

PETITION FOR ANNEXATION
[ROCK CREEK MESA ANNEXATION
ROCK CREEK MESA ADDITION NO. 2]

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 2nd 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. 2

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 A PORTION OF PARCELS OR LAND RECORDED UNDER RECEPTIONS 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"

COMMENCING AT THE SAID CENTER CORNER OF SECTION 30;

THENCE NORTH 89°02'51" WEST, A DISTANCE OF 191.29 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THAT PARCEL OF LAND RECORDED AT SAID RECEPTION NUMBER 224050744 AND TO THE **POINT OF BEGINNING**;

THENCE COINCIDENT WITH SAID EXTERIOR BOUNDARY SOUTH 01°02'53" WEST, A DISTANCE OF 439.71 FEET TO A POINT ON THE EXTERIOR OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 224050744;

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

1. SOUTH 89°02'57" EAST, A DISTANCE OF 208.00 FEET;
2. SOUTH 01°02'56" WEST, A DISTANCE OF 260.09 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THAT PARCEL OF LAND RECORDED AT SAID RECEPTION NUMBER 224050744;

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

1. SOUTH 89°02'40" EAST, A DISTANCE OF 598.00 FEET;
2. SOUTH 02°00'53" EAST, A DISTANCE OF 119.63 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 1,292.50 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 224050744;

THENCE COINCIDENT WITH SAID EXTERIOR BOUNDARY THE FOLLOWING THREE (3) COURSES:

1. NORTH 08°18'28" WEST, A DISTANCE OF 59.97 FEET;
2. NORTH 06°04'29" EAST, A DISTANCE OF 391.30 FEET;
3. NORTH 05°59'00" EAST, A DISTANCE OF 393.36 FEET;

THENCE SOUTH 04°07'26" EAST, A DISTANCE OF 462.00 FEET;

THENCE SOUTH 89°02'51" EAST, A DISTANCE OF 339.76 FEET;

THENCE NORTH 06°01'44" EAST, A DISTANCE OF 462.00 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 363,837 SQUARE FEET OR (8.35254 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