PETITION FOR ANNEXATION

[ROCK CREEK MESA ANNEXATION
ROCK CREEK MESA ADDITION NO. 4]

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.

Legal Description: See Exhibit [EXHIBIT A]

[ROCK CREEK RESIDENTIAL LLC]

Danny Mientka, Manager
Name/ Title (Print)

Signature

8/26/2024
Date

Mailing Address
THE EQUITY GROUP
90 S CASCADE AVE #1500
COLORADO SPRINGS CO, 80903

AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The foregoing instrument was executed before me this 26 day of August, 2024, by Danny Mientka as Manager of Rock Creek Residential LLC.

Witness my hand and official seal.

My Commission expires: June 20, 2026

SVENJA OLLAND-GRISWOLD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184025608
MY COMMISSION EXPIRES JUNE 20, 2026

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))

Matrix Design Group, Inc.
2435 Research Parkway, Suite 300
Colorado Springs, CO 80920
O 719.575.0100
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EXHIBIT "A", ROCK CREEK MESA ADDITION NO. 4

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, CONTAINING A PORTION OF THE PAWNEE ROAD AND COMMANCHE ROAD RIGHT-OF-WAYS RECORDED UNDER ROCK CREEK MESA SUBDIVISION ADDITION NO. 2 IN PLAT BOOK A-2 PAGE 30, AND A PORTION OF THOSE PARCELS OF LAND RECORDED UNDER RECEPTION NUMBER 224050744, ALL IN THE RECORDS OF EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER, BEING MONUMENTED ON THE WEST END BY A 3-1/4 INCH BRASS CAP (BLM STANDARD) AND ON THE EAST END BY A 2-1/2 INCH ALUMINUM CAP STAMPED "RMLS 19625" AT THE CENTER CORNER OF SAID SECTION 30, WHICH IS ASSUMED TO BEAR NORTH 89°02'51" WEST, A DISTANCE OF 2,557.81 FEET;

COMMENCING AT SAID CENTER CORNER OF SECTION 30;
THENCE S56°23'43"W A DISTANCE OF 1,898.77 TO A POINT ON THE SAID EASTERN RIGHT-OF-WAY LINE OF COMMANCHE ROAD, BEING MONUMENTED BY A RED PLASTIC CAP STAMPED "PLS 38160", ALSO BEING THE **POINT OF BEGINNING;**

THENCE COINCIDENT WITH SAID COMMANCHE ROAD RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. NORTH 89°17'17" EAST, A DISTANCE OF 60.00 FEET;
2. SOUTH 00°42'43" EAST, A DISTANCE OF 503.81 FEET TO A POINT ON SAID NORTHERN RIGHT-OF-WAY LINE OF PAWNEE ROAD;

THENCE COINCIDENT WITH SAID RIGHT-OF-WAY LINE NORTH 73°41'05" EAST, A DISTANCE OF 409.31 FEET TO A POINT ON THE EXTERIOR OF SAID PARCEL OF LAND RECORDED UNDER RECEPTION NUMBER 224050744;
THENCE COINCIDENT WITH THE EXTERIOR OF SAID PARCEL THE FOLLOWING THREE (3) COURSES:

1. NORTH 00°52'18" WEST, A DISTANCE OF 153.40 FEET TO A NON-TANGENT CURVE HAVING A RADIUS OF 70.00 FEET, WHOSE CENTER BEARS NORTH 89°08'03" EAST;
2. NORTHEASTERLY AND COINCIDENT WITH SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 51°59'01", AN ARC DISTANCE OF 63.51 FEET AND HAVING A CHORD THAT BEARS NORTH 25°07'33" EAST, A DISTANCE OF 61.35 FEET;
3. ALONG A LINE NON-TANGENT TO SAID CURVE, NORTH 51°41'38" EAST, A DISTANCE OF 161.74 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 265.09 FEET TO A POINT ON SAID NORTHERN RIGHT-OF-WAY LINE OF PAWNEE ROAD;
THENCE COINCIDENT WITH SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. THENCE NORTH 73°41'05" EAST, A DISTANCE OF 609.15 FEET;
2. THENCE NORTH 72°32'40" EAST, A DISTANCE OF 62.58 FEET;

THENCE SOUTH 00°56'34" EAST, A DISTANCE OF 62.25 FEET TO A POINT ON THE SOUTHERN RIGHT-OF-WAY LINE OF PAWNEE ROAD;
THENCE SOUTH 00°56'34" EAST, A DISTANCE OF 483.10 FEET;
SOUTH 89°02'02" WEST, A DISTANCE OF 60.09 FEET TO A POINT ON THE EXTERIOR OF SAID PARCEL OF LAND RECORDED UNDER RECEPTION NUMBER 224050744;
THENCE COINCIDENT WITH THE EXTERIOR OF SAID PARCEL NORTH 00°59'47" WEST, A DISTANCE OF 465.22 FEET TO A POINT ON THE SOUTHERN RIGHT-OF-WAY LINE OF SAID PAWNEE ROAD;
THENCE COINCIDENT WITH SAID RIGHT-OF-WAY SOUTH 73°41'05" WEST, A DISTANCE OF 1,175.13 FEET TO A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF SAID COMMANCHE ROAD;
THENCE COINCIDENT WITH SAID EASTERN RIGHT-OF-WAY LINE SOUTH 00°42'43" EAST, A DISTANCE OF 97.26 FEET;
THENCE NORTH 90°00'00" WEST, A DISTANCE OF 59.94 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY LINE OF SAID COMMANCHE ROAD;

THENCE COINCIDENT WITH SAID WESTERN RIGHT-OF-WAY LINE NORTH 00°45'24" WEST, A DISTANCE OF 78.88 FEET TO A POINT OF SAID SOUTHERN RIGHT-OF-WAY LINE OF PAWNEE ROAD;
THENCE NORTH 00°42'43" WEST, A DISTANCE OF 61.94 FEET TO A POINT ON SAID NORTHERN RIGHT-OF-WAY LINE OF PAWNEE ROAD;
THENCE CONTINUE NORTH 00°42'43" WEST AND COINCIDENT WITH SAID WESTERN RIGHT-OF-WAY LINE, A DISTANCE OF 521.79 FEET TO THE **POINT OF BEGINNING.**

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 177,034 SQUARE FEET OR (4.06413 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.

JERRY R. BESSIE, PLS 38576
PREPARED FOR AND ON BEHALF OF MATRIX DESIGN GROUP
2435 RESEARCH PARKWAY, SUITE 300
COLORADO SPRINGS, CO. 80920