

PETITION FOR ANNEXATION
To the Town of Johnstown
(Weld 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 the Larson Property, 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 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.

B

- (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 more than ten acres and an impact report as provided in Section 31-12-105.5, CRS, as amended, is required.
- (10) The area proposed to be annexed is located within Weld County, School District RE-5J, Northern Colorado Water Conservancy District, Little Thompson Water District, Front Range Fire Protection District, Aims Junior College District, and High Plains Library District, and no 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.
- (13) The territory to be annexed is not presently a part of any incorporated city, city and county, or town;

FD

- (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 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 no part of the property to be annexed is included within any site specific development plan approved by Town of Johnstown, Colorado.
- (16) Submitted with this Petition is the required \$____.00 for publication costs.

17

EXECUTED this 1st day of November, 2022.

Johnstown North Investments, LLC

By:

Name: Larry S, Buckendorf

Title: Authorized Agent

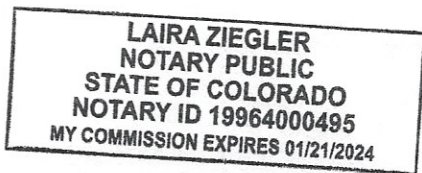
Name of Annexation: Larson Annexation


STATE OF COLORADO)
)ss
COUNTY OF WELD)

Subscribed and sworn to before me this 1st day of November, 2022 by Larry S. Buckendorf as Authorized Agent of Johnstown North Investments, LLC a Colorado Limited Liability Company

WITNESS my hand and official seal.

My commission expires: 1-21-24





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 7 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 WELD)

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 1st day of November, A.D., 2022, by Morgan Kidder.

Witness my hand and official seal.

My commission expires: 1-21-24

**LAIRA ZIEGLER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19964000495
MY COMMISSION EXPIRES 01/21/2024**



Notary Public

13



Exhibit A: PARCEL DESCRIPTION – Larson Property Annexation

A parcel of land being Lot B, Recorded Exemption No. 1059-06-2-RE-2515 recorded January 28, 2000 as Reception No. 2746724 of the Records of Weld County, Lot B, Recorded Exemption No. 1059-06-2-RE-2616 recorded January 28, 2000 as Reception No. 2746722 of the Records of Weld County, and the adjoining Weld County Road 15 Right of Way situate within the Northeast Quarter (NE1/4) of Section Six (6) and the Northwest Quarter of Section Five (5), Township Four North (T.4N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), County of Weld, State of Colorado being more particularly described as follows;

BEGINNING at the East Quarter Corner of said Section 6 and assuming the East line of the Northeast Quarter of Section 6 as bearing North 00° 44' 06" West a distance of 2532.98 feet, and being monumented on the South by a #6 Rebar with a 3.25" Aluminum Cap stamped LS 23520 and on the North by a 1" Pipe with a 2.5" Aluminum Cap stamped LS 38065 with all other bearings contained herein relative thereto:

THENCE North 86° 38' 55" West along the Northerly line of Rolling Hills Ranch Annexation recorded October 4, 1996 as Reception No. 2514298 of the Records of Weld County and along the South line of the Northeast Quarter of said Section 6 a distance of 1359.33 feet to the Center-East Sixteenth Corner of Section 6;

THENCE North 86° 38' 55" West continuing along said Northerly line of Rolling Hills Ranch Annexation and along said South line of the Northeast Quarter of Section 6 a distance of 1359.33 feet to the Center Quarter Corner of said Section 6;

THENCE North 02° 02' 39" West along the Westerly line of Lot B, Recorded Exemption No. 1059-06-2-RE-2616 a distance of 1519.18 feet to the Northwest Corner of said Lot B;

THENCE South 86° 38' 55" East along the Northerly line of Lot B a distance of 1377.18 feet to the Northeast Corner of said Lot B, RE-2616 and to the Northwest Corner of Lot B, Recorded Exemption No. 1059-06-2-RE-2515;

THENCE South 86° 38' 55" East along the North line of said Lot B, RE-2515 a distance of 1376.29 feet to the East line of the Northeast Quarter of said Section 6 and to the Northeast Corner of said Lot B, RE-2515;

THENCE North 89° 15' 54" East a distance of 30.00 feet to the Easterly Right of Way line of Weld County Road 15;

The following Four (4) courses are along the Easterly Right of Way line of Weld County Road 15.

THENCE South 00° 44' 06" East a distance of 733.83 feet to the Northerly line of Paul Nelson Dairy Farm Annexation recorded March 1, 2006 as Reception No. 3366628 of the Records of Weld County;

THENCE South 00° 44' 06" East a distance of 782.61 feet;

THENCE South 00° 13' 12" East a distance of 0.84 feet to the Southerly line of said Paul Nelson Dairy Farm Annexation;

THENCE South 00° 13' 12" East a distance of 1.17 feet to the Northeast corner of said Rolling Hills Ranch Annexation;

THENCE North 86° 38' 55" West along the Northerly line of said Rolling Hills Ranch Annexation a distance of 30.06 feet to the **POINT OF BEGINNING**.

The above described tract of land contains 4,183,676 square feet or 96.04 acres, more or less (±).



**NORTHERN
ENGINEERING**

SURVEYOR'S CERTIFICATE

I, Aaron M. Lund, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief. Furthermore, this description was completed for the purpose of describing an annexation boundary and should not be used for the conveyance of real property or any rights therein. This is not intended to represent a Land Survey Plat, Improvement Survey Plat or Improvement Location Certificate and is based upon my knowledge, information, and belief. It was completed by me or under my direct supervision using applicable standards of care and is not a guaranty or warranty, either expressed or implied.

Aaron M. Lund – on Behalf of Northern Engineering
Colorado Registered Professional
Land Surveyor #38670

NORTHERN ENGINEERING
820 8th Street
Greeley, Colorado 80631
(970) 488-1115

December 21, 2021

AML

S:\Survey Jobs\1155-003\Descriptions\1155-005 Annexation Description_2021-12-21 .docx