

PETITION FOR ANNEXATION
To the Town of Johnstown
(Larimer County)

The undersigned, in accordance with Article 12, Chapter 31, CRS, as amended, hereby petition the Town Council of the Town of Johnstown, Colorado, for annexation to the Town of Johnstown the unincorporated territory more particularly described below, currently known as Yellow Roof Development, and in support of said Petition, your petitioners allege that:

- (1) It is desirable and necessary that the following described territory be annexed to the Town of Johnstown, Colorado:

See Exhibit A (Annexation Plat) attached hereto and made a part hereof.

- (2) Not less than one-sixth (1/6) of the perimeter of that area proposed to be annexed is contiguous with the Town of Johnstown, Colorado.
- (3) A community of interest exists between the territory proposed to be annexed and the Town of Johnstown, Colorado.
- (4) The territory proposed to be annexed is urban or will be urbanized in the near future;
- (5) The territory proposed to be annexed is integrated or is capable of being integrated with the Town of Johnstown, Colorado;
- (6) The signatures of the Petition comprise one hundred percent (100%) of the landowners of the territory to be included in the area proposed to be annexed and said landowners attesting to the facts and agreeing to the conditions herein contained will negate the necessity of any annexation election;
- (7) 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:
- (a) 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;
- (b) Comprising twenty (20) acres or more and which, together with the building and improvements situated thereon has an assessed value in excess of Two Hundred Thousand Dollars (\$200,000.00) for ad valorem tax purposes to be annexed without the written consent of the landowner or landowners.

- (8) No part of the area proposed to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will take place;
- (9) The area proposed to be annexed comprises less than ten acres, therefor an impact report as provided in Section 31-12-105.5, CRS, as amended, is not required.
- (10) The area proposed to be annexed is located within Larimer County, Thompson School District, Northern Colorado Water Conservancy District, Little Thompson Water District, Loveland Rural Fire Protection District, Aims Junior College District, and no known others;
- (11) The mailing address of each signer, the legal description of the land owned by each signer and the date of signing of each signature are all shown on this Petition;
- (12) Accompanying this Petition are five (5) prints of the area proposed to be 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, 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 is to be platted at the time of the effectiveness of the annexation (as opposed to after such effectiveness), then the boundaries and the plat number of plots or of lots and blocks are shown;
 - (d) Next to the boundary of the area proposed to be annexed is drawn the contiguous boundary of the Town of Johnstown, and the contiguous boundary of any other municipality abutting the area proposed to be annexed;
 - (e) The dimensions of the contiguous boundaries are shown on the map.
 - (f) A proposed drainage plan and a proposed utilities plan will be provided separately with the Site Plan Development..
- (13) The territory to be annexed is not presently a part of any incorporated city, city and county, or town;

(14) The undersigned agree to the following conditions, which shall be covenants running with the land, and which shall, at the option of the Town, appear on the annexation map:

(a) Water rights shall be provided as mutually agreed to by the Town and the undersigned; The undersigned specifically agree that they have not sold or transferred any water rights appurtenant to their property within the past year nor will they do so during the pendency of this annexation petition and once annexed to the Town of Johnstown, they will not sell or transfer any water rights appurtenant to the subject property without the prior written approval of the Johnstown Town Council.

(b) The owners shall participate in providing drainage plan and improvements with the Site Plan Development, and payment of a unit drainage fee as may be required by the Town the area;

(c) The undersigned hereby waive any and all "vested rights" previously created pursuant to Section 24-68-103, CRS, as amended.

(d) The undersigned and the Town may enter into an Annexation Agreement prior to the effective date of this annexation, which agreement shall be additional conditions as effectively as if set forth in this Petition.

(15) Petitioner represents that: (Check one)

No part of the property to be annexed is included within any site specific development plan approved by Larimer County, Colorado.

A site specific development plan has been approved by Larimer County, Colorado, which has created a vested right.

(16) Submitted with this Petition is the required \$100.00 for publication costs.

EXECUTED this 14th day of Jan, 2024

By: Tracy J. Letzing

Name: 

Title: Member

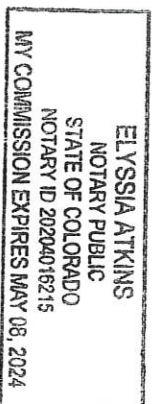
Name of Annexation: Yellow Roof Development

STATE OF COLORADO)
) ss
COUNTY OF Larimer)

Subscribed and sworn to before me this 4th day of January,
2024 by Tracy Letting as Member of
Yellow Roof Development LLC on behalf of
Same.

WITNESS my hand and official seal.

My commission expires: May 8, 24



Elyssia Atkins
Notary Public

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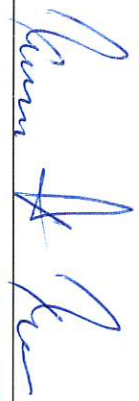
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(16) Submitted with this Petition is the required \$100.00 for publication costs.

EXECUTED this 4 day of January, 2024.

By: 
Name: Thomas F. Tait
Title: Member
Name of Annexation: Yellow Roof Development

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on

this 4 day of January, 2024, by
Date Month Year

(1) Thomas F. Telf

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature [Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above



OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Petition for Annexation

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

STATE OF COLORADO)
)
) ss
COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____,
_____ by _____ as _____ of _____,
_____ on behalf of _____

WITNESS my hand and official seal.

My commission expires: _____

Notary Public

See Attached Certificate

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EXECUTED this 8 day of January, 2024.

By: _____



Name: K. RICHARD TAIT

Title: Member

Name of Annexation: Yellow Roof Development

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

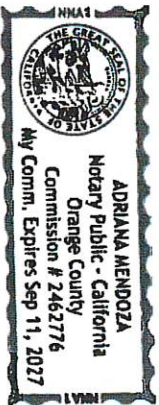
County of Orange

Subscribed and sworn to (or affirmed) before me on this 8th day of January, 2024, by
Date Month Year

(1) Kenneth Richard Tail

(and (2) _____, Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Place Notary Seal and/or Stamp Above

Signature Adriana Mendoza
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Relatives & Amexation

Document Date: _____ Number of Pages: _____

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EXECUTED this 8th day of January, 2024.

By: 

Name: Alex Horne

Title: Member

Name of Annexation: Yellow Roof Development

STATE OF COLORADO)
)ss
COUNTY OF LaVine)

Subscribed and sworn to before me this 8 day of January,
2024 by Alex Haine as Member of
Yellow Roof Development on behalf of
owner.

WITNESS my hand and official seal.

My commission expires: Nov 20 2027



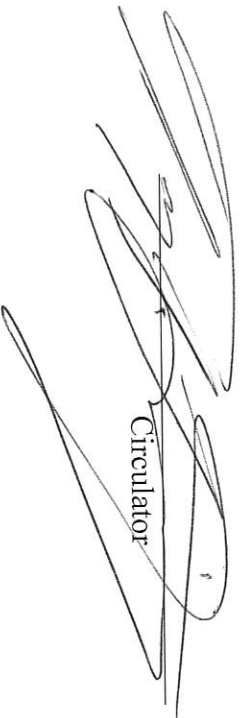


Notary Public

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Johnstown, Colorado, consisting of 5 pages, including this page and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.


Circulator

STATE OF COLORADO)
)ss
COUNTY OF Larimer)

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 4th day of Jan., A.D., 2024, by

Tracy Letzring.

Witness my hand and official seal.

My commission expires: May 8, 2024

ELYSSIA ATKINS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204016215
MY COMMISSION EXPIRES MAY 08, 2024

Elyssia Atkins
Notary Public