

PETITION FOR ANNEXATION

2864 S. Circle 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 hereby reserves the sole, exclusive, and unilateral right to withdraw his signature from the petition and to withdraw the petition by so notifying the Clerk of the City of Colorado Springs in writing at any point prior to the City publishing notice, in accordance with C.R.S. section 31-12-108(2), that City Council intends that to hold a hearing for the purpose of determining whether the property is eligible to be annexed into the City.

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.

OWNER: Toma Alliance Group, LLC, a Colorado limited liability company

Thomas A. MALEY
BY; Name (Print)

[Signature]
Signature

05/04/15
Date

AS manager of Toma alliance Group, LLC

2204 E MAIN ST
CORTEZ, CO 81321
Mailing Address

Legal Description of area to be annexed: See Exhibit 1

| Legal Description of land owned by Petitioner: See Exhibit 2

AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF
MONTEZUMA

_____)

The foregoing instrument was executed before me this 4th day of May,
2015 by Thomas A. Maley as manager of Thomas Alliance Group, LLC.

Witness my hand and official seal.

My Commission expires: 3/20/2018

[Signature]
Notary Public



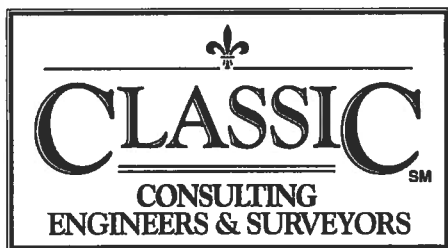
The notarized signatures above serve as the Affidavit of Circulator acknowledging that each signature herein is the signature of the person it purports to be (C.R.S. 31-12-107(1)(cc)(IX)).

Our Order No: SC55045365

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 28 IN TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M., IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE N 00 DEGREES 28 MINUTES 30 SECONDS W, 94.00 FEET ON THE WEST LINE OF SAID SOUTHWEST QUARTER, THENCE N 89 DEGREES 31 MINUTES 30 SECONDS E, 30.00 FEET TO INTERSECT THE EAST RIGHT-OF-WAY LINE OF JANITELL ROAD AND THE POINT OF BEGINNING OF THE TRACT HEREBY DESCRIBED, THENCE S 87 DEGREES 20 MINUTES 30 SECONDS E 137.30 FEET; THENCE S 80 DEGREES 28 MINUTES 00 SECONDS E; 208.80 FEET; THENCE N 01 DEGREES 23 MINUTES 30 SECONDS E, 750.20 FEET; THENCE S 89 DEGREES 31 MINUTES 30 SECONDS W 367.14 FEET TO INTERSECT THE EAST RIGHT-OF-WAY LINE OF SAID JANITELL ROAD; THENCE S 00 DEGREES 28 MINUTES 30 SECONDS E 565.40 FEET ON SAID RIGHT-OF-WAY LINE; THENCE N 89 DEGREES 31 MINUTES 30 SECONDS E 100.00 FEET; THENCE S 00 DEGREES 28 MINUTES 30 SECONDS E 100.00 FEET; THENCE S 89 DEGREES 31 MINUTES 30 SECONDS W 100.00 FEET TO INTERSECT THE EAST RIGHT-OF-WAY LINE OF SAID JANITELL ROAD, THENCE S 00 DEGREES 28 MINUTES 30 SECONDS E 40.60 FEET ON THE EAST RIGHT-OF-WAY LINE OF SAID JANITELL ROAD TO THE POINT OF BEGINNING.



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JOB NO. 2424.00-01
MARCH 24, 2015
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LEGAL DESCRIPTION: 2864 S. CIRCLE ANNEXATION – EXHIBIT 1

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 14 SOUTH, RANGE 66 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTHERLY BOUNDARY OF LOT 1, BLOCK 1, AMOCO SUBDIVISION FILING NO. 1 RECORDED IN PLAT BOOK D-4 AT PAGE 65, RECORDS OF EL PASO COUNTY, COLORADO, MONUMENTED AT BOTH ENDS BY A 1-1/4" ALUMINUM SURVEYORS CAP "29749", IS ASSUMED TO BEAR S89°45'10"W, A DISTANCE OF 100.00 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1, BLOCK 1, AMOCO SUBDIVISION FILING NO. ONE RECORDED IN PLAT BOOK D-4 AT PAGE 65, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF JANITELL ROAD AS PLATTED IN HARRISON SUBDIVISION FILING NO. 1 RECORDED IN PLAT BOOK A-3 AT PAGE 85, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ON THE SOUTHERLY, EASTERLY AND NORTHERLY BOUNDARY OF SAID AMOCO SUBDIVISION FILING NO. ONE, THE FOLLOWING (3) THREE COURSES:

1. N89°45'10"E, A DISTANCE OF 100.00 FEET;
2. N00°14'50"W, A DISTANCE OF 100.00 FEET;
3. S89°45'10"W, A DISTANCE OF 100.00 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY LINE OF JANITELL ROAD;

THENCE N00°14'50"W, ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 565.40 FEET;
THENCE N89°45'10"E, A DISTANCE OF 367.14 FEET;
THENCE S01°37'10"W, A DISTANCE OF 769.22 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF HARRISON ANNEXATION PLAT AS RECORDED IN PLAT BOOK J-2 AT PAGE 58;
THENCE N78°25'30"W, ON SAID NORTHERLY BOUNDARY, A DISTANCE OF 291.33 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF CIRCLE DRIVE;
THENCE N87°06'50"W, ON SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 57.04 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY LINE OF JANITELL ROAD;
THENCE N00°14'50"W, ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 8.80 FEET TO A POINT ON SAID NORTHERLY BOUNDARY OF HARRISON ANNEXATION PLAT;
THENCE CONTINUING N00°14'50"W, ON SAID EASTERLY RIGHT OF WAY LINE OF JANITELL ROAD AND THE EASTERLY BOUNDARY OF SAID HARRISON ANNEXATION PLAT, A DISTANCE OF 31.81 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 5.754 ACRES.

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.

