguous to the existing municipal boundary of the City of Longmont.
    - ii. A community of interest exists between the area proposed to be annexed and the City of Longmont.
    - iii. Said area is urban or will be urbanized in the near future, and is integrated or capable of being integrated with the City of Longmont.
    - iv. No land, unless separated by a dedicated public way, held in identical ownership is divided into separate parcels unless the owners of said tract have consented in writing to said annexation.
    - v. No land or contiguous parcels of land, except as may be situated entirely within the outer boundaries of the City of Longmont, held in identical ownership and comprising 20 acres or more and which, together with improvements, has an assessed valuation in excess of \$200,000.00 for ad valorem tax purposes for the year next preceding the annexation, is included in this petition without the written consent of the landowners.
    - vi. No proceedings for annexation of the area has been commenced for annexation to another municipality.
    - vii. The annexation of the area would not have the effect of extending the city boundary more than three (3) miles in any one year.
    - viii. No partial width of any public right-of-way is included in the area proposed to be annexed.
4. As an express condition of annexation, the owners consent to inclusion into the Northern Colorado Water Conservancy District (District) and the Municipal Subdistrict (Subdistrict), Northern Colorado Water Conservancy District pursuant to C.R.S. § 37-45-136 (3.6). The owners acknowledge that, upon inclusion into the District and Subdistrict, the owners property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the District and Subdistrict at the time of inclusion of owners land. The owners agree to waive any right to an election which may exist to require an election pursuant to article X, section 20 of the Colorado Constitution before the District and Subdistrict can impose such mill levies and special assessments as it has the authority to impose. The owners also agree to waive, upon inclusion, any right which may exist to a refund pursuant to article X, section 20 of the Colorado Constitution.
5. The petitioners below comprise the owners of more than 50 percent of the territory proposed to be annexed excluding public streets and alleys, and are in fact owners of 100 percent of the territory proposed to be annexed, except as listed below.

OWNER	PROPERTY LEGAL DESCRIPTION*	ACRES	PERCENT OF TOTAL AREA PROPOSED FOR ANNEXATION
Rivertown Longmont SPE, LLC	All that portion of the Southeast ¼ of the Southwest ¼ of Section 4, Township 2 North, Range 69 West of the 6 <sup>th</sup> P.M., County of Boulder, State of Colorado... (see attached legal description)	21.13	100%
<b>TOTALS</b>		21.13	100%

\*May be referenced below and attached

The undersigned request the City of Longmont approve the annexation of the area proposed to be annexed; the undersigned also request the zoning of **MU-E** for the property.

DATE*	OWNER SIGNATURE	OWNER ADDRESS
11/18/20		430 Indiana Street Suite 200, Golden, CO 80401

\*Date of signing must be within 180 days of filing with the City.

#### NOTARIZATION OR AFFIDAVIT OF CIRCULATOR

The undersigned circulator of the herein Petition certifies each signature therein is the person whose name it purports to be.

Anthony DeSimone

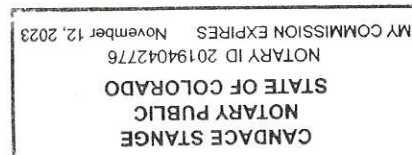
Circulator, STATE OF Colorado

STATE OF Colorado )

ss

COUNTY OF Jefferson )

Subscribed and acknowledged to before me this 18<sup>th</sup> day of November, 2020.



My Commission expires 11-12-2023

Notary Public: C. Stange

NOTE: THE PETITION MUST BE ACCOMPANIED BY AN ANNEXATION MAP CONTAINING THE FOLLOWING INFORMATION:

1. A legal description of the boundary of the area proposed to be annexed.
2. The boundary of the area proposed to be annexed, graphically depicted.
3. The location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries of the subdivision plat including lot and block numbers.
4. Next to the boundary of the area proposed to be annexed, a graphic depiction of the contiguous municipal boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
5. A calculation of the total boundary perimeter of the area proposed to be annexed and the boundary perimeter contiguous to the annexing municipality.
6. Existing and proposed zoning of the area proposed to be annexed.

## Legal Description

All that portion of the Southeast 1/4 of the Southwest 1/4 of Section 4, Township 2 North, Range 69 West of the 6th P.M., County of Boulder, State of Colorado, being more particularly described as follows:

Bearings contained herein are based on the assumption that the East line of the Southwest Quarter of Section 4, Township 2 North, Range 69 West of the 6th Principal Meridian bears N 00°00'00"E between a found 3 ¼ inch aluminum cap monument in Range Box stamped LS 25614 at the South Quarter corner of said Section 4 and a found 2 inch aluminum cap monument in Range Box stamped LS 13446 at the Center of said Section 4.

Beginning at the South Quarter corner of Section 4;

Thence North 00°00'00" East along the East line of said Section 4, a distance of 507.82 feet to the Southeasterly corner of that tract of land described by Deed recorded in Boulder County records on February 27, 1989 at Reception No. 909335 and by Correction Deed recorded May 1, 1989 at Reception No. 980053;

Thence North 88°22'16" West along the Southerly line of said tract, 172.93 feet;

Thence North 78°48'54" West along the Southerly line of said tract, 163.44 feet;

Thence North 72°33'06" West along the Southerly line of said tract, 155.26 feet;

Thence North 71°49'05" West along the Southerly line of said tract, 325.19 feet;

Thence North 75°14'44" West along the Southerly line of said tract, 171.27 feet;

Thence North 63°55'05" West along the Southerly line of said tract, 183.85 feet;

Thence North 38°37'51" West along the Southerly line of said tract, 155.93 feet to the Southwesterly corner of said tract;

Thence North 45°57'53" West, 113.63 feet;

Thence North 48°26'59" West, 25.35 feet to a point on the West line of the Southeast ¼ of the Southwest ¼ of said Section 4;

Thence South 00°31'41" East along the West line of the Southeast ¼ of the Southwest ¼ of said Section 4, a distance of 1025.19 feet to the Southwest corner of the Southeast ¼ of the Southwest ¼ of said Section 4;

Thence South 89°35'23" East along the South line of said Section 4, 1309.61 feet to the South ¼ corner of said Section 4, the Point of Beginning.

Contains: 875,590.6 Square Feet or 20.10 Acres

State of Colorado, County of Boulder,