

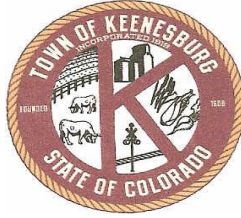


# Annexation Petition

Keenesburg Annexation & Zoning Application

Prepared for

Front Range Resources, LLC



TOWN OF KEENESBURG  
FOUNDED JULY, 1906  
A MUNICIPAL CORPORATION SINCE JULY, 1919

ANNEXATION PETITION

TO THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:

The undersigned, in accordance with Title 31, Article 12, Chapters 101 et.seq., Colorado Revised Statutes, hereby petition the Board of Trustees of the Town of Keenesburg for annexation into the Town of Keenesburg the unincorporated territory, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference, located in the County of Weld and State of Colorado, and to be known as the Front Range Resources Annexation to the Town of Keenesburg.

In support of this petition, the petitioner (s) further state to the Board of Trustees that:

1. It is desirable and necessary that the territory described in Exhibit A be annexed to the Town of Keenesburg.
2. The requirements of Section 31-12-104 and 31-12-105 of the Colorado Revised Statutes as amended, exist or have been met in that:
  - a. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the Town of Keenesburg or will be contiguous with the Town of Keenesburg within such time as required by Section 31-12-104..
  - b. A community of interest exists between the territory proposed to be annexed and the Town of Keenesburg.
  - c. The territory sought to be annexed is urban or will be urbanized in the near future.
  - d. The territory sought to be annexed is integrated with or is capable of being integrated with the Town of Keenesburg.
  - e.. No land within the boundary of the territory proposed to be annexed which is 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, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.
  - f. No land within the boundary of the territory proposed to be annexed which is 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, comprises twenty acres or more, and which, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the

annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.

- g. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the Town of Keenesburg was held within twelve months preceding the filing of this petition.
  - h. The territory proposed to be annexed does not include any area included in another annexation proceeding involving a town other than the Town of Keenesburg
  - i. The annexation of the territory proposed to be annexed will not result in the detachment of area from any school district.
  - j. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the Town of Keenesburg more than three miles in any direction from any point of the boundary of the Town of Keenesburg in any one year.
  - k. The territory proposed to be annexed is 607.77 acres in total area.
  - l. Prior to completion of the annexation of the area proposed to be annexed, a plan will be in place, pursuant to Section 31-12-105(1)(e), C.R.S., which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, and sanitation to be provided by the Town of Keenesburg; including the providers of transportation, light, natural gas, and power, and the proposed land uses for the area; such plan to be updated at least once annually.
  - m. In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area annexed, and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed to the Town of Keenesburg but is not bounded on both sides by the Town of Keenesburg.
3. The owners of more than fifty percent (50%) of the area proposed to be annexed, exclusive of dedicated streets and alleys, have signed this petition and hereby petition for annexation of such territory.

The signatures on this petition comprise one-hundred percent (100%) of the landowners of the territory to be annexed and said landowners attesting to the facts and agreeing to the conditions herein contained will negate the necessity of any annexation election.

4. Accompanying this petition are four copies of an annexation map as well as an electronic file that will contain the following information:
- a. A written legal description of the boundaries of the area proposed to be annexed, in the form of a title commitment issued within 30 days of the application date;
  - b. A map showing the boundary of the area proposed to be annexed said map prepared by and containing the seal of a registered engineer;

- c. A surveyor's certificate prepared by a registered land surveyor that attests to the preparation of the map and certifies at least one-sixth (1/6) contiguity to the Town of Keenesburg.
  - d. Within the annexation boundary map, an identification of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks. Also within the boundary map, identification of any special districts the area proposed to be annexed may be part of.
  - e. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Keenesburg and the contiguous boundary of any other municipality abutting the area proposed to be annexed, and a showing of the dimensions of such contiguous boundaries.
  - f. A full legal description of property to be annexed in word format.
  - g. A tax certificate showing all taxing entities.
  - h. Mineral owner's notification certificate.
  - i. Acceptance block describing the acceptance action by the Mayor on behalf of the Town of Keenesburg and providing for the effective date and Town Clerk attest signature.
5. Upon the annexation ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the Town of Keenesburg, except for general property taxes of the Town of Keenesburg, which shall become effective as of the January 1 next ensuing.
6. The zoning classification requested for the area proposed to be annexed is  
Light Industrial (LI) & Heavy Industrial (HI).

The petitioners agree that said annexed land shall be brought under the provisions of Chapter 16 of the Keenesburg Municipal Code within ninety (90) days from the effective date of the annexation ordinance.

7. There shall be no duty or obligation upon the Town of Keenesburg to furnish water or sanitary sewer facilities to the area proposed to be annexed. Such services will be provided at such time, in the sole discretion of the Town, when such services for water and sanitary sewer can be economically and reasonably installed to service a sufficient number of inhabitants within the area so as to make the construction and establishment of such services feasible and at no additional cost for the same or similar type of services provided to inhabitants within the existing corporate limits of the Town.
8. If required by the Town, an annexation agreement has been or will be executed by the petitioners herein and the Town of Keenesburg relating to this annexation and the petitioners hereby expressly consent to the terms and conditions set forth in the annexation agreement.
9. The petitioners agree to the following terms and conditions, which shall be covenants running with the land, and which may, at the option of the Town, appear on the annexation map:


- a. Water rights shall be provided pursuant to Town ordinance.
- b. All conditions set out in the annexation agreement executed by the petitioner.
- c. Other:

THEREFORE, the petitioners, whose signatures are on the signature sheet on the next page, respectfully petitions the Board of Trustees of the Town of Keenesburg to annex the territory described and referenced to in Exhibit "A" to the Town of Keenesburg in accordance with and pursuant to the statues of the State of Colorado.

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Keenesburg, Colorado, consisting of 6 pages, including this page and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

  
Kelsey Bruxvoort - AgProfessionals  
Circulator

**ACKNOWLEDGEMENT**


STATE OF COLORADO                    )  
  )ss  
COUNTY OF WELD                    )

The above and foregoing Affidavit of Circulator was subscribed and sworn to before me this 19th  
day of April, 2021.

Witness my hand and official seal.

My commission expires on: 8-1-2021

KARILYN BAUGHMAN  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20174032330  
MY COMMISSION EXPIRES AUGUST 1, 2021

  
\_\_\_\_\_  
Notary Public  
3050 67th Ave #200  
Address  
Greeley, CO 80631

(SEAL)

Land Owner (s) Name (s) and Signature (s)

Mailing Address

Date

Mark D. Sullivan,  
Manager of FRR Management, LLC for  
Front Range Resources, LLC

1001 Bannock Street, Suite 482,  
Denver, CO 80204

Printed Name

*Mark D Sullivan*  
Signature *manage*

4.19.21

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

**EXHIBIT A**  
LEGAL DESCRIPTION

BEING PART OF THE NORTH 1/2 OF SECTION 18 AND PART OF SECTION 17,  
TOWNSHIP 2 NORTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE  
OF COLORADO.

EXCEPT THE LOT A OF RE-2827 RECORDED NOVEMBER 15, 2000 AT RECEPTION NO.  
2806942.

BASIS OF BEARING: ASSUMING THE NORTH LINE OF THE NORTHWEST 1/4 OF  
SECTION 18, TOWNSHIP 2 NORTH, RANGE 64 WEST AS BEARING NORTH 88°47'44"  
EAST BETWEEN THE FOUND MONUMENTS AS SHOWN ON THIS SURVEY, AND WITH  
ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO. SAID PROPERTY  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST SECTION CORNER OF SECTION 18, TOWNSHIP 2  
NORTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF  
COLORADO.

THENCE NORTH 65°43'49" EAST FOR A DISTANCE OF 76.57 FEET TO THE NORTHERLY  
SIDE OF COUNTY ROAD 22 RIGHT-OF-WAY AND ALSO TO THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 22, NORTH  
88°47'44" EAST FOR A DISTANCE OF 2340.15 FEET;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 22, NORTH  
88°46'18" EAST FOR A DISTANCE OF 2609.81 FEET;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 22, NORTH  
88°54'56" EAST FOR A DISTANCE OF 2650.32 FEET;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 22, NORTH  
88°56'44" EAST FOR A DISTANCE OF 524.29 FEET;

THENCE SOUTH 01°03'16" EAST FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE  
NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 17 ;

THENCE DEPARTING THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 17,  
SOUTH 43°30'38" WEST FOR A DISTANCE OF 761.24 FEET;

THENCE SOUTH 28°31'30" WEST FOR A DISTANCE OF 391.22 FEET ;

THENCE SOUTH 12°09'01" WEST FOR A DISTANCE OF 451.95 FEET;



THENCE NORTH 88°57'45" EAST FOR A DISTANCE OF 31.74 FEET;

THENCE SOUTH 05°44'43" EAST FOR A DISTANCE OF 527.78 FEET;

THENCE SOUTH 27°53'08" EAST FOR A DISTANCE OF 537.34 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17;

THENCE ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17, SOUTH 01°19'06" EAST FOR A DISTANCE OF 318.15 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 17;

THENCE ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, SOUTH 01°19'39" EAST FOR A DISTANCE OF 2147.06 FEET TO THE NORTHEAST CORNER OF LOT A OF RE-3467;

THENCE ALONG THE LOT LINE OF LOT A OF RE-3467 THE FOLLOWING 3 COURSES:

1. THENCE SOUTH 89°08'14" WEST FOR A DISTANCE OF 466.97 FEET;

2. THENCE SOUTH 01°19'42" EAST FOR A DISTANCE OF 466.69 FEET;

3. THENCE NORTH 89°08'14" EAST FOR A DISTANCE OF 466.96 FEET TO A POINT OF THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 20;

THENCE SOUTH 01°19'39" EAST FOR A DISTANCE OF 59.97 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF COUNTY ROAD 20;

THENCE CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY OF COUNTY ROAD 20, SOUTH 89°07'49" WEST FOR A DISTANCE OF 1325.75 FEET;

THENCE CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY OF COUNTY ROAD 20, SOUTH 89°07'38" WEST FOR A DISTANCE OF 1295.31 FEET TO THE EASTERLY RIGHT-OF-WAY OF COUNTY ROAD 51;

THENCE ALONG EASTERLY RIGHT-OF-WAY OF COUNTY ROAD 51, NORTH 01°18'56" WEST FOR A DISTANCE OF 2669.95 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17 SOUTH 89°02'40" WEST FOR A DISTANCE OF 30.00 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 18 ;

THENCE ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18 SOUTH 88°56'52" WEST FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 51 AND LOT A OF RE-3731;

THENCE ALONG WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 51 AND LOT A OF RE-3731, NORTH 01°19'33" WEST FOR A DISTANCE OF 600.44 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD 51;

THENCE ALONG THE LOT LINE OF LOT A OF RE-3731 FOR THE FOLLOWING 2 COURSES:

1. THENCE SOUTH 88°56'39" WEST FOR A DISTANCE OF 362.70 FEET ;
2. THENCE SOUTH 01°19'43" EAST FOR A DISTANCE OF 600.42 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18;

THENCE ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18 SOUTH 88°56'52" WEST FOR A DISTANCE OF 2230.20 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 18;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 18, SOUTH 88°56'52" WEST FOR A DISTANCE OF 2361.35 FEET TO EASTERLY RIGHT-OF-WAY DEEDED TO WELD COUNTY;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY DEEDED TO WELD COUNTY RECEPTION NO. 4084594 FOR THE FOLLOWING 8 COURSES:

1. THENCE NORTH 00°33'56" WEST FOR A DISTANCE OF 808.01 FEET;
2. THENCE NORTH 04°23'36" EAST FOR A DISTANCE OF 122.12 FEET;
3. THENCE NORTH 03°36'41" WEST FOR A DISTANCE OF 76.57 FEET;
4. THENCE NORTH 06°00'11" WEST FOR A DISTANCE OF 68.46 FEET;
5. THENCE NORTH 00°33'56" WEST FOR A DISTANCE OF 716.34 FEET;
6. THENCE NORTH 02°26'08" EAST FOR A DISTANCE OF 79.14 FEET;
7. THENCE NORTH 01°40'09" WEST FOR A DISTANCE OF 215.08 FEET;
8. THENCE NORTH 00°33'56" WEST FOR A DISTANCE OF 571.19 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY COUNTY ROAD 22 AND ALSO BEING THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 607.77 ACRES.