

**PETITION FOR ANNEXATION**  
**[ ROCK CREEK MESA ANNEXATION**  
**ROCK CREEK MESA ADDITION NO. 3 ]**

To the City Council of the City of Colorado Springs

We, the undersigned, constituting and comprising the owners of 100% of the area (territory) (excluding public streets and alleys) described in Exhibit A attached hereto and made a part of the Petition (the "Described Area"), do hereby petition that the Described Area be annexed to and become part of the City of Colorado Springs and do represent and state:

1. It is desirable and necessary that the Described Area be annexed to the City of Colorado Springs.
2. The requirements of Sections 31-12-104 and 31-12-105, C.R.S. 1973, as amended, exist or have been met as these sections apply to the annexation of the Described Area.
3. That the annexation of the Described Area complies with Section 30 of Article II of the Colorado Constitution.
4. That the undersigned request that the City of Colorado Springs approve the annexation of the Described Area.
5. That the legal description of the land owned by each Petitioner hereto is attached to and made part of this Petition.

**The Petitioner(s) hereto understand and are cognizant of the fact that the City of Colorado Springs ("City") is not legally required to annex the Described Area, and that if the City does annex the Described Area, the annexation shall be upon the conditions and agreement of the Petitioner(s) as set forth in the Annexation Agreement.**

**NOW, THEREFORE, in consideration of the forgoing statement, and in further consideration of the benefits which will accrue to the Petitioner(s) and the obligations resulting to the City if the Described Area is annexed to the City, the Petitioner(s) agree and covenant that if the Described Area is annexed to the City, the Petitioner(s) will comply with all applicable provisions of the Code of the City of Colorado Springs 2001, as amended, and all applicable ordinances, resolutions, and regulations of the City now existing or as hereinafter amended.**

**The covenants and agreements herein above set forth shall run with the land owned by each Petitioner hereto which is subject to this annexation and shall extend to and be binding upon the heirs, assigns, legal representatives and successors to each Petitioner. Each Petitioner expressly accepts the aforesaid covenants and agreements by proceeding with the Petition for Annexation to the City.**

Legal Description: See Exhibit [ EXHIBIT A ]

[ ROCK CREEK RESIDENTIAL LLC ]

Danny Mientka, Manager  
Name/ Title (Print)

Signature

Date

3-2-2023

Mailing Address  
COLORADO SPRINGS EQUITIES LLC  
90 S CASCADE AVE #1500  
COLORADO SPRINGS CO, 80903

**AFFIDAVIT**

STATE OF COLORADO )

) ss.

COUNTY OF EL PASO )

The foregoing instrument was executed before me this 2<sup>nd</sup> day of March,  
20 23, by Danny Mientka

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand and official seal.

My Commission expires: June 20, 2026

Notary Public

SVENJA OLLAND-GRISWOLD  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184025608  
MY COMMISSION EXPIRES JUNE 20, 2026

The notarization signatures above serve as the Affidavit of Circulator acknowledging that each signature herein is the signature of the person it purports to be (C.R.S. 31-12-107(1)(cc)(IX))

### EXHIBIT "A", ROCK CREEK MESA ADDITION NO. 3

A PARCEL OF LAND IN THE SOUTH 1/2 OF SECTION 30, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M., IN THE COUNTY OF EL PASO, STATE OF COLORADO, CONTAINING PORTIONS OF THOSE PARCELS RECORDED UNDER RECEPTION NUMBER 224050744 WITHIN THE RECORDS OF EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH BEARINGS REFERENCED TO THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER, BEING MONUMENTED ON THE WEST END BY A 3-1/4 INCH BRASS CAP (BLM STANDARD) AND ON THE EAST END BY A 2-1/2 INCH ALUMINUM CAP STAMPED "RMLS 19625" AT THE CENTER CORNER OF SAID SECTION 30, WHICH IS ASSUMED TO BEAR NORTH 89°02'51" WEST, A DISTANCE OF 2,557.81 FEET.;

**COMMENCING** AT SAID CENTER CORNER OF SECTION 30;  
THENCE S02°22'58"W A DISTANCE OF 1,847.76 TO A POINT ON THE SOUTHERN EXTERIOR BOUNDARY OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 224050744, BEING MONUMENTED BY A 2-1/2 INCH ALUMINUM CAP STAMPED "PLS 9853", SAID BEING THE **POINT OF BEGINNING**;  
THENCE COINCIDENT WITH SAID EXTERIOR BOUNDARY SOUTH 89°02'02" WEST, A DISTANCE OF 240.00 FEET;  
THENCE NORTH 00°56'34" WEST, A DISTANCE OF 583.10 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 224050744;  
THENCE CONTINUE NORTH 00°56'34" WEST, A DISTANCE OF 62.25 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 224050744;  
THENCE COINCIDENT WITH SAID EXTERIOR BOUNDARY SOUTH 72°32'40" WEST, A DISTANCE OF 62.58 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 224050744;

THENCE COINCIDENT WITH SAID EXTERIOR BOUNDARY OF SAID PARCEL THE FOLLOWING FIVE (5) COURSES:

1. SOUTH 73°41'05" WEST, A DISTANCE OF 609.15 FEET;
2. NORTH 00°00'00" EAST, A DISTANCE OF 265.09 FEET TO A NON-TANGENT CURVE HAVING A RADIUS OF 30.00 FEET, WHOSE CENTER BEARS SOUTH 38°18'22" EAST;
3. EASTERLY AND COINCIDENT WITH SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 109°51'18", AN ARC DISTANCE OF 57.52 FEET AND HAVING A CHORD THAT BEARS SOUTH 73°22'43" EAST, A DISTANCE OF 49.11 FEET;
4. ALONG A LINE NON-TANGENT TO SAID CURVE, NORTH 71°22'42" EAST, A DISTANCE OF 60.15 FEET TO A NON-TANGENT CURVE HAVING A RADIUS OF 225.72 FEET, WHOSE CENTER BEARS NORTH 71°27'12" EAST;
5. NORTHEASTERLY AND COINCIDENT WITH SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 100°11'27", AN ARC DISTANCE OF 394.71 FEET AND HAVING A CHORD THAT BEARS NORTH 31°32'56" EAST, A DISTANCE OF 346.31 FEET;

THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, NORTH 90°00'00" EAST, A DISTANCE OF 1,292.50 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THAT PARCEL OF LAND RECORDED SAID RECEPTION NUMBER 224050744 AND THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 115;

THENCE COINCIDENT WITH SAID EXTERIOR BOUNDARY OF SAID PARCEL AND SAID RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 02°00'53" EAST, A DISTANCE OF 233.77 FEET TO A NON-TANGENT CURVE HAVING A RADIUS OF 2,864.85 FEET, WHOSE CENTER BEARS NORTH 81°27'53" WEST;
2. SOUTHERLY AND COINCIDENT WITH SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 10°41'37", AN ARC DISTANCE OF 534.69 FEET AND HAVING A CHORD THAT BEARS SOUTH 13°52'56" WEST, A DISTANCE OF 533.91 FEET;
3. CONTINUE SOUTHERLY AND COINCIDENT WITH SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°13'50", AN ARC DISTANCE OF 61.52 FEET AND HAVING A CHORD THAT BEARS SOUTH 19°50'39" WEST, A DISTANCE OF 61.52 FEET;
4. CONTINUE SOUTHERLY AND COINCIDENT WITH SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°12'43", AN ARC DISTANCE OF 160.60 FEET AND HAVING A CHORD THAT BEARS SOUTH 22°03'55" WEST, A DISTANCE OF 160.58 FEET;

THENCE CONTINUING COINCIDENT WITH SAID EXTERIOR BOUNDARY OF SAID PARCEL THE FOLLOWING TWO (2) COURSES:

1. ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 89°02'02" WEST, A DISTANCE OF 482.72 FEET;
2. SOUTH 01°01'21" EAST, A DISTANCE OF 49.93 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 1,116,837 SQUARE FEET OR (25.63904 ACRES), MORE OR LESS, AND IS DEPICTED ON THE ATTACHED GRAPHICAL EXHIBIT FOR REFERENCE.



JERRY R. BESSIE, PLS 38576  
PREPARED FOR AND ON BEHALF OF MATRIX DESIGN GROUP  
2435 RESEARCH PARKWAY, SUITE 300  
COLORADO SPRINGS, CO. 80920