

RESOLUTION NO. 123 - 22

A RESOLUTION FINDING A PETITION FOR ANNEXATION OF THE AREA KNOWN AS WEST COLORADO ADDITION NOS. 1-3 CONSISTING OF 7.21 ACRES TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S. AND SETTING A HEARING DATE OF OCTOBER 25, 2022, FOR THE COLORADO SPRINGS CITY COUNCIL TO CONSIDER THE ANNEXATION OF THE AREA

WHEREAS, a petition for annexation of the areas known as West Colorado Addition Nos. 1-3 consisting of 7.21 acres and as more specifically described in Exhibit A (the "Petition for Annexation") was filed with the City Clerk on July 11, 2022; and

WHEREAS, on July 26, 2022, the City Clerk referred the Petition for Annexation to City Council as a communication; and

WHEREAS, on July 26, 2022, City Council referred the Petition for Annexation to the City Administration for review and recommendation; and

WHEREAS, the City Administration has reviewed the Petition for Annexation and recommends that the City Council find the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That the City Council finds the Petition for Annexation to be in substantial compliance with Section 31-12-107(1), C.R.S.

Section 2. The City Council hereby sets a public hearing on the Petition for Annexation for October 25, 2022, at Council Chambers, City Hall Building, 107 N. Nevada Avenue, Colorado Springs, Colorado, for purposes of determining and finding whether the area proposed to be annexed meets applicable requirements of Section 31-12-104 and Section 31-12-105, C.R.S. and Section 30 of Article II of the Colorado Constitution, to determine the eligibility of the area for annexation and to determine whether the area should be annexed to the City of Colorado Springs.

Section 3. The City Clerk is hereby directed to give notice of the hearing in the manner described in Section 31-12-108, C.R.S.

Dated at Colorado Springs, Colorado this 13th day of September 2022.



Council President

ATTEST



Sarah Johnson
Sarah B. Johnson, City Clerk

PETITION FOR ANNEXATION

WEST COLORADO AVENUE ANNEXATION ADDITION NO. 1

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 A attached hereto and made a part of the Petition (the "Described Area"), do hereby petition that the Described Area be annexed to and become 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 forgoing 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.

City of Colorado Springs
Department of Public Works
Deputy Public Works Director
Gayle Sturdivant

Gayle Sturdivant

Name (Print)

Gayle Sturdivant

Signature

5/25/22

Date

30. South Nevada
Mailing Address

Legal Description: See Exhibit

AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

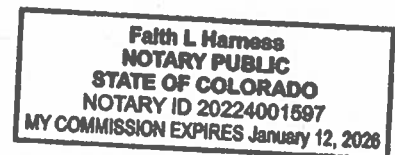
The foregoing instrument was executed before me this 25th day of May,
2022, by Gayle Sturdivant.

Witness my hand and official seal.

My Commission expires: January 12, 2026

Faith L. Harness

Notary Public



The notarization 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))

EXHIBIT A

ANNEXATION ADDITION NO. 1 DESCRIPTION

THAT PORTION OF WEST COLORADO AVENUE LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

1. BEGINNING AT THE SOUTHWEST CORNER OF PARCEL B, AS DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 21713041 IN THE EL PASO COUNTY CLERK AND RECORDER'S OFFICE, ON THE WEST LINE OF SAID SECTION 3, ALSO BEING A POINT ON THE EXISTING COLORADO SPRINGS CITY LIMITS AND THE EAST LIMITS OF THE CITY OF MANITOU.
2. THENCE SOUTH 00°38'03" EAST, A DISTANCE OF 53.84 FEET ALONG SAID WESTERLY LINE OF SAID SECTION 3 TO THE NORTHEAST CORNER OF LOT 28, BECKER ADDITION, AS RECORDED IN PLAT BOOK P, PAGE 22 IN SAID OFFICE, ALSO BEING THE NORTHWESTERLY CORNER OF LOT 1, BLOCK 4, PLAT OF EAST MANITOU (PLAT BOOK B, PAGE 14), AS RECORDED IN PLAT BOOK B, PAGE 14 IN SAID OFFICE;
3. THENCE SOUTH 83°38'44" EAST, A DISTANCE OF 136.91 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID WEST COLORADO AVENUE TO AN ANGLE POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ALSO BEING THE NORTHERLY LINE OF LOTS 1 AND A PORTION OF LOT 2 OF SAID BLOCK 4;
4. THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID WEST COLORADO AVENUE AND THE NORTHERLY LINES OF LOTS 2 THROUGH 9 OF SAID BLOCK 4, SOUTH 75°57'46" EAST, A DISTANCE OF 378.09 FEET TO THE NORTHWESTERLY CORNER OF PARCEL A, ALSO KNOWN AS PARCEL RW-36, IN THAT DEED RECORDED AT RECEPTION NO. 216094155 IN SAID OFFICE;
5. THENCE SOUTH 11°34'59" WEST, A DISTANCE OF 242.22 FEET ALONG THE WESTERLY LINE OF SAID PARCEL A TO THE SOUTHWESTERLY CORNER OF SAID PARCEL A;
6. THENCE SOUTH 89°15'36" EAST, A DISTANCE OF 103.75 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL A TO THE SOUTHEASTERLY CORNER OF SAID PARCEL A;
7. THENCE NORTH 11°32'24" EAST, A DISTANCE OF 237.01 FEET ALONG THE EASTERLY LINE OF SAID PARCEL A TO THE NORTHEASTERLY CORNER OF SAID PARCEL A, ALSO BEING THE NORTHEASTERLY CORNER OF LOT 12, BLOCK 4 OF SAID EAST MANITOU;
8. THENCE SOUTH 86°25'59" EAST, A DISTANCE OF 100.72 FEET ALONG THE NORTHERLY LINES OF LOTS 12 THROUGH 13 OF SAID BLOCK 4 TO A NORTHWESTERLY CORNER OF AN ACCESS EASEMENT AS DESCRIBED IN THE DOCUMENT RECORDED AT RECEPTION NO. 098161008 IN SAID OFFICE;
9. THENCE NORTH 19°38'07" EAST, A DISTANCE OF 19.82 FEET TO AN ANGLE POINT ON THE NORTHERLY LINE OF SAID EASEMENT;
10. THENCE NORTH 88°12'27" EAST, A DISTANCE OF 347.80 FEET ALONG THE NORTHERLY LINE OF SAID EASEMENT AND CONTINUING ALONG THE NORTHERLY LINE OF LOT 1, BLOCK 1 OF SAID EAST MANITOU TO THE NORTHEASTERLY CORNER OF SAID LOT 1, EXCEPT A PORTION OF RIGHT-OF-WAY AS DESCRIBED IN THE DEED RECORDED BOOK 910, PAGE 403;
11. THENCE SOUTH 88°25'44" EAST, A DISTANCE OF 104.71 FEET ALONG THE NORTHERLY LINES OF LOTS 2 AND 3, BLOCK 1 OF SAID EAST MANITOU TO THE NORTHEASTERLY CORNER OF SAID LOT 3, EXCEPT A PORTION OF RIGHT-OF-WAY AS DESCRIBED IN THE DEED RECORDED BOOK 910, PAGE 403;
12. THENCE SOUTH 86°36'31" EAST, A DISTANCE OF 100.56 FEET ALONG THE NORTHERLY LINES OF LOTS 4 THROUGH 7, BLOCK 1 OF SAID EAST MANITOU TO THE NORTHEASTERLY CORNER OF SAID LOT 7, EXCEPT RW-44, AS DESCRIBED IN THE DEED RECORDED AT RECEPTION NO. 218135788 IN SAID OFFICE;

13. THENCE SOUTH 82°49'16" EAST, A DISTANCE OF 96.92 FEET ALONG THE NORTHERLY LINES OF LOTS 8 THROUGH 11, BLOCK 1 OF SAID EAST MANITOU TO THE NORTHEASTERLY CORNER OF SAID LOT 11, EXCEPT RW-46, AS DESCRIBED IN THE DEED RECORDED AT RECEPTION NO. 217134629 IN SAID OFFICE;
14. THENCE SOUTH 78°09'12" EAST, A DISTANCE OF 187.06 FEET ACROSS RIDGE ROAD TO THE NORTHWESTERLY CORNER OF RW-48, AS DESCRIBED IN THE DEED RECORDED AT RECEPTION NO. 218072176 IN SAID OFFICE;
15. THENCE SOUTH 19°38'42" WEST, A DISTANCE OF 268.92 FEET ALONG THE WESTERLY LINES OF SAID RW-48 AND RW-108, AS DESCRIBED IN THE DEED RECORDED AT RECEPTION NO. 218148008 IN SAID OFFICE TO A SOUTHWESTERLY CORNER OF SAID RW-108;
16. THENCE SOUTH 66°47'10" EAST, A DISTANCE OF 630.00 FEET ALONG SAID SOUTHERLY LINE OF SAID RW-108 TO AN ANGLE POINT ON SAID SOUTHERLY LINE;
17. THENCE CONTINUING ALONG SAID SOUTHERLY LINE OF SAID RW-108, SOUTH 77°35'28" EAST, A DISTANCE OF 50.00 FEET TO A SOUTHEASTERLY CORNER OF SAID RW-108;
18. THENCE NORTH 12°56'52" EAST, A DISTANCE OF 50.94 FEET, ALONG AN EASTERLY LINE OF SAID RW-108 TO AN ANGLE POINT ON SAID EASTERLY LINE OF SAID RW-108;
19. THENCE SOUTH 78°05'40" EAST, A DISTANCE OF 131.19 FEET ALONG A SOUTHERLY LINE OF SAID RW-108 TO AN EASTERLY CORNER OF SAID RW-108;
20. THENCE NORTH 70°22'46" WEST, A DISTANCE OF 132.06 FEET ALONG A NORTHERLY LINE OF SAID RW-108 TO AN ANGLE POINT SAID EASTERLY LINES OF SAID RW-108;
21. THENCE NORTH 12°56'52" EAST, A DISTANCE OF 50.34 FEET ALONG AN EASTERLY LINE OF SAID RW-108 TO THE NORTHEASTERLY CORNER OF SAID RW-108;
22. THENCE NORTH 70°22'46" WEST, A DISTANCE OF 587.29 FEET ALONG A NORTHERLY LINE OF SAID RW-108 TO THE SOUTHEASTERLY CORNER OF SAID RW-48;
23. THENCE NORTH 19°20'17" EAST, A DISTANCE OF 180.48 FEET ALONG THE EASTERLY LINE OF SAID RW-48 TO THE NORTHWESTERLY CORNER OF LOT 22, BLOCK 1 OF SAID PLAT OF EAST MANITOU (PLAT BOOK B, PAGE 14);
24. THENCE SOUTH 67°47'44" EAST, A DISTANCE OF 125.47 FEET ALONG THE NORTHERLY LINES OF LOTS 22 THROUGH 26 OF SAID BLOCK 1 OF SAID PLAT OF EAST MANITOU (PLAT BOOK B, PAGE 14);
25. THENCE NORTH 19°30'40" EAST, A DISTANCE OF 60.38 FEET TO A POINT ON A SOUTHERLY LINE OF COLORADO CITY AND VICINITY ANNEXATION, ALSO BEING THE NORTHWESTERLY CORNER OF 3501 WEST COLORADO AVENUE ANNEXATION PLAT AS DESCRIBED AT RECEPTION NO. 204132224 IN SAID OFFICE;
26. THENCE NORTH 67°37'02" WEST, A DISTANCE OF 339.05 FEET ALONG SAID SOUTHERLY LINE OF SAID COLORADO CITY AND VICINITY ANNEXATION TO AN ANGLE POINT ON SAID SOUTHERLY LINE;
27. THENCE NORTH 85°22'36" WEST, A DISTANCE OF 662.43 FEET ALONG SAID SOUTHERLY LINE OF SAID COLORADO CITY AND VICINITY ANNEXATION AND CONTINUING ALONG THE SOUTHERLY LINES OF LOTS 2 THROUGH 5, BLOCK 6 OF THE PLAT OF RE-SUBDIVISION OF ARENSDALE, AS RECORDED IN PLAT BOOK G, PAGE 32 IN SAID OFFICE, ACROSS 36TH STREET AND ALONG THE SOUTHERLY LINES OF LOTS 11 THROUGH 17 AND A PORTION OF LOT 18, BLOCK 7 OF SAID PLAT OF RE-SUBDIVISION OF ARENSDALE TO AN ANGLE POINT;
28. THENCE SOUTH 89°11'25" WEST, A DISTANCE OF 127.36 FEET ACROSS A PORTION OF LOT 18, BLOCK 7 TO THE SOUTHWESTERLY CORNER OF LOT 20, BLOCK 7 OF SAID PLAT OF RE-SUBDIVISION OF ARENSDALE;
29. THENCE NORTH 82°58'21" WEST, A DISTANCE OF 39.65 FEET ACROSS COLUMBIA ROAD TO THE EASTERLY LINE OF COLUMBIA ADDITION ANNEXATION, ALSO BEING AN ANGLE POINT OF RW-35 AS DESCRIBED IN THE DEED RECORDED AT RECEPTION NO. 218098319 IN SAID OFFICE;

30. THENCE SOUTH 00°54'58" EAST, A DISTANCE OF 60.46 FEET ALONG SAID EASTERLY LINE OF SAID ANNEXATION TO A SOUTHEASTERLY CORNER OF SAID ANNEXATION;
31. THENCE NORTH 85°39'16" WEST, A DISTANCE OF 87.76 FEET ALONG A SOUTHERLY LINE OF SAID ANNEXATION TO A POINT OF CURVATURE;
32. THENCE 105.64 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 750.00 FEET AND AN INCLUDED ANGLE OF 08°04'12", WITH A CHORD THAT BEARS NORTH 81°37'10" WEST, A DISTANCE OF 105.55 FEET TO A POINT ON SAID SOUTHERLY LINE OF SAID ANNEXATION;
33. THENCE NORTH 77°35'04" WEST, A DISTANCE OF 184.04 FEET ALONG SAID SOUTHERLY LINE OF SAID ANNEXATION TO A POINT OF CURVATURE;
34. THENCE 116.16 FEET ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 280.00 FEET AND AN INCLUDED ANGLE OF 05°11'58", WITH A CHORD THAT BEARS NORTH 80°11'03" WEST, A DISTANCE OF 116.12 FEET TO A POINT ON SAID SOUTHERLY LINE OF SAID ANNEXATION;
35. THENCE NORTH 82°47'02" WEST, A DISTANCE OF 127.48 FEET ALONG SAID SOUTHERLY LINE OF SAID ANNEXATION TO A WESTERLY CORNER OF SAID ANNEXATION AND THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PROPERTY YIELDS A CALCULATED AREA OF 5.65 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S STATEMENT: I, LORELEI A. WARD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ATTACHED LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IS CORRECT.

PREPARED FOR AND ON BEHALF OF THE CITY OF COLORADO SPRINGS
LORELEI A. WARD, PLS #34982
FARNSWORTH GROUP, INC.
5775 MARK DABLING BLVD. SUITE 190
COLORADO SPRINGS, CO 80919

PETITION FOR ANNEXATION

WEST COLORADO AVENUE ANNEXATION ADDITION NO. 2

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 A attached hereto and made a part of the Petition (the "Described Area"), do hereby petition that the Described Area be annexed to and become 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 forgoing 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 Petition 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.

City of Colorado Springs
Department of Public Works
Deputy Public Works Director
Gayle Sturdivant

Gayle Sturdivant

Name (Print)

Gayle Sturdivant

Signature

5/25/22

Date

30. South Nevada

Mailing Address

Legal Description: See Exhibit

AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

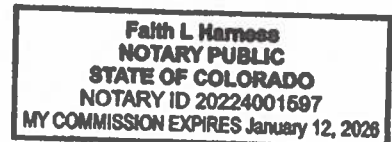
The foregoing instrument was executed before me this 25th day of May,
2022, by Gayle Sturdivant

Witness my hand and official seal.

My Commission expires: January 12, 2026

Fa H

Notary Public



The notarization 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))

EXHIBIT A

WEST COLORADO AVENUE ADDITION NO. 2 DESCRIPTION

THAT PORTION OF WEST COLORADO AVENUE LOCATED IN THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

1. BEGINNING AT THE NORTHEASTERLY CORNER OF 3501 WEST COLORADO ANNEXATION PLAT AS RECORDED AT RECEPTION NO. 20413224 IN THE EL PASO COUNTY CLERK AND RECORDERS OFFICE;
2. THENCE SOUTH 19°37'14" WEST, A DISTANCE OF 63.51 FEET ALONG THE EASTERLY LINE OF SAID ANNEXATION PLAT TO THE NORTHWESTERLY CORNER OF THE EASTERLY HALF OF VACATED WILLIAMS STREET AS DESCRIBED IN BOOK 908, PAGE 244 IN SAID OFFICE;
3. THENCE SOUTH 80°28'01" EAST, A DISTANCE OF 449.50 FEET ALONG THE NORTHERLY LINES OF SAID VACATED WILLIAMS STREET, LOTS 1 THROUGH 14, BLOCK 2, PLAT OF EAST MANITOU, AS RECORDED IN PLAT BOOK B, PAGE 14, A PARCEL OF LAND AS DESCRIBED IN THAT DEED RECORDED AT RECEPTION NO. 201113763 AND CONTINUING ALONG THE SAME LINE EXTENDED TO THE NORTHEASTERLY CORNER OF LOT 1, SONIC SUBDIVISION FILING NO. 2 AS RECORDED AT RECEPTION NO. 200152782 IN SAID OFFICE, ALSO BEING A POINT ON THE WESTERLY LINE OF CLEMENTS-REESE ADDITION ANNEXATION PLAT AS RECORDED IN PLAT BOOK B-2, PAGE 26 IN SAID OFFICE;
4. THENCE NORTH 09°31'59" EAST, A DISTANCE OF 64.43 FEET ALONG A WESTERLY LINE OF SAID ANNEXATION PLAT TO THE NORTHWESTERLY CORNER OF SAID ANNEXATION PLAT, ALSO BEING A POINT ON THE SOUTHERLY LINE OF LOT 15, BLOCK 5 OF THE PLAT OF RE-SUBDIVISION OF ARENSDALE AS RECORDED IN PLAT BOOK G, PAGE 32 IN SAID OFFICE;
5. THENCE NORTH 80°42'54" WEST, A DISTANCE OF 438.38 FEET ALONG THE SOUTHERLY LINES OF LOTS 15 THROUGH 24, BLOCK 5 OF SAID PLAT TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 24, ALSO BEING THE NORTHEASTERLY CORNER OF SAID 3501 WEST COLORADO AVENUE ANNEXATION PLAT AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY YIELDS A CALCULATED AREA OF 0.65 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S STATEMENT: I, LORELEI A. WARD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ATTACHED LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.

PREPARED FOR AND ON BEHALF OF THE CITY OF COLORADO SPRINGS
LORELEI A. WARD, PLS #34982
FARNSWORTH GROUP, INC.
5775 MARK DABLING BLVD. SUITE 190
COLORADO SPRINGS, CO 80919

PETITION FOR ANNEXATION

WEST COLORADO AVENUE ANNEXATION ADDITION NO. 3

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 A attached hereto and made a part of the Petition (the "Described Area"), do hereby petition that the Described Area be annexed to and become 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 forgoing 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 Petition 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.

EXHIBIT A

WEST COLORADO AVENUE ADDITION NO. 3 DESCRIPTION

THAT PORTION OF WEST COLORADO AVENUE LOCATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

1. BEGINNING AT A NORTHEASTERLY CORNER OF LOT 1, GARTH'S SUBDIVISION FILING NO. 1, AS RECORDED AT RECEPTION NO. 205185891 IN THE EL PASO COUNTY CLERK AND RECORDERS OFFICE, ALSO BEING A NORTHEASTERLY CORNER OF WESTER ADDITION ANNEXATION PLAT AS RECORDED IN PLAT BOOK J2, PAGE 61 IN SAID OFFICE;
2. THENCE SOUTH 57°58'40" EAST, A DISTANCE OF 108.20 FEET ALONG A SOUTHERLY RIGHT-OF-WAY LINE OF WEST COLORADO AVENUE TO AN ANGLE POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE;
3. THENCE SOUTH 42°36'36" EAST, A DISTANCE OF 362.49 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A POINT ON AN EASTERLY RIGHT-OF-WAY LINE OF GOLDEN LANE ROAD, ALSO BEING A POINT ON A WESTERLY LINE OF COLORADO CITY AND VICINITY #21 ANNEXATION;
4. THENCE NORTH 38°39'02" EAST, A DISTANCE OF 83.11 FEET ALONG SAID WESTERLY LINE OF SAID ANNEXATION TO THE SOUTHWESTERLY CORNER OF LOT 35, BLOCK 154, GRAND VIEW AND LOVE AND QUINBY'S ADDITION TO COLORADO CITY AS RECORDED IN PLAT BOOK A, PAGE 182 IN SAID OFFICE;
5. THENCE NORTH 42°36'36" WEST, A DISTANCE OF 377.41 FEET ALONG THE SOUTHERLY LINES OF LOTS 35 THROUGH 37 OF SAID BLOCK 154 OF SAID PLAT, THE SOUTHERLY LINE OF WENDY'S SUBDIVISION FILING NO. 2 AS RECORDED IN PLAT BOOK I-3, PAGE 13 IN SAID OFFICE, AND THE SOUTHERLY LINES OF LOTS 42 THROUGH 44 OF SAID BLOCK 154 OF SAID PLAT, ACROSS A PORTION OF SOUTH 31ST STREET TO AN ANGLE POINT;
6. THENCE NORTH 54°09'47" WEST, A DISTANCE OF 97.42 FEET ACROSS A PORTION OF SOUTH 31ST STREET TO A POINT ON THE SOUTHERLY LINE OF LOT 11, BLOCK 2 OF SAID GRAND VIEW AND LOVE AND QUINBY'S ADDITION TO COLORADO CITY, SAID POINT ALSO BEING AN ANGLE POINT IN SAID WESTER ADDITION ANNEXATION PLAT;
7. THENCE SOUTH 35°50'13" WEST, A DISTANCE OF 93.19 FEET ALONG AN EASTERLY LINE OF SAID WESTER ADDITION ANNEXATION PLAT TO A NORTHEASTERLY CORNER OF SAID LOT 1 OF SAID GARTH'S SUBDIVISION FILING NO. 1 AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY YIELDS A CALCULATED AREA OF 0.91 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S STATEMENT: I, LORELEI A. WARD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ATTACHED LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.

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