

PETITION FOR ANNEXATION

USAFA Enhanced Use Lease (EUL) Development

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. The Petitioner(s) reserves the right, at its full discretion, to withdraw its signature from this annexation petition at any point prior to annexation of the Described Area by the City as provided for in CRS 31-12-107(e).

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 except to the extent preempted by federal law and regulations.

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. The Petitioner(s) expressly reserves any and all existing or applicable water rights in the Described Area, subjected to the proposed annexation.

Land Owner:

IN WITNESS WHEREOF, I have hereunto set my hand at the direction of the Secretary of the Air Force on this 3 day of October, 2018.

UNITED STATES OF AMERICA, acting by
and through the Secretary of the Air Force

By: Shawn W. Campbell
SHAWN W. CAMPBELL, Colonel, USAF
Commander, 10th Air Base Wing

AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The foregoing instrument was executed before me this 3rd day of October, 2018, by Col Shawn W. Campbell who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her duly authorized capacity, and acknowledged that he/she executed the same for the purposes therein contained and in my presence signed and sealed the same.

Witness my hand and official seal.

My Commission expires: N/A - 10 USC 1044A

Matthew A. DiFelice
Notary Public

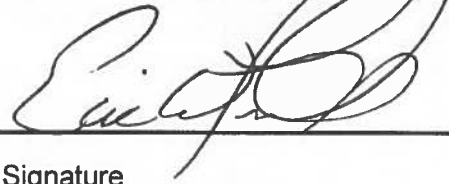
Matthew A. DiFelice, Capt, USAF



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))

Developer:

Eric W. Smith
Vice President – Director of Development
Blue & Silver Development Partners, LLC
2435 Research Parkway, Suite 300
Colorado Springs, Colorado 80920



10/5/18

Signature

Date

AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The foregoing instrument was executed before me this 5 day of October,
20 18, by Eric Smith

Witness my hand and official seal.

My Commission expires: 9.7.2020

Janet E. Turley
Notary Public

JANET E TURLEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124058546
MY COMMISSION EXPIRES SEPTEMBER 7, 2020

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Legal Description: See Attached Exhibits