

PETITION FOR ANNEXATION

THE UNDERSIGNED (hereinafter referred to as “**Petitioner**”), hereby petitions (this “**Petition**”) the Council of the City of Fort Collins, Colorado for the annexation of an area in unincorporated Larimer County, as more particularly described by its legal description in Exhibit A, which is attached hereto and incorporated herein by this reference (the “**Property**”).

In support of this Petition, Petitioner alleges as follows:

1. That it is desirable and necessary that the Property be annexed to the City of Fort Collins.
2. That the condition set forth in Section 30(1)(b) of Article II of the Colorado Constitution has been met.
3. That the requirements of Sections 31-12-104 and 31-12-105, C.R.S., exist or have been met.
4. That not less than one-sixth (1/6) of the perimeter of the Property is contiguous with the boundaries of the City of Fort Collins.
5. That a community of interest exists between the Property and the City of Fort Collins.
6. That the Property is urban or will be urbanized in the near future.
7. That the Property is integrated with or is capable of being integrated with the City of Fort Collins.
8. That Petitioner comprises more than fifty percent (50%) of the landowners in the Property and own more than fifty percent (50%) of the Property, excluding public streets, alleys and lands owned by the City of Fort Collins.
9. That the City of Fort Collins shall not be required to assume any obligations respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the Property except as may be provided by the ordinance of the City of Fort Collins.
10. Accompanying this Petition are four copies of the annexation boundary map in the form required by C.R.S. Section 31-12-107(1)(d) containing the following information:
 - (a) A written legal description of the boundaries of the Property;
 - (b) A map showing the boundary of the Property, such map prepared and containing the seal of a registered engineer or land surveyor;

(c) Within the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area be platted, then the boundaries and the plat number of plots or of lots and blocks are shown; and

(d) Next to the boundary of the Property is drawn the contiguous boundary of the City of Fort Collins and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

11. Petitioner requests that the Council of the City of Fort Collins approve the annexation of the Property. Furthermore, Petitioner requests that said area be placed in the LMN Zone District pursuant to the Land Use Code of the City of Fort Collins.

12. Petitioner reserves the sole, exclusive and unilateral right, for the benefit of, and to be exercised solely by Thompson Thrift Development, Inc. (together with its successors and assigns, “**Purchaser**”) to withdraw this Petition by Purchaser so notifying the Clerk of the City of Fort Collins in writing at any point prior to the latest to occur of:

(a) The final, non-appealable approval of the final ordinance(s), resolutions and/or other final action(s) granting the annexation of the Property to the City of Fort Collins, zoning of the Property to the LMN Zone District, and execution of the annexation agreement; or

(b) Final, non-appealable resolution of any legal challenge or other action that directly or indirectly challenges the approvals set forth in Section 12(a) or any petition for a referendum seeking to reverse or nullify any of the approvals set forth in Section 12(a).

13. Prior to expiration of the period described in the foregoing Sections 12(a) and 12(b) without Purchaser having withdrawn this Petition, neither Purchaser, Petitioner nor the City shall cause or permit the occurrence of the conditions to effectiveness of the annexation as set forth in C.R.S. Section 31-12-113(2)(b).

THEREFORE, Petitioner requests that the Council of the City of Fort Collins approve the annexation of the Property.

[Signatures follow on next page]

PROPERTY OWNER/PETITIONER

MATTHEW R. BROWN

By: Matthew R. Brown
Name: Matthew R. Brown
Date: OCTOBER 3, 2022

Petitioner's mailing address: 423 SPAULDING LN FORT COLLINS CO 80524

Is Petitioner a resident of the Property?: YES

Legal description of land owned by Petitioner: See Exhibit A, Legal Description of Property

EXHIBIT A

Legal Description of Property and Land Owned by Petitioner

A parcel of land situate in the Southwest Quarter of Section Thrity-six (36), Township Eight North (T.8N.), Range Sixty-nine West (R.69W) of the Sixth Principal Meridian (6th P.M.) being more particularly described as follows:

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 8 NORTH RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, THENCE WEST 150 FEET; THENCE SOUTH 959 FEET MORE OR LESS, TO THE NORTH LINE OF RIGHT OF WAY OF THE LARIMER AND WELD RESERVOIR COMPANY CANAL; THENCE EASTERLY ALONG SAID RIGHT OF WAY TO A POINT DUE SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 975 FEET, MORE OR LESS TO THE POINT OF BEGINNING,

EXCEPT THAT PORTION CONVEYED TO LARIMER COUNTY IN DEED RECORDED JULY 29, 1986 UNDER RECEPTION NO. 86040958, COUNTY OF LARIMER, STATE OF COLORADO.

Being more particularly described as follows:

A parcel of land being a part of the Southeast Quarter of the Southwest Quarter of Section 36, Township 8 North Range 69 West of the 6th P.M., City of Fort Collins, County of Larimer, State of Colorado, being more particularly described as follows:

Considering the South line of the Southeast Quarter of the Southwest Quarter of said Section 36, as bearing North 89°17'51" West, an assumed bearing, and with all bearings contained herein relative thereto:

Commencing at the Southwest corner of Willox Heights Annexation to the City of Fort Collins;

THENCE along the West line of said Willox Annexation North 00°39'21" East a distance of 174.71 feet to the **POINT OF BEGINNING**;

THENCE departing said line, North 51°19'10" West a distance of 56.19 feet;

THENCE North 76°29'10" West a distance of 108.46 feet;

THENCE North 00°39'21" East a distance of 1072.10 feet to a point on the South right-of-way line of Spaulding Lane, said line also being the South line of Sherman-Lawler First Annexation to the City of Fort Collins;

THENCE along said South line South 84°52'02" East a distance of 150.46 feet to a point on the West line of said Willox Heights Annexation;

THENCE along said line West line South 00°39'21" West a distance of 1119.10 feet to the **POINT OF BEGINNING**.

Said described tract of land contains 163,045 square feet or 3.743 acres, more or less and may be subject to any rights-of-way or other easements as granted or reserved by instruments of record or as now existing on said described parcel of land.

