

January 10, 2017 VIA REGISTERED US MAIL

Ms. Melissa Pelletier, Clerk to Douglas County Commissioners Douglas County Office of the County Clerk & Recorder 100 Third Street Castle Rock, CO 80104

SUBJECT: Notification of Annexation Hearing by the Parker Town Council, In Accordance With Section 31-12-108(2), C.R.S.
<u>Name of Proposed Annexation:</u> Lot 2, Block 1, Parker North Filing 1 Generally located at the southeast corner of Parker Road and Lincoln Avenue

Dear Ms. Pelletier:

The purpose of this letter is to inform Douglas County about the Public Hearing Date scheduled by the Town of Parker Town Council concerning the above referenced application. Under Colorado Law, municipalities conducting hearings on proposed annexations are required to notify County Governments, special taxing districts, schools and Title 32 districts of the proposed hearing. This notice satisfies the Town's requirement under Colorado Revised Statutes.

Please be advised that the hearing is scheduled for May 16, 2016. For reference, a copy of the following has been enclosed:

- Public Hearing Notice & Vicinity Map
- Resolution No. 17-0004, setting the Public Hearing Date for the Annexation Hearing.
- Annexation Petition.

If you have any questions, please do not hesitate to contact me.

Sincerely

Patrick Mulready, Senior Planner Town of Parker Community Development Department PM Enclosures

RESOLUTION NO. <u>17-004</u>, Series of 2017

TITLE: A RESOLUTION TO DETERMINE THAT LOT 2, BLOCK 1, PARKER HEIGHTS PROPERTY ANNEXATION PETITION SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF THE ANNEXATION ACT OF 1965 AND TO SET A PUBLIC HEARING DATE FOR MARCH 6, 2017

WHEREAS, the Petitioner owns certain real property in Douglas County commonly known as the Lot 2, Block 1, Parker Heights property.

WHEREAS, pursuant to C.R.S. § 31-12-107, this Town Council, sitting as the governing body of the Town of Parker, Colorado, hereby determines that the proposed annexation of the real property described in Exhibit A is in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the substantial compliance for the proposed annexation to and by the Town of Parker, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The proposed annexation of the real property described in Exhibit A substantially complies with C.R.S. § 31-12-107(1).

Section 2. A public hearing on said annexation will be conducted on March 6, 2017, at the Town of Parker Town Hall, which is located at 20120 East Mainstreet, Parker, Colorado, 80138, to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105 or such part thereof as may be required to establish eligibility under the terms of Title 31, Article 12, Part 1, as amended, known as the Municipal Annexation Act of 1965, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

<u>Section 3.</u> Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the municipality to which the area is proposed to be annexed, any municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Douglas County, may appear at such hearing and present evidence upon any matter to be determined by the Town Council.

RESOLVED AND PASSED this 32	day of June 2017.
s prije	TOWN OF PARKER, COLORADO
• •	m
	Mike Waid, Mayor
ATTEST:	
Geal Latingathe	
Carol Baumgartner, Town Clerk	

G:\PLANNING\PLANNING CASE FILES\MULREADYALCORN STREET PROPERTYANNEXATION AND ZONING 2016RESOLUTIONS AND ORDINANCES\LOT 2-BLOCK 1 ANNEX-HEARING-RES-20161207.DOC

12/15/2016

PUBLIC HEARING NOTICE

Notice is hereby given that the Parker Town Council passed the following resolution setting the date for consideration of the annexation ordinance for the Compark South property for second reading.

RESOLUTION NO. 17-004

A RESOLUTION TO DETERMINE THAT LOT 2, BLOCK 1, PARKER HEIGHTS PROPERTY ANNEXATION PETITION SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF THE ANNEXATION ACT OF 1965 AND TO SET A PUBLIC HEARING DATE FOR MARCH 6, 2017

WHEREAS, the Petitioner owns certain real property in Douglas County commonly known as the Lot 2, Block 1, Parker Heights property.

WHEREAS, pursuant to C.R.S. § 31-12-107, this Town Council, sitting as the governing body of the Town of Parker, Colorado, hereby determines that the proposed annexation of the real property described in Exhibit A is in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the substantial compliance for the proposed annexation to and by the Town of Parker, Colorado.

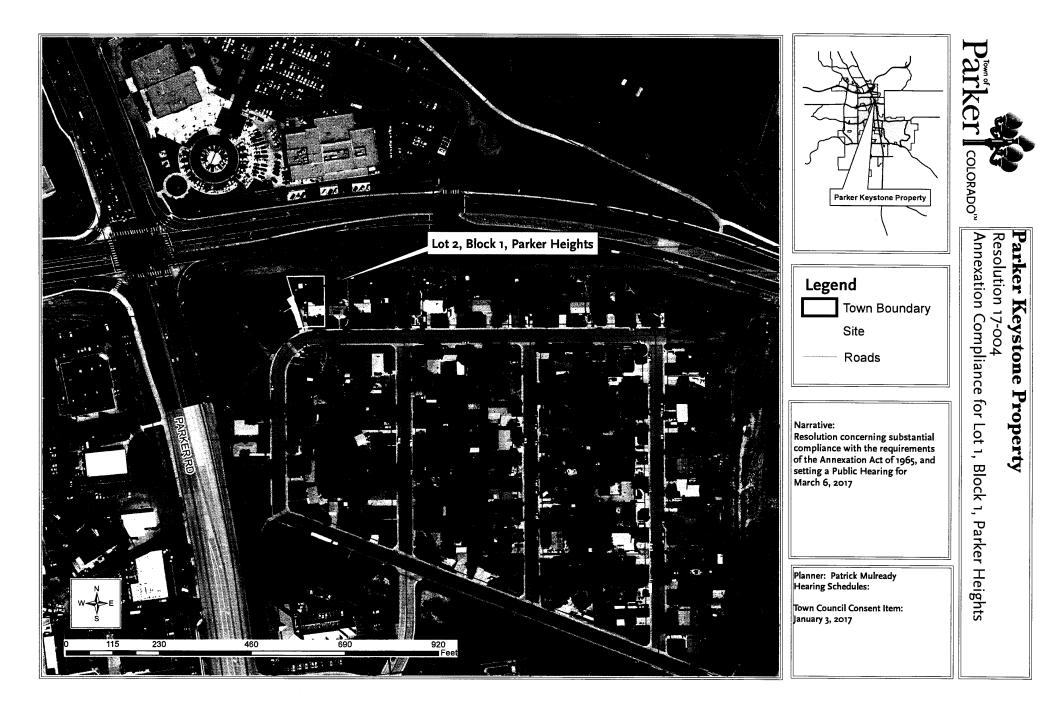
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

<u>Section 1.</u> The proposed annexation of the real property described in Exhibit A substantially complies with C.R.S. § 31-12-107(1).

Section 2. A public hearing on said annexation will be conducted on March 6, 2017, at the Town of Parker Town Hall, which is located at 20120 East Mainstreet, Parker, Colorado, 80138, to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105 or such part thereof as may be required to establish eligibility under the terms of Title 31, Article 12, Part 1, as amended, known as the Municipal Annexation Act of 1965, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

<u>Section 3.</u> Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the municipality to which the area is proposed to be annexed, any municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Douglas County, may appear at such hearing and present evidence upon any matter to be determined by the Town Council.

RESOLVED AND PASSED this 3rd day of January, 2017, and approved by a vote of 6 for and 0 against..



- TO: THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO 20120 East Mainstreet Parker, CO 80138
- RE: PROPERTY KNOWN AS:

Lot 2 Block 1 Parker Heights Filing No. 1

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.
 - 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.

Page 1 of 4

- 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.
 - 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.
- That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
- 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.
- 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.
- 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.

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.

Page 2 of 4

AFFIDAVIT OF CIRCULATOR

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

That he was the circulator of the foregoing Petition for Annexation of lands to the Town 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 Daughter

The foregoing Affidavit of Circulator was subscribed, sworn to, and acknowledged before me this <u>D</u> day of <u>DCA-bac</u>, 2016by <u>Corec</u>, <u>POpor PCA-</u>

My commission expires: H-J

(SEAL)

KATHRYN F. SORENSEN NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20134025240 MY COMMISSION EXPIRES APRIL 24, 2017

PETITION: Lot 2 Block 1 Parker Heights Filing No. 1 (re: Parker Keystone (Annexation Name)

[Note: Add lines for all land owning petitioners who are requesting annexation]

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January 10, 2017 VIA REGISTERED US MAIL

Mr. Lance J. Ingalls, Esq., Douglas County Office of the County Attorney 100 Third Street Castle Rock, CO 80104

SUBJECT: Notification of Annexation Hearing by the Parker Town Council, In Accordance With Section 31-12-108(2), C.R.S.

<u>Name of Proposed Annexation:</u> Lot 2, Block 1, Parker North Filing 1 Generally located at the southeast corner of Parker Road and Lincoln Avenue

Dear Mr. Ingalls, Esq.:

The purpose of this letter is to inform Douglas County about the Public Hearing Date scheduled by the Town of Parker Town Council concerning the above referenced application. Under Colorado Law, municipalities conducting hearings on proposed annexations are required to notify County Governments, special taxing districts, schools and Title 32 districts of the proposed hearing. This notice satisfies the Town's requirement under Colorado Revised Statutes.

Please be advised that the hearing is scheduled for May 16, 2016. For reference, a copy of the following has been enclosed:

- Public Hearing Notice & Vicinity Map
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If you have any questions, please do not hesitate to contact me.

Sinceret

Patrick Mulready, Senior Planner Town of Parker Community Development Department

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RESOLUTION NO. <u>17-004</u>, Series of 2017

TITLE: A RESOLUTION TO DETERMINE THAT LOT 2, BLOCK 1, PARKER HEIGHTS PROPERTY ANNEXATION PETITION SUBSTANTIALLY COMPLIES WITH THE REQUIREMENTS OF THE ANNEXATION ACT OF 1965 AND TO SET A PUBLIC HEARING DATE FOR MARCH 6, 2017

WHEREAS, the Petitioner owns certain real property in Douglas County commonly known as the Lot 2, Block 1, Parker Heights property.

WHEREAS, pursuant to C.R.S. § 31-12-107, this Town Council, sitting as the governing body of the Town of Parker, Colorado, hereby determines that the proposed annexation of the real property described in Exhibit A is in substantial compliance with C.R.S. § 31-12-107(1); and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the substantial compliance for the proposed annexation to and by the Town of Parker, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

<u>Section 1.</u> The proposed annexation of the real property described in Exhibit A substantially complies with C.R.S. § 31-12-107(1).

Section 2. A public hearing on said annexation will be conducted on March 6, 2017, at the Town of Parker Town Hall, which is located at 20120 East Mainstreet, Parker, Colorado, 80138, to determine if the proposed annexation complies with C.R.S. §§ 31-12-104 and 31-12-105 or such part thereof as may be required to establish eligibility under the terms of Title 31, Article 12, Part 1, as amended, known as the Municipal Annexation Act of 1965, and the Constitution of the State of Colorado, Article II, Section 30, as amended.

<u>Section 3.</u> Any person living within the area proposed to be annexed, any landowner of lands thereof, any resident of the municipality to which the area is proposed to be annexed, any municipality located within one mile of the proposed annexation, or the Board of County Commissioners of Douglas County, may appear at such hearing and present evidence upon any matter to be determined by the Town Council.

RESOLVED AND PASSED this 32 day of day and 2017. YOWN OF PARKER, COLORADO Mike Waid, Mayor ATTEST arol Baumgartner, Fown Clerk

G: VELANNING VELANNING CASE FILES MULREADY ALCORN STREET PROPERTY ANNEXATION AND ZONING 2016 RESOLUTIONS AND ORDINANCES/LOT 2-BLOCK 1 ANNEX-HEARING-RES-20161207:DOC

12/15/2016

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WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the substantial compliance for the proposed annexation to and by the Town of Parker, Colorado.

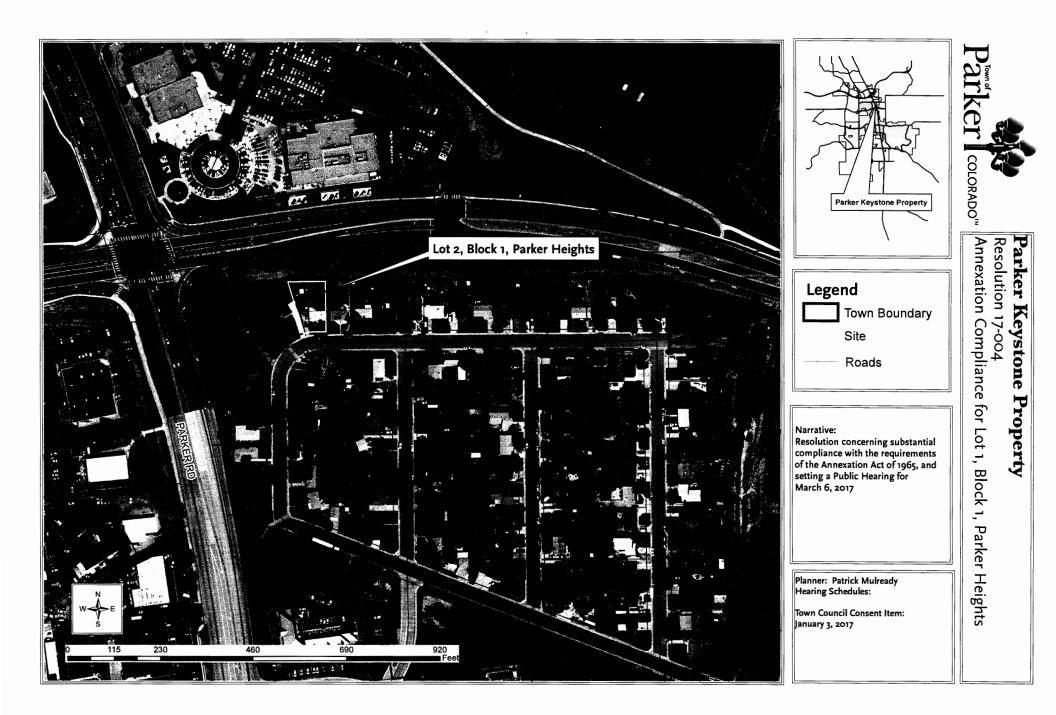
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RESOLVED AND PASSED this 3rd day of January, 2017, and approved by a vote of 6 for and 0 against..



- TO: THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO 20120 East Mainstreet Parker, CO 80138
- **RE: PROPERTY KNOWN AS:**

Lot 2 Block 1 Parker Heights Filing No. 1

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.)

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- 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:
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 - 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.
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Page 1 of 4

- 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.
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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.
- 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.
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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.

Page 2 of 4

AFFIDAVIT OF CIRCULATOR

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

That he was the circulator of the foregoing Petition for Annexation of lands to the Town 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 Day the The foregoing Affidavit of Circulator was subscribed, sworn to, and acknowledged before me this <u>D</u>¹ day of <u>Day Day</u> <u>Affidavit of Circulator was subscribed</u>, sworn to, and acknowledged before me this <u>D</u>¹ day of

My commission expires: H-24 - 201

(SEAL)

KATHRYN F. SORENSEN NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20134025240 MY COMMISSION EXPIRES APRIL 24, 2017

Page 3 of 4

PETITION: Lot 2 Block 1 Parker Heights Filing No. 1 (re: Parker Keystone (Annexation Name)

[Note: Add lines for all land owning petitioners who are requesting annexation]

Signature of Landowner	Date 67 Signature 10/13/2013	(Mailling) Address of Landowner 4643 S. Ulster Street, Suite 240 Denver CO 80237	Logal Description of Land Owned Lot 2 Block 1 Parker Heights Filing No. 1
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-S-Mike Waid, Mayor

ATTEST:

-S-Carol Baumgartner, Town Clerk

Any person may appear at such hearing and present evidence upon any matter to be determined by the governing body.

NOTE TO PUBLISHER: Please publish once per week for five (5) consecutive weeks from January 19, 2017 to February 23, 2017

<u>-S-</u> Mike Waid, Mayor

ATTEST:

-S-Carol Baumgartner, Town Clerk

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