

PETITION FOR ANNEXATION

[ROCK CREEK MESA ANNEXATION FILING 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.

Legal Description: See Exhibit [EXHIBIT A]

[NEW DIRECTION IRA INC FBO, DANNY MIENKA IRA]

Asley Whitlock, Auth. signer [Signature] 5/3/2023
Name/ Title (Print) Signature Date

Mailing Address
NEW DIRECTION IRA INC FBO
DANNY MIENKA IRA
1070 W CENTURY DR, SUITE 101
LOUISVILLE CO, 80027

AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF BOULDER)

The foregoing instrument was executed before me this 3 day of May,
2023, by Asley Whitlock / Authorized signer

Witness my hand and official seal.

My Commission expires: 8-13-2024

[Signature]
Notary Public

LAURA BRIELS
Notary Public
State of Colorado
Notary ID # 20204028095
My Commission Expires 08-13-2024

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 - PROPERTY DESCRIPTION
ROCK CREEK MESA ANNEXATION

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 15, SECTION 16, THE EAST 1/2 OF SECTION 20, SECTION 21, THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, AND THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(PARCEL A - PARCEL E PER TITLE COMMITMENT)

PARCEL A: 6530300017 PAWNEE RD

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE INTERSECTION OF CHICKASAW ROAD AND SENECA ROAD AS RECORDED IN ROCK CREEK MESA SUBDIVISION ADDITION NO. 2 RECORDED MARCH 11, 1959 IN PLAT BOOK A2 AT PAGE 30 IN THE RECORDS OF EL PASO COUNTY, COLORADO; THENCE S89°24'00"W, 738.00 FEET; THENCE N00°36'00"W, 404.51 FEET; THENCE N89°02'00"W, 818.31 FEET; THENCE S00°38'00"E, 1519.66 FEET; THENCE S58°41'00"E, 90.68 FEET; THENCE ON A CURVE TO THE LEFT WHOSE CENTRAL ANGLE IS 47°30'00", RADIUS IS 360.00 FEET, AND ARC LENGTH IS 298.45 FEET; THENCE ANGLE LEFT ALONG A NON-RADIAL LINE N00°36'00"W, 521.89 FEET; THENCE N89°24'00"E, 152.35 FEET; THENCE S41°06'25"E, 115.48 FEET, THENCE S00°36'00"E, 151.90 FEET; THENCE N89°24'00"E, 227.00 FEET; THENCE S00°36'00"E, 155.29 FEET; THENCE N73°49'00"E, 766.16 FEET; THENCE N00°36'00"W, 849.47 FEET TO THE POINT OF BEGINNING; COUNTY OF EL PASO, STATE OF COLORADO.

EXCEPT THAT PORTION CONTAINED WITHIN THE PLAT OF LA MESA DEL ANGELES SUBDIVISION AS RECORDED FEBRUARY 4, 1972 IN PLAT BOOK U2 AT PAGE 36;

AND FURTHER EXCEPTING ANY PORTION CONVEYED BY DEEDS RECORDED APRIL 16, 1993 IN BOOK 6154 AT PAGE 600 AND AUGUST 5, 1995 IN BOOK 6230 AT PAGE 53 AND FEBRUARY 6, 1997 UNDER RECEPTION NO. 97013676.

PARCEL B: 6530300023 PAWNEE RD

A PARCEL OF LAND IN THE SOUTH 1/2 OF SECTION 30, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M., IN THE COUNTY OF EL PASO, STATE OF COLORADO, BEING BOUNDED BY THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 30, THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY 115, THE NORTH RIGHT OF WAY LINE OF PAWNEE ROAD AND THE EAST LINES OF THE SUBDIVISIONS OF LA MESA DEL ANGELES SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 4, 1972 IN PLAT BOOK U2 AT PAGE 36, AND ROCK CREEK MESA SUBDIVISION ADDITION NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 11, 1959 IN PLAT BOOK A2 AT PAGE 30 AND AS PARTIALLY VACATED BY VACATION PLAT RECORDED JANUARY 13, 1972 IN PLAT BOOK U2 AT PAGE 13 ; EXCEPTING THEREFROM THE PARCELS LAND DESCRIBED IN DEEDS RECORDED OCTOBER 4, 1961 IN BOOK 1885 AT PAGE 404 AND AUGUST 16, 1979 IN BOOK 3215 AT PAGE 369.

PARCEL C: 6530400003 8145 PIUTE RD REYCON LTD

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTH EAST QUARTER AND OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST-WEST CENTER LINE OF SAID SECTION 30 WITH THE CENTER LINE OF STATE HIGHWAY NO. 115 AS DESCRIBED IN DEED

RECORDED DECEMBER 21, 1938, IN BOOK 941 AT PAGE 394 OF THE RECORDS OF EL PASO COUNTY, COLORADO;
THENCE WEST ON SAID EAST-WEST CENTER LINE 818 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED HEREBY, WHICH POINT IS THE NORTH WEST CORNER OF THAT TRACT OF LAND CONVEYED IN DEED RECORDED FEBRUARY 25, 1955 IN BOOK 1483 AT PAGE 494 OF THE RECORDS OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO;
THENCE CONTINUE WEST 208 FEET ON SAID EAST-WEST CENTER LINE;
THENCE SOUTH 820 FEET PARALLEL WITH THE NORTH-SOUTH CENTER LINE OF SAID SECTION 30;
THENCE EAST 208 FEET PARALLEL WITH THE EAST-WEST CENTER LINE OF SAID SECTION 30;
THENCE NORTH 820 FEET PARALLEL WITH THE NORTH-SOUTH CENTER LINE OF SAID SECTION 30 TO THE POINT OF BEGINNING,

EXCEPT THAT PORTION OF SAID SECTION 30 TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN AS MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED SEPTEMBER 21, 1966 IN BOOK 2146 PAGE 698, COUNTY OF EL PASO, STATE OF COLORADO.

PARCEL D: 65303-00-022 PAWNEE ROAD

A PARCEL OF LAND LOCATED AS A PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO. BEARINGS OF BOUNDARY LINES USED IN THE FOLLOWING DESCRIPTION ARE BASED UPON "FOUND" SURVEY MONUMENTS WITHIN THE ROCK CREEK MESA SUBDIVISION AND THE MONUMENTED SECTION NORTHEAST BEING THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30, BEARINGS HAVE BEEN DETERMINED BY DIRECT SOLAR OBSERVATIONS TO DETERMINE TRUE MERIDIAN NORTH. COMMENCING AT THE WEST QUARTER CORNER (MONUMENTED U.S. GOVERNMENT BRASS CAP, DATED 1974) THENCE S 0°23'14" E, 935.27' (RECORD 933') ON A TRUE MERIDIAN BEARING ALONG THE WESTERLY SECTION LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30 TO INTERSECT THE SOUTHERLY LINE OF THE PLATTED "LA MESA DEL ANGELES SUBDIVISION" AS RECORDED IN PLAT BOOK U2, PAGE 36, EL PASO COUNTY, COLORADO. SAID INTERSECTION POINT BEING THE TRUE POINT OF BEGINNING FOR THE FOLLOWING DESCRIBED PARCEL: THENCE S 89°37'22" E, 894.92 (RECORD 899.73') ALONG THE SOUTHERLY LINE OF SAID "LA MESA DEL ANGELES SUBDIVISION", THENCE ALONG A CURVE TO THE RIGHT WHOSE CENTRAL ANGLE IS 48°59'54", RADIUS 187.00', ARC LENGTH 159.92, THENCE S 40°37'28" E ALONG THE TANGENT OF THE MENTIONED CURVE 121.60' TO INTERSECT THE SOUTHERLY LINE OF LOT II, BLOCK 3, OF THAT NOW VACATED PORTION OF THE "ROCK CREEK MESA SUBDIVISION" AS SHOWN ON THE "VACATION OF A PORTION OF ROCK CREEK MESA SUBDIVISION AND PORTIONS OF ROCK CREEK MESA SUBDIVISION AS RECORDED IN PLAT BOOK U-2, PAGE 13, EL PASO COUNTY. SAID POINT BEING THE SAME AS A POINT ON THE STILL "PLATTED" PORTION OF LOT 12, BLOCK 3, "ROCK CREEK MESA SUBDIVISION", THENCE S 89°39'00" W, 152.35' ALONG THE LINE COMMON TO SAID LOTS II AND 12 OF BLOCK 3 AND THEN PROJECTED ACROSS THE "PLATTED" PORTION OF COMMANCHE ROAD TO INTERSECT THE WESTERLY LINE OF SAID COMMANCHE ROAD BEING THE SAME AS THE EASTERLY LINE OF THE NOW "VACATED" LOT 31, BLOCK 6, OF SAID "ROCK CREEK MESA SUBDIVISION ADDITION #2, THENCE S 0°21'00" E, 521.89' ALONG THE WESTERLY LINE OF THE STILL "PLATTED" COMMANCHE ROAD TO THE NORTHWESTERLY CORNER OF THE INTERSECTION OF COMMANCHE ROAD AND THE STILL "PLATTED" PAWNEE ROAD, THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 47°30'00", RADIUS 360' AND AN ARC LENGTH OF 298.45' TO A POINT ON THE SOUTHERLY LINE OF LOT 23, BLOCK 6, SAID SUBDIVISION, THENCE N 58°26'00" W, 90.71' (RECORD 90.68') TO INTERSECT THE WESTERLY LINE OF THE NOW VACATED CHOCTAW ROAD OF SAID "VACATED" "ROCK CREEK MESA SUBDIVISION #2", THENCE S 0°21'00" E, 70.69' ACROSS SAID PAWNEE ROAD TO THE SOUTHERLY LINE OF SAID PAWNEE ROAD, THENCE S 58°26'00" E, 53.34' ALONG THE SOUTHERLY RIGHT OF WAY FOR PAWNEE ROAD, THENCE ON A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 43°13'45", RADIUS 420', ARC LENGTH OF 331.55' (PLAT: 330.83'), ALONG THE SOUTHERLY RIGHT OF WAY OF THE STILL "PLATTED" PAWNEE ROAD AS SHOWN ON THE "ROCK CREEK MESA SUBDIVISION PLAT BOOK A-2, PAGE 30, TO INTERSECT THE WESTERLY RIGHT OF WAY LINE OF COMMANCHE ROAD AS SHOWN ON THE PLAT OF THE "ROCK CREEK MESA SUBDIVISION", PLAT BOOK Z, PAGE 7, THENCE S 0°21'00" E, 147.10' ALONG SAID WESTERLY RIGHT OF WAY TO THE NORTHEASTERLY CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 2038, PAGE 764, EL PASO COUNTY RECORDS, THENCE S 88°57'39" W, 960.89' ALONG THE NORTHERLY LINE OF SAID TRACT TO THE

NORTHWESTERLY CORNER OF SAID TRACT BEING A POINT ON THE WESTERLY LINE (SECTION LINE) OF THE SOUTHWEST QUARTER OF SAID SECTION 30, THENCE N 0°-23'-14" W, 723.43' ALONG SAID SECTION LINE AND CROSSING THE EXISTING PAVED PAWNEE ROAD TO THE SOUTHWESTERLY CORNER OF A TRACT OF LAND (LOWER WATERTANKS) DESCRIBED IN BOOK 5344, PAGE 1120, EL PASO COUNTY RECORDS, THENCE S 4°38'14" E, 132.00' ALONG THE SOUTHERLY LINE OF SAID TRACT, THENCE N 0°23'14" W, 206.16', THENCE S 89°36'46" W, 100.00' TO THE NORTHWESTERLY CORNER OF SAID TRACT ALSO BEING A POINT ON SAID SECTION LINE, THENCE ALONG SAID SECTION LINE N 0°23'14" W, 69.30' TO THE TRUE POINT OF BEGINNING.

AND EXCEPTING AN EXISTING, PAVED, COUNTY MAINTAINED, ROADWAY KNOWN AS PAWNEE ROAD. SAID ROADWAY BEGINNING AT THE WESTERLY END OF THAT "PLATTED AND DEDICATED" PORTION OF PAWNEE ROAD AND CONTINUING NORTHWESTERLY TO THE WEST SECTION LINE OF SAID SECTION 30.

AND EXCEPTING A ROADWAY FOR ACCESS INTO A PORTION OF SECTION 25, TOWNSHIP 15 SOUTH, RANGE 67 WEST, 6TH P.M., SAID EASEMENT DESCRIBED IN BOOK 375, PAGE 497, DATED MAY 10, 1910, EL PASO COUNTY RECORDS, COLORADO AND EXCEPTING SAID PARCEL OF LAND DESCRIBED IN BOOK 2809 AT PAGE 220

PARCEL D EXCEPTION (NOT FROM TITLE COMMITMENT):

COMMENCING AT THE POINT OF BEGINNING FOR THE ABOVE PARCEL D;

THENCE SOUTH 00°38'14" EAST, ON SAID WESTERLY SECTION LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 189.30 FEET TO THE SOUTHWEST CORNER OF THE PREVIOUSLY CITED "LOWER WATERTANKS", SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 49°53'14" EAST, ON THE EXTERIOR THEREOF, A DISTANCE OF 132.00 FEET TO THE EXTERIOR OF THAT QUITCLAIM DEED RECORDED APRIL 2, 1997 IN SAID RECORDS UNDER RECEPTION NUMBER 97036734;

THENCE SOUTH 57°08'55" EAST, ON SAID EXTERIOR, A DISTANCE OF 119.90 FEET;

THENCE SOUTH 31°19'00" WEST A DISTANCE OF 71.98 FEET;

THENCE SOUTH 58°41'00" EAST A DISTANCE OF 512.73 FEET TO THE SOUTHWESTERLY CORNER OF SAID "PLATTED" PAWNEE ROAD;

THENCE SOUTH 24°29'57" WEST A DISTANCE OF 86.86 FEET;

THENCE SOUTH 06°37'02" WEST A DISTANCE OF 62.67 FEET;

THENCE SOUTH 00°32'37" EAST A DISTANCE OF 91.60 FEET TO THE EXTERIOR OF THAT SPECIAL WARRANTY DEED RECORDED SEPTEMBER 07, 2012 IN SAID RECORDS UNDER RECEPTION NUMBER 212104071;

THENCE SOUTH 88°42'39" WEST, ON SAID EXTERIOR, A DISTANCE OF 552.02 FEET TO SAID WESTERLY SECTION LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30;

THENCE NORTH 00°38'14" WEST, ON SAID EXTERIOR AND SAID WESTERLY SECTION LINE, A DISTANCE OF 723.43 FEET TO THE POINT OF BEGINNING.

PARCEL E: 6530400009 285 PAWNEE RD

THAT PORTION OF THE SOUTH HALF OF SECTION 30 IN TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 30; THENCE EAST ON THE SOUTH LINE THEREOF 206.7 FEET TO ITS INTERSECTION WITH THE CENTER LINE OF STATE HIGHWAY NO. 115

**Anniston, AL | Atlanta, GA | Colorado Springs, CO | Denver, CO | Niceville, FL | Parsons, KS | Phoenix, AZ
Sacramento, CA | Tamuning, GUAM | Texarkana, TX | Washington, DC**

AS DESCRIBED IN DEED RECORDED IN BOOK 941 AT PAGE 394 OR THE RECORDS OF EL PASO COUNTY, COLORADO, UNDER RECEPTION NO. 604859; THENCE NORTHERLY ON THE CENTER LINE OR SAID HIGHWAY, 716 FEET, MORE OR LESS, TO THE MOST EASTERLY CORNER OF THE TRACT OF LAND DESCRIBED IN DEED TO HOWARD L. MCMILLEN AND EVELYN B. MCMILLEN RECORDED IN BOOK 1393 AT PAGE 121 OF SAID RECORDS UNDER RECEPTION NO. 904410 FOR THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED HEREBY; THENCE WESTERLY ON THE NORTHERLY LINE OF SAID MCMILLEN TRACT TO AN ANGLE POINT THEREON; THENCE NORTH ON AN EASTERLY LINE OF SAID MCMILLEN TRACT 100 FEET TO A CORNER THEREOF; THENCE WEST ON THE NORTHERLY LINE OF SAID MCMILLEN TRACT 300 FEET TO A CORNER THEREOF; THENCE NORTH ON AN EASTERLY LINE THEREOF 292 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OR SAID SECTION 300 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SECTION 242 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION TO INTERSECT THE CENTER LINE OF SAID STATE HIGHWAY NO. 115; THENCE SOUTHWESTERLY ON SAID CENTER LINE TO THE POINT OF BEGINNING; EXCEPT THAT PORTION DESCRIBED IN DEED RECORDED IN BOOK 2035 AT PAGE 159 UNDER RECEPTION NO. 368209; AND THAT PORTION OF THE SOUTH HALF OF SECTION 30 IN TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: COMMENCING AT A POINT WHERE THE CENTERLINE OF STATE HIGHWAY NO. IS AND THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO PORCY G. AND OPAL MAY GRIFFIN IN BOOK 1570 AT PAGE 408 OF THE EL PASO COUNTY, COLORADO, RECORDS COINCIDE; THENCE WEST ALONG THE NORTH LINE OF SAID GRIFFIN TRACT TO A POINT WHICH IS A CORNER OF SAID GRIFFIN TRACT; THENCE NORTH ALONG AN EASTERLY LINE OF SAID GRIFFIN TRACT A DISTANCE OF 242 FEET TO A POINT WHICH IS A CORNER OF SAID GRIFFIN TRACT; THENCE WEST ALONG THE NORTH LINE OF SAID GRIFFIN TRACT A DISTANCE OF 300 FEET TO A POINT ON AN EAST LINE OF (BAT TRACT OF LAND CONVEYED TO HOWARD L. MCMILLEN AND EVELYN E. MCMILLEN BY DEED RECORDED IN BOOK 1393 AT PAGE 121; THENCE NORTH ON SAID EAST LINE OF SAID MCMILLEN TRACT 8 DISTANCE OF 353 FEET TO THE SOUTH LINE OF THE COUNTY ROAD AS IT IS NOW USED; THENCE EASTERLY AND SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID COUNTY ROAD TO ITS INTERSECTION WITH THE CENTERLINE OF STATE HIGHWAY NO. 115; THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF SAID STATE HIGHWAY TO THE PLACE OF BEGINNING;

CHEYENNE MOUNTAIN STATE PARK PARCEL

THAT PART OF NW4 LY SWLY OF J L RANCH ADDITION ANNEXATION TO CITY OF COLO SPGS SEC 30-15-66 53.72 A

STREET RIGHT-OF-WAY

ALL OF PAWNEE ROAD, AND ALL OF COMMANCHEE ROAD LAYING NORTHERLY OF PAWNEE ROAD AS PLATTED IN ROCK CREEK MESA SUBDIVISION ADDITION NO. 2, RECORDED MARCH 11, 1959 IN SAID RECORDS IN PLAT BOOK A-2 AT PAGE 30, TOGETHER WITH ALL OF PAWNEE ROAD LAYING BETWEEN THE EASTERLY LINE OF SAID ROCK CREEK MESA SUBDIVISION ADDITION NO. 2 AND THE WESTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 115.