

AUG 09 2022

**TOWN OF CALHAN
NOTICE OF PUBLIC HEARING**

CLERK TO THE BOARD

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Town of Calhan will hold a public hearing on August 30, 2022 at 5:30 p.m., or as soon thereafter as time permits, at the Calhan Town Hall, 556 Colorado Avenue, Calhan, Colorado, to determine whether the area described in the petition and proposed to be annexed to the Town of Calhan meets the applicable requirements of the Colorado Municipal Annexation Act of 1965, C.R.S. § 31-12-101, et seq., and the Colorado Constitution and is eligible for annexation to the Town of Calhan. Any interested person may appear at the public hearing and be heard.

A copy of the resolution of intent titled A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED EL PASO COUNTY (CASCO ANNEXATION) is included with this Notice. The Petition for annexation is on file with the Town Clerk of the Town of Calhan. Any interested person may appear at the public hearing and be heard.

Dated this 11th day of July, 2022.

Cindy M. Tompkins, Town Clerk

To be published on: July 21, 2022, July 28, 2022, August 4, 2022, August 11, 2022, August 18, 2022 (5 publications)

**TOWN OF CALHAN
RESOLUTION 2022-10****A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF A PARCEL OF LAND LOCATED IN UNINCORPORATED EL PASO COUNTY (CASCO ANNEXATION)**

WHEREAS, Colossee Partners, LLLP, the sole owner of the unincorporated land comprising more than 50% of the area proposed for annexation pursuant to C.R.S. § 31-12-107, has filed a petition for annexation (the "Petition") of such land to the Town, which land is more particularly described in Exhibit A attached to the Petition;

WHEREAS, pursuant to C.R.S. § 31-12-108, the Town may accept the Petition, if complete and in substantial compliance with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and then the Board of Trustees will establish a date, time, and place for a public hearing to consider the annexation; and

WHEREAS, the Board of Trustees, at its regular meeting on July 11, 2022, reviewed the Petition and various documents submitted in support of the Petition.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Calhan as follows:

Section 1. The Petition is hereby accepted and found to be in substantial compliance with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*

Section 2. A public hearing is scheduled for August 30, 2022 at 5:30 p.m., at 566 Colorado Avenue, Calhan, CO 80808, or to be held virtually, to determine if the proposed annexation complies with the Municipal Annexation Act of 1965, C.R.S. § 31-12-101, *et seq.*, and the Constitution of the State of Colorado, Article II, § 30, as amended.

Section 3. Any person living within the area proposed to be annexed, any landowner of the lands thereof, any resident of the Town, any municipality located within one mile of the proposed annexation, or the Board of County Commissioners of El Paso County may appear at such hearing and present evidence upon any matter to be determined by the Board of Trustees.

Adopted this 11th day of July, 2022.

(Seal)

Roger Lemesany, Mayor

Attest:

Cindy M. Tomkins, Town Clerk

**TOWN OF CALHAN
RESOLUTION 2022-10**

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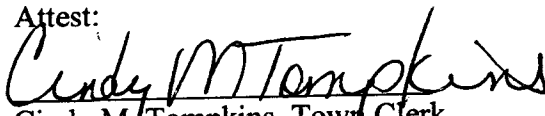
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(Seal)


Roger Lemesany, Mayor

Attest:


Cindy M. Tompkins, Town Clerk

7/8/2022

G:\SHARED\TOWN CLERK\RESOL\2022-10 CASCO ANNEXATION ACCEPT PETITION.DOCX

PETITION FOR ANNEXATION

NAME OF ANNEXATION: 10th St. Subdivision
APPROXIMATE LOCATION: 10th Street & Hahn Rd.

PETITION FOR ANNEXATION OF UNINCORPORATED TERRITORY IN THE COUNTY OF EL PASO, STATE OF COLORADO, TO THE TOWN OF CALHAN, STATE OF COLORADO.

TO THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF CALHAN, COLORADO:

The undersigned, in accordance with the Municipal Annexation Act of 1965, Chapter 31, Article 12, C.R.S. 1973, as amended, hereby petition the Board of Trustees of the Town of Calhan for annexation to the Town of Calhan, the following described unincorporated territory located in the County of El Paso, State of Colorado, to wit:

LEGAL DESCRIPTION

In support of said Petition, your Petitioner alleges that:

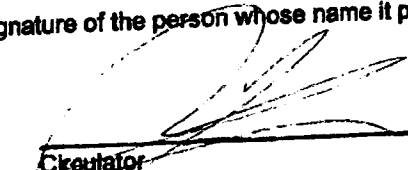
1. It is desirable and necessary that the above-described territory be annexed to the Town of Calhan.
2. No less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town of Calhan.
3. A community of interest exists between the territory proposed to be annexed and the Town of Calhan.
4. The territory proposed to be annexed is urban or will be urbanized in the future.
5. The territory proposed to be annexed is integrated or is capable of being integrated with the Town of Calhan.
6. 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.
 - b. comprising twenty acres or more which, together with the buildings and improvements situated thereon, has an assessed value in excess of two-hundred thousand dollars for an ad valorem tax purpose for the year preceding the annexation is included within the territory proposed to be annexed, without the written consent of the landowner or landowners thereof.
7. No annexation proceedings have been commenced by another municipality for the annexation of part or all of the area proposed herein to be annexed to Calhan.
8. Annexation of the territory proposed to be annexed will not result in detachment of area from any school district and the attachment of the same to another school district.

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO }
 }ss.
COUNTY OF EL PASO }

Mike Casimiro _____, being duly sworn, upon oath, deposes and states:

1. That the affiant circulated the Petition of Annexation for the purpose of obtaining the signature(s) of the above Petitioner(s).
2. That each signature thereon is the signature of the person whose name it purports to be.



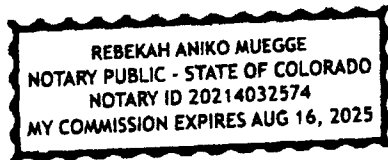
Circulator

NOTARY CERTIFICATE

STATE OF COLORADO }
 }ss.
COUNTY OF EL PASO }

Subscribed and sworn to before me this 11 day of June, 2022.

(SEAL)





Notary Public

My commission expires: August 16, 2025

9. Annexation of the area proposed to be annexed will not have the effect of extending the Town of Calhan's municipal boundary more than three miles in any direction from any point of such municipal boundary in any one year.
10. No portion of a platted street or alley lies within the boundary of the area proposed to be annexed, unless the entire width of said street or alley has been included within the boundaries of the area to be annexed.

NOTE: AS TO ALLEGATION NO. 11, PETITIONER SHOULD INSERT ONE OF THE FOLLOWING, WHICHEVER IS APPLICABLE:

11. The Signer(s) of the Petition comprise(s) the landowner(s) of one hundred percent of the territory included in the area proposed to be annexed, exclusive of streets and alleys and any land owned by the annexing municipality.

OR

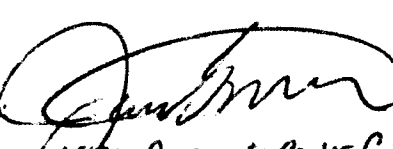
11. ~~The Signers of the Petition comprise more than fifty percent of the landowners in the area to be annexed and are the landowners of more than fifty percent of the territory included in the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality.~~
12. All other requirements of Section 31-12-104 and 31-12-105, C.R.S., exist or have been met
13. The mailing address of the Signer, the legal description of the land owned by such signer, and the date of signing of such signature are all shown on this Petition.
14. Attached to this Petition is the Affidavit of Circulator of this Petition that the signature hereon is the signature of the person whose name it purports to be

Your Petitioner(s) further request(s) that the Town of Calhan approve the annexation of the area proposed to be annexed.

Owner's
Signature:

Address:

Date of signing:


Manager of Colossee
Management, LLC
General Partner of
owner, Colossee Manag
#210 ment LLC
6830 Corporate Center Cir. COS 800919
6/6/22

(Repeat owner's signature/address/date of signing if multiple Petitioners.)

EXHIBIT A

A TRACT OF LAND LOCATED IN THE SOUTHWEST OF SECTION 2, TOWNSHIP 12 SOUTH RANGE 62 14 OF SECTION 2, TOWNSHIP 12 SOUTH RANGE 62 WEST OF THE 6TH P.M., IN EL PASO COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF HAHN ROAD AND THE SOUTH RIGHT-OF-WAY OF 10TH STREET, THENCE ALONG SAID RIGHT-OF-WAY OF 10TH STREET N 89°58'00" E, A DISTANCE OF 1267.85'; THENCE S 00°14'42" E, A DISTANCE OF 844.40'; THENCE N 88°26'14' W ALONG A FENCE LINE, A DISTANCE OF 1261.80' TO A POINT ON SAID EASTERLY RIGHT-OF-WAY OF HAHN ROAD, THENCE ALONG SAID EASTERLY RIGHT-OF-WAY N 00°43'00" W, A DISTANCE OF 809.30' TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 1045466.7 SQ. FT. OR 24.00 ACRES MORE OR LESS.



**CENTENNIAL
LAND SURVEYING**
4145 LESMAN DR.
COLORADO SPRINGS CO. 80918
(719) 492-6548

Town of Calhan
PO Box 236
556 Colorado Ave
CALHAN CO 80808-8203

CERTIFIED MAIL



7019 1120 0001 8863 4773

DEN

5 A



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80903

U.S. POSTAGE PAID
FCM LETTER
CALHAN, CO
80808
AUG 05, 22
AMOUNT

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Clerk of the Board of County Comm.
200 S. Cascade Ave, Suite 100
Colorado Springs, Co 80903

80903-999955

