



**PETITION FOR ANNEXATION OF UNINCORPORATED
TERRITORY IN THE COUNTY OF EL PASO,
STATE OF COLORADO, TO THE CITY OF FOUNTAIN,
STATE OF COLORADO**

Petition Known as: Marksheffel Road Annexation

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

Exhibit A (attached hereto)

In support of the said Petition, your Petitioner alleges that:

1. It is desirable and necessary that the above described territory be annexed to the City of Fountain, Colorado
2. The area sought to be annexed to the City of Fountain meets the requirements of Section 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
 - a. No less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Fountain.
 - b. A community of interest exists between the territory proposed to be annexed and the City of Fountain.
 - c. The territory to be annexed is urban or will be urbanized in the future.
 - d. The territory proposed to be annexed is integrated or is capable of being integrated with the City of Fountain.
 - e. 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 – check whichever statement is applicable:

- Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof unless where such tracts or parcels are already separated by a dedicated street, road or other public way.
 - Is comprised of 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.
- f. No annexation proceedings have been commenced by another municipality and are currently pending for the annexation of part or all of the area proposed herein to be annexed to the City of fountain.
 - g. The proposed annexation will not have the effect of extending a municipal boundary more than three miles in any direction from any point of the City boundary in any one year.
 - h. The entire width of any street or alley to be annexed is included within the annexation.
3. All requirements of CRS 31-12-104, as amended, and CRS 31-12-105, as amended, exist or have been met.
 4. Petitioner affirms: The signer of the Petition comprises one-hundred percent (100%) of the landowners in the area to be annexed and are the landowners and own one-hundred percent (100%) of the territory included in the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality. Petitioner affirms that the property to be annexed is a public street entirely owned by Petitioner and that no other real property is proposed to be annexed hereby.
 5. The mailing address of each signer, the legal description of the land owned by each signer and the date of signing of each signature arc all shown on this Petition.
 6. Attached to this Petition is the Affidavit of the Circulator of this Petition affirming that each signature hereon is the signature of the person whose name it represents and is dated within 180 days of the date of the filing.
 7. Accompanying this petition is a map(s) as required by the municipality.

Exhibit A

ALL THAT PART OF MARKSHEFFEL ROAD LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 28, THE WEST HALF AND NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, NOT PRESENTLY WITHIN THE CITY LIMITS OF THE CITY OF FOUNTAIN, COLORADO, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF FURLONG CIRCLE, FOOTHILLS SUBDIVISION RECORDED IN PLAT BOOK S-2 AT PAGE 33 AND A POINT ON THE EASTERLY RIGHT OF WAY LINE OF MARKSHEFFEL ROAD FROM WHENCE THE SOUTHEAST CORNER OF SAID SECTION 26 BEARS S 65°59'50" E, A DISTANCE OF 841.59 FEET; THENCE, N 47° 19' 00" W, A DISTANCE OF 60.00 FEET;

THENCE, N 42° 40' 41 " E, A DISTANCE OF 2285.85 FEET TO THE BEGINNING OF A CURVE,

SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 09° 16' 43", HAVING A RADIUS OF 5699.98 FEET, AN ARC LENGTH OF 923.07 FEET WHOSE LONG CHORD BEARS N 38° 02' 18" E, A DISTANCE OF 922.06 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE;

THENCE, N 33° 24' 53" E, A DISTANCE OF 853.74 FEET;

THENCE, N 56° 35' 39" W, A DISTANCE OF 53.62 FEET;

THENCE, N 33° 20' 36" E, A DISTANCE OF 538.51 FEET;

THENCE, N 33° 20' 32" E, A DISTANCE OF 243.55 FEET TO THE BEGINNING OF A CURVE,

SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 18° 38' 20", HAVING A RADIUS OF 1965.40 FEET, AN ARC LENGTH OF 639.36 FEET WHOSE LONG CHORD BEARS N 24° 01' 22" E, A DISTANCE OF 636.55 FEET.

THENCE, N 14° 42' 12" E, A DISTANCE OF 559.86 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 27;

THENCE, N 89° 30' 20" E, ALONG SAID NORTH LINE A DISTANCE OF 171.88 FEET;

THENCE, S 14° 45' 50" W, A DISTANCE OF 484.73 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE,

SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 18° 03' 01", HAVING A RADIUS OF 2464.61 FEET, AN ARC LENGTH OF 776.44 FEET WHOSE LONG CHORD BEARS S 24° 14' 56" W, A DISTANCE OF 773.23 FEET.

THENCE, S 33° 16' 26 " W, A DISTANCE OF 182.22 FEET;

THENCE, S 89° 22' 52" W, A DISTANCE OF 28.61 FEET;

THENCE, S 33° 24' 03" W, A DISTANCE OF 1369.91 FEET;

THENCE, S 56° 35' 57" E, A DISTANCE OF 23.12 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE,

SAID CURVE TURNING TO THE RIGHT THROUGH 03° 26' 15", HAVING A RADIUS OF 5501.00 FEET, AN ARC LENGTH OF 330.03 FEET WHOSE LONG CHORD BEARS S 35° 44' 06" W, A DISTANCE OF 329.98 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE.

SAID CURVE TURNING TO THE RIGHT THROUGH 01° 31' 32", HAVING A RADIUS OF 5498.58 FEET, AN ARC LENGTH OF 146.39 FEET WHOSE LONG CHORD BEARS S 38° 54' 16" W, A DISTANCE OF 146.39 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE.

SAID CURVE TURNING TO THE RIGHT THROUGH 01° 25' 35", HAVING A RADIUS OF 6887.31 FEET, AN ARC LENGTH OF 171.45 FEET WHOSE LONG CHORD BEARS S 40° 33' 41" W, A DISTANCE OF 171.45 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE.

SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 03° 45' 51", HAVING A RADIUS OF 5883.85 FEET, AN ARC LENGTH OF 386.54 FEET WHOSE LONG CHORD BEARS S 40° 46' 32" W, A DISTANCE OF 386.47 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE.

THENCE S 42° 40' 41" W A DISTANCE OF 2284.93 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED TRACT CONTAINS 538,458 SQUARE FEET (12.361 ACRES), MORE OR LESS.