

PETITION FOR ANNEXATION

KUM & GO STORE 689 ANNEXATION

To the City Council of the City of Colorado Springs:

We, the undersigned, constituting and comprising the owners of 100%* of the area (territory) (excluding public streets and alleys) described in Exhibit 1 attached hereto and made a part of the Petition (the "Described Area"), do hereby petition that the Described Area be annexed to and become a part of the City of Colorado Springs and do represent and state:

1. It is desirable and necessary that the Described Area be annexed to the City of Colorado Springs.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S. 1973, as amended, exist or have been met as these sections apply to the annexation of the Described Area.
3. That the annexation of the Described Area complies with Section 30 of Article II of the Colorado Constitution.
4. That the undersigned request that the City of Colorado Springs approve the annexation of the Described Area.
5. That the legal description of the land owned by each Petitioner hereto is attached to and made part of this Petition.

The Petitioner(s) hereto understand and are cognizant of the fact that the City of Colorado Springs ("City") is not legally required to annex the Described Area, and that if the City does annex the Described Area, the annexation shall be upon the conditions and agreement of the Petitioner(s) as set forth in the Annexation Agreement.

NOW, THEREFORE, in consideration of the foregoing statement, and in further consideration of the benefits which will accrue to the Petitioner(s) and the obligations resulting to the City if the Described Area is annexed to the City, the Petitioner(s) agree and covenant that if the Described Area is annexed to the City, the Petitioner(s) will comply with all applicable provisions of the Code of the City of Colorado Springs 2001, as amended, and all applicable ordinances, resolutions, and regulations of the City now existing or as hereinafter amended.

The covenants and agreements herein above set forth shall run with the land owned by each Petitioner hereto which is subject to this annexation and shall extend to and be binding upon the heirs, assigns, legal representatives and successors to each Petitioner. Each Petitioner expressly accepts the aforesaid covenants and agreements by proceeding with the Petition for Annexation to the City.

Constance)

VCB LLC by
Connie K Bixler

VCB LLC by (Constance)
Connie K Bixler Manager

Name (Print) Manager
6543 Diamond Hill Rd.
Colorado Springs CO 80923
Mailing Address

Signature

Date October 19, 2016

Legal Description: See Exhibit 1

Name (Print) Signature Date

Mailing Address

Legal Description: See Exhibit _____

Name (Print) Signature Date

Mailing Address

Legal Description: See Exhibit _____

Name (Print) Signature Date

Mailing Address

Legal Description: See Exhibit _____

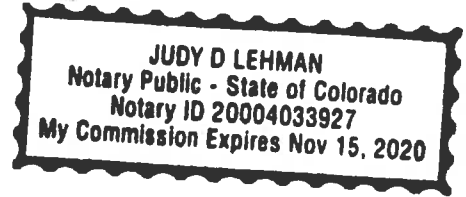
AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The foregoing instrument was executed before me this 19th day of October,
2016 by (Constance) Connie Bixler
VCB LLC, Manager



Witness my hand and official seal.

My Commission expires: 11-15-2020

Judy D. Lehman
Notary Public

The notarized signatures above serve as the Affidavit of Circulator acknowledging that each signature herein is the signature of the person it purports to be (C.R.S. 31-12-107(1)(cc)(IX)).

Frontier Bank, formerly known
as Frontier Bank, a Branch
of First National Bank in Lamar
Tia Horv, Property Manager

Tia Horv 10/20/14

Name (Print)

Signature

Date

4115 outlook Blvd
Pueblo, CO 81008

Mailing Address

Legal Description: See Exhibit 2

Name (Print)

Signature

Date

Mailing Address

Legal Description: See Exhibit _____

Name (Print)

Signature

Date

Mailing Address

Legal Description: See Exhibit _____

Name (Print)

Signature

Date

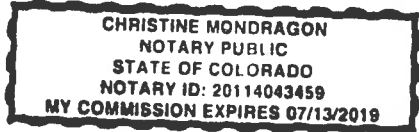
Mailing Address

Legal Description: See Exhibit _____

AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was executed before me this 20 day of October,
2016, by TIA HOAR, Property Manager
Acting on behalf of Frontier Bank,
formerly known as Frontier Bank,
A branch of First National Bank in Lamar



Witness my hand and official seal.
My Commission expires: 7-13-19

Christine Mondragon
Notary Public

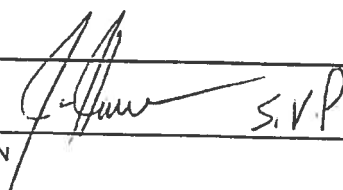
The notarized signatures above serve as the Affidavit of Circulator acknowledging that each signature herein is the signature of the person it purports to be (C.R.S. 31-12-107(1)(cc)(IX)).

THIS DOCUMENT MAY AFFECT YOUR LEGAL RIGHTS. LEGAL ADVICE SHOULD BE OBTAINED IN THE DRAFTING OF ANY LEGAL DOCUMENT.

STATEMENT OF AUTHORITY
(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
FRONTIER BANK
2. The type of entity is a:
 corporation
 nonprofit corporation
 limited liability company
 general partnership
 limited partnership
 COLORADO STATE CHARTERED BANK
 registered limited liability partnership
 registered limited liability limited partnership
 limited partnership association
 government or governmental subdivision or agency
 trust
3. The entity is formed under the laws of COLORADO
4. The mailing address for the entity is 200 SOUTH MAIN STREET, LAMAR, CO 81052
5. The name position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is TIA HOAR
6. The authority of the foregoing person(s) to bind the entity: is²not limited is limited as follows:
PROPERTY LOCATED AT 4504 AUSTIN BLUFFS PARKWAY, COLORADO SPRINGS, CO
7. Other matters concerning the manner in which the entity deals with interests in real property:
N/A
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.³
9. The Statement of Authority amends and supercedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed this 20TH day of OCTOBER, 2016



JON HANAVAN

SENIOR VICE PRESIDENT, FRONTIER BANK

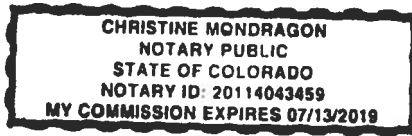
State of COLORADO)
) ss
County of PUEBLO)

The foregoing Statement of Authority was acknowledged before me this 20TH day of
OCTOBER, 2016 by JON HANAVAN ON BEHALF OF FRONTIER BANK A COLORADO STATE
CHARTERED BANK.

Witness my hand and official seal.

My commission expires: 7-13-19

Christine Mondragon
Notary Public



Kum and Go Store 689 Annexation Number 1

A PARCEL OF LAND SITUATED IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE ANNEXATION PLAT CHEYENNE VILLAGE ADDITION AS DEPICTED ON PLAT RECORDED DECEMBER 21, 1998 AT RECEPTION NUMBER 98187720 OF THE RECORDS OF EL PASO COUNTY CLERK AND RECORDER; THENCE N89°39'28"E A DISTANCE OF 70.24 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE EXTENDED FOR PARK VISTA BOULEVARD BEING ALSO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING N00°20'32"W ALONG SAID RIGHT OF WAY LINE EXTENDED, A DISTANCE OF 6.48 FEET TO THE NORTH RIGHT OF WAY LINE FOR PEARL DRIVE AS DEPICTED IN THE PLAT BLOCK 24, PARK VISTA ESTATES ADDITION RECORDED SEPTEMBER 19, 1957 IN PLAT BOOK Z AT PAGE 22 IN SAID RECORDS OF EL PASO COUNTY CLERK AND RECORDER;

THENCE N89°39'28"E ALONG SAID NORTH RIGHT OF WAY LINE AND ITS EXTENSION A DISTANCE OF 249.08 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE FOR AUSTIN BLUFFS PARKWAY, THE NORTHWESTERLY LINE OF THE ANNEXATION PLAT WESTLAND ADDITION NO. 1 AS DEPICTED ON PLAT RECORDED APRIL 17, 1973 AT RECEPTION NUMBER 029974466 OF SAID RECORDS OF EL PASO COUNTY CLERK AND RECORDER, AND A POINT ON THE CITY OF COLORADO SPRINGS CORPORATE BOUNDARY;

THENCE ALONG SAID NORTHWESTERLY LINE OF ANNEXATION PLAT WESTLAND ADDITION NO. 1 AND THE EAST AND NORTH LINES OF ANNEXATION PLAT HOEPKER ADDITION AS DEPICTED ON PLAT RECORDED SEPTEMBER 13, 1983 AT RECEPTION NUMBER 001024355 OF SAID RECORDS OF EL PASO COUNTY CLERK AND RECORDER THE FOLLOWING TWO (2) COURSES BEING CONTIGUOUS WITH THE CITY OF COLORADO SPRINGS CORPORATE BOUNDARY;

- 1) S42°17'57"W A DISTANCE OF 367.69 FEET;
- 2) N00°20'32"W A DISTANCE OF 264.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 33,685 SQUARE FEET OR 0.773 ACRES, MORE OR LESS.



Kum and Go Store 689 Annexation Number 2

A PARCEL OF LAND SITUATED IN THE SOUTH HALF OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AND BEGINNING AT THE SOUTHEAST CORNER OF THE ANNEXATION PLAT CHEYENNE VILLAGE ADDITION AS DEPICTED ON PLAT RECORDED DECEMBER 21, 1998 AT RECEPTION NUMBER 98187720 OF THE RECORDS OF EL PASO COUNTY CLERK AND RECORDER;

THENCE N00°20'32"W ALONG THE EAST LINE OF SAID ANNEXATION, THE WEST RIGHT OF WAY LINE FOR PARK VISTA BOULEVARD, AND ALSO BEING CONTIGUOUS WITH THE CITY OF COLORADO SPRINGS CORPORATE BOUNDARY, A DISTANCE OF 120.00 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE CONTINUING N00°20'32"W ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 86.83 FEET TO THE NORTH LINE OF A PART OF BLOCK H EXTENDED;

THENCE N89°39'28"E ALONG SAID NORTH LINE EXTENDED AND NORTH LINE A DISTANCE OF 302.82 FEET TO THE EAST RIGHT OF WAY LINE FOR COBALT DRIVE;

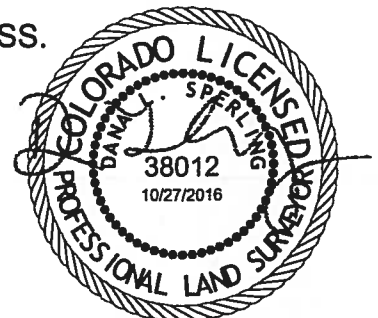
THENCE S00°20'32"E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 200.35 FEET TO THE SOUTH LINE EXTENDED OF BLOCK H, THE NORTH LINE OF THE ANNEXATION PLAT KUM AND GO STORE 689 ANNEXATION NUMBER 1, AND A POINT ON THE CITY OF COLORADO SPRINGS CORPORATE BOUNDARY;

THENCE ALONG SAID NORTH LINE OF ANNEXATION PLAT KUM AND GO STORE 689 ANNEXATION NUMBER 1 THE FOLLOWING TWO (2) COURSES BEING CONTIGUOUS WITH THE CITY OF COLORADO SPRINGS CORPORATE BOUNDARY;

- 1) S89°39'28"W A DISTANCE OF 232.58 FEET;
- 2) S00°20'32"E A DISTANCE OF 6.48 FEET;

THENCE S89°39'28"W A DISTANCE OF 70.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 61,124 SQUARE FEET OR 1.403 ACRES, MORE OR LESS.





Vicinity Map



Vicinity Map