



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 SOUTHWEST PARCEL 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 7.91 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. 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.
 - d. 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.
 - e. 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.
 - f. 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 Industrial LI.

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.

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

Mailing Address

Date

Kauffman Brothers Limited Partnership c/o Mark Kauffman 8616 WCR 63 Keenesburg, CO 80643, Nov 8th, 2019

Mark Kauffman

Printed Name

Mark Kauffman

Signature

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Old Republic National Title Insurance Company PROPERTY INFORMATION BINDER

Date: November 15, 2019

PARCEL OF LAND LOCATED IN THE SW 1/4 OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 63 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 20 TO BEAR N 89° 11' 00" E, BEING MONUMENTED ON THE EAST END BY A 3/4" REBAR WITH A 2" ALUMINUM CAP, PLS 25937 AND ON THE WEST END BY A 2 1/2" PIPE WITH 3 1/4" ALUMINUM CAP, PLS 23027, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

BEGINNING AT THE NW CORNER OF SAID SECTION 20; THENCE N 89° 11' 00" E, COINCIDENT WITH THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 20, A DISTANCE OF 711.19 FEET TO THE WEST RIGHT OF WAY LINE OF COUNTY ROAD NO. 398 AS DESCRIBED IN DEED RECORDED JANUARY 12, 1933 AT RECEPTION NO. 859487 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO; THENCE S 34° 48' 58" W, COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 626.82 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 5528.90 FEET AND A CENTRAL ANGLE OF 05° 08' 07", WHOSE CHORD BEARS S 37° 23' 03" W, A DISTANCE OF 495.38 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 495.55 FEET TO AN ANGLE POINT IN SAID WEST RIGHT OF WAY LINE; THENCE N 00° 30' 49" W, COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 30.89 FEET TO AN ANGLE POINT IN SAID WEST RIGHT OF WAY LINE AS DESCRIBED IN DEED RECORDED JANUARY 12, 1933 AT RECEPTION NO. 659484 IN THE RECORDS OF THE CLERK AND RECORDER FOR WELD COUNTY, COLORADO, AND THE BEGINNING OF A CURVE CONCAVE TO THE NW HAVING A RADIUS OF 5508.90 FEET AND A CENTRAL ANGLE OF 00° 35' 18", WHOSE CHORD BEARS S 40° 00' 05" W, A DISTANCE OF 56.56; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AND COINCIDENT WITH SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 56.56 FEET TO THE WEST LINE OF THE NW 1/4 OF SAID SECTION 20; THENCE N 00° 59' 44" W, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 910.67 FEET TO THE TRUE POINT OF BEGINNING.