

PETITION FOR ANNEXATION

North Tree

To the Town of Calhan, Colorado

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 Town of Calhan and do represent and state:

1. It is desirable and necessary that the Described Area be annexed to the Town of Calhan.
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 as in that they are consistent with the eligibility requirements and limitations of the Colorado Municipal Annexation Act, specifically C.R.S. 31-12-104 and 31-12-105. The property satisfies the statutory one-sixth (1/6) contiguity requirement, with the annexation boundary exceeding the minimum contiguity required under C.R.S. 31-12-104(1)(a). The annexation does not rely upon strip annexation or any previously invalid annexation to establish contiguity, nor does it create a disconnected municipal satellite. Furthermore, the annexation application has been reviewed for consistency with the limitations contained in C.R.S. § 31-12-105 and does not conflict with any applicable statutory provisions. The proposal maintains unified ownership of the property, does not divide parcels held in identical ownership, does not affect school district boundaries, does not impair access to adjacent properties or easement holders, does not involve lands within a federally recognized tribal reservation, and has been processed in accordance with all procedural requirements of the Colorado Municipal Annexation Act, including the prohibition against relying on a municipal power of attorney to satisfy annexation requirements.
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 Town of Calhan 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 Town of Calhan (Town) is not legally required to annex the Described Area, and that if the Town 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 Town if the Described Area is annexed to the Town , the Petitioner(s) agree and covenant that if the Described Area is annexed to the Town , the Petitioner(s) will comply with all applicable provisions of the current Code of the Town of Calhan, as amended, and all applicable ordinances, resolutions, and regulations of the Town now existing or as hereinafter amended.

The covenants and agreements herein above set forth shall run with the land owned by each Petition 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 Town.

WILLIAM BRETT VANDERGRIFT, SMITH LAND DEVELOPMENT & COMPANY LLC

WILLIAM BRETT VANDERGRIFT W. Brett Vandergriff 8/25/2025
Name (Print) Signature Date

29415 CALHAN PLACE CALHAN, CO 80808
Mailing Address

Legal Description: See Exhibit A- Annexation Legal Description

AFFIDAVIT

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The foregoing instrument was executed before me this 25th day of August,
2025, by William Vandergriff



Witness my hand and official seal.

My Commission expires: Feb 17, 2026

Meaghan Farrell
Notary Public

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))