

Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**

*20120 East Mainstreet
Parker, CO 80138*

RE: PROPERTY KNOWN AS:

11964 Dransfeldt Road
Parker, Colorado 80134

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

(See Exhibit A attached hereto and incorporated herein by this reference.)

Your Petitioners further state as follows:

1. That it is desirable and necessary that such area be annexed to the Town of Parker, Colorado.
2. That the area sought to be annexed meets the requirements of Sections 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
 - a. Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the Town of Parker, Colorado.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Parker, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the Town of Parker, Colorado.
 - d. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
 - ii. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - e. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
 - f. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.
 - g. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Parker more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
 - h. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
 - i. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Parker.
3. That attached hereto and incorporated herein by reference are four (4) prints of the annexation map, containing the following information:
 - a. A written legal description of the boundaries of the area proposed to be annexed.
 - b. A map showing the boundary of the area proposed to be annexed.

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- c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Parker and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
4. That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
9. No vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq., C.R.S., have been acquired by Petitioners from any governmental entity. Petitioners waive any vested land use rights attached to any or all of the property.
10. The Petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The property, the owners thereof, and the uses thereon are also bound by any voter authorization under Art. X, §20 of the Colorado Constitution adopted prior to annexation of the property. The Petitioners waive any claims they may have under Art. X, §20 of the Colorado Constitution related to such taxes and fees.
11. The Petitioners reserve the sole, exclusive and unilateral right to withdraw this Petition by so notifying the Clerk of the Town in writing at any point prior to the later to occur of:
 - a. The final, non appealable approval of the final ordinance(s), resolutions and/or other final action(s) granting the zoning of the property, execution of the annexation agreement, and, if required, an update to the Town's three mile plan; or
 - b. Final, non appealable resolution of any legal challenge or other action that directly or indirectly challenges the Town's annexation of the property or the Town's granting of the approvals set forth in Section 11(a) or any petition for a referendum seeking to reverse or nullify any of the approvals set forth in Section 11(a).

Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

Respectfully submitted this _____ day of _____, 2020.

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Signatures of Landowner/Petitioner:

THE LEILA MAY PEASLEE RESIDUARY TRUST

By: 

Title: Steven Sawyer, Trustee

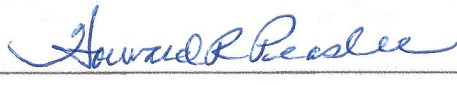
Date of Signature: 10/27/2020

Mailing Address: 32322 Lavender Cove
Bulverde, TX 78163

Resident of the Property? NO

Signatures of Landowner/Petitioner:

HOWARD R PEASLEE, an Individual

By: 

Date of Signature: 10/28/2020

Mailing Address: 426 Freemont Drive
Lawrence, KS 66049

Resident of the Property? NO

EXHIBIT A TO PETITION FOR ANNEXATION

Legal Description of the Property

PARCEL 2:

A PARCEL OF LAND LOCATED IN N/2 NW/4 SEC. 15, T6S, R66W, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT INTERSECTION OF N LINE SAID SECTION 15 AND EASTERLY LINE OF COUNTY ROAD, WHICH POINT IS 765' E OF NW CORNER SAID SECTION 15;
THENCE S 03°52'30" E ALONG EASTERLY LINE SAID COUNTY ROAD 604', THENCE NORTHEASTERLY TO POINT ON WESTERLY RIGHT-OF-WAY LINE OF STATE
HIGHWAY NO. 83, WHICH IS 513' SOUTHEASTERLY FROM INTERSECTION OF N LINE SAID SECTION 15 AND WESTERLY RIGHT-OF-WAY STATE HIGHWAY NO. 83 AND
MEASURED ALONG SAID RIGHT-OF-WAY LINE; THENCE NORTHERLY ALONG WESTERLY RIGHT-OF-WAY LINE STATE HIGHWAY NO. 83 513' TO N LINE SAID SECTION ,
THENCE N 89°50'30" W ALONG N LINE SAID SECTION 15, 1026.6', MORE OR LESS, TO POINT OF BEGINNING, EXCEPT CONVEYANCE TO BOARD OF COUNTY
COMMISSIONERS, DOUGLAS COUNTY, COLORADO FOR A ROAD AND TO LEILA MAY PEASLEE AND RAY PEASLEE IN BOOK 407, PAGE 779, COUNTY OF DOUGLAS,
STATE OF COLORADO.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED IN WARRANTY DEED RECORDED AUGUST 30, 2002 AT RECEPTION NO. 2002088425.

