



City Hall
9500 Civic Center Drive
Thornton, Colorado 80229-4326

City Development Department
303-538-7295
FAX 303-538-7373

REGISTERED MAIL

August 17, 2023

Mr. Josh Zygielbaum, Clerk and Recorder
Adams County
4430 South Adams County Parkway
Brighton, CO 80601

RE: NOTIFICATION OF INTENTION OF ANNEXATION

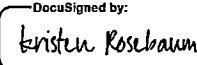
Dear Mr. Josh Zygielbaum:

Enclosed, please find a copy of the City Council Resolution setting the date of the consideration of the annexation, and the annexation petition for the annexation of unincorporated territory; this territory being approximately 6.59 acres generally located at the northwest corner of East 86th Avenue and Steele Street.

The City of Thornton is undertaking the proposed annexation in conformance with Title 31-12, Colorado Revised Statutes. The public hearing will be held on September 12, 2023, at 7 p.m. in the Council Chambers at the Thornton City Hall, 9500 Civic Center Drive, Thornton, Colorado. Thornton is also offering remote access to the public hearing. To attend online, register in advance at **<https://thorntonco.zoom.us>** or call **669-900-6833** and enter **meeting ID 863 9784 3449**. After registering, you will receive a confirmation email containing information about joining the meeting and the process for providing testimony.

If you have any questions concerning these matters, please contact the City Development Department at 303-538-7295.

Sincerely,

DocuSigned by:

Kristen Rosenbaum
City Clerk

Enclosures

- cc: Randy Grant, City Development Director
- Tami Yellico, City Attorney
- Jason O'Shea, Deputy City Development Director
- Mike Garrott, Planning Director
- File: PLAX202101820

86th and Steele AX-BSM Business Park



PLAX202101820, PLCSP202101821, PLZ202101822 & PLSPCD202101823



CITY OF THORNTON, COLORADO
VICINITY/ZONING MAP

— ZONING BOUNDARY  LOCATION
 1500' NOTICE BOUNDARY  CITY LIMITS

RESOLUTION

A RESOLUTION ACKNOWLEDGING RECEIPT OF THE BSM BUSINESS PARK ANNEXATION PETITION AND ESTABLISHING SEPTEMBER 12, 2023, AS THE DATE FOR CONSIDERATION OF THE REQUESTED ANNEXATION OF PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF EAST 86TH AVENUE AND STEELE STREET TO THE CITY (86TH AND STEELE – BSM BUSINESS PARK ANNEXATION).

WHEREAS, Brandon Becker is the owner (Owner) of the unincorporated property legally described in Attachment A (the Property) and comprises 100 percent of the owners of the area proposed for annexation; and

WHEREAS, pursuant to Title 31, Article 12, Section 107, Colorado Revised Statutes, the Owner has submitted a petition for annexation of the Property to the City and the Petition for Annexation is attached hereto as Attachment B and incorporated herein; and

WHEREAS, Title 31, Article 12, Section 108, Colorado Revised Statutes, requires that the City establish a date, time, and place that the City will consider the annexation and various requirements of Title 31, Article 12, Colorado Revised Statutes; and

WHEREAS, the City Council, at its regular meeting on August 8, 2023, reviewed the Petition for Annexation and various documents submitted in support of the Petition for Annexation; and

WHEREAS, the City Council has examined the record in this case; examined the various exhibits; considered the request and the recommendations of the City staff; considered the applicable requirements of the Municipal Annexation Act of 1965, as amended; and based upon the record which has been made concerning the request, has arrived at its decision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. The Petition for Annexation is in substantial compliance with the requirements of Title 31, Article 12, Colorado Revised Statutes, and in particular Section 107 thereof. The City Manager is directed to follow the procedures outlined in Sections 31-12-108 to 110, Colorado Revised Statutes.
2. Consideration of the Annexation is scheduled for the City Council meeting on Tuesday, September 12, 2023, at 7:00 p.m.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on August 8, 2023.


CITY OF THORNTON, COLORADO

DocuSigned by:

D00FCDF30C4446E

Jan Kulmann, Mayor

ATTEST:

DocuSigned by:

05D2E00483E4434...

Kristen N. Rosenbaum, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SAID NORTHWEST QUARTER OF SECTION 25;

THENCE ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, SOUTH 00 DEGREES 09 MINUTES 05 SECONDS WEST, 30.00 FEET, SAID LINE ALSO BEING THE EXISTING CITY OF THORNTON LIMITS PER ORDINANCE 1925, RECORDED AT REC. NO. B915279;

THENCE ON A LINE PARALLEL TO, AND 30 FEET DISTANT SOUTHERLY OF THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25 NORTH 89 DEGREES 28 MINUTES 22 SECONDS WEST, TO THE SOUTHERLY EXTENSION OF THE WESTERLY PROPERTY LINE PER REC. NO. 2021000021275, 760.57 FEET;

THENCE ON SAID WESTERLY LINE, NORTH 00 DEGREES 31 MINUTES 38 SECONDS EAST, 413.08 FEET;

THENCE SOUTH 89 DEGREES 16 MINUTES 03 SECONDS EAST, 678.09 FEET, TO A LINE PARALLEL WITH AND 80.00 FEET WESTERLY, AS MEASURED AT RIGHT ANGLES, FROM THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, SAID LINE ALSO BEING THE SAID EXISTING CITY OF THORNTON LIMITS PER ORDINANCE 1925;

THENCE ALONG SAID PARALLEL LINE, AND SAID EXISTING CITY OF THORNTON LIMITS, SOUTH 00 DEGREES 11 MINUTES 01 SECONDS WEST, 319.15 FEET, TO A LINE PARALLEL WITH AND 61.50 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25;

THENCE ALONG SAID PARALLEL LINE AND SAID CITY OF THORNTON LIMITS, SOUTH 89 DEGREES 28 MINUTES 22 SECONDS EAST, 80.00 FEET, TO THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25;

THENCE ALONG SAID EAST LINE AND SAID CITY OF THORNTON LIMITS, SOUTH 00 DEGREES 11 MINUTES 01 SECONDS WEST, 61.50 FEET TO THE POINT OF BEGINNING.

COUNTY OF ADAMS, STATE OF COLORADO.

DESCRIBED PARCEL CONTAINS 287,106 SQ. FT OR 6.59 ACRES MORE OR LESS.

PETITION FOR ANNEXATION

BSM Business Park Annexation

The undersigned, in accordance with Article 12, Chapter 31, C.R.S., as amended, hereby petition(s) the City Council of the City of Thornton, Colorado, for annexation to the City of Thornton of the following described unincorporated territory situate and being in the County of Adams, State of Colorado, to wit:

Exhibit A

Petitioner(s) further state(s) as follows:

- (1) That it is desirable and necessary that such area be annexed to the City of Thornton, Colorado.
- (2) That the requirements of Sections 31-12-104 and 31-12-105 of the Colorado Revised Statutes exist or have been met.
- (3) That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the existing boundary of the City of Thornton, Colorado.
- (4) That a community of interest exists between the area proposed to be annexed and the City of Thornton, Colorado.
- (5) That the territory proposed to be annexed is urban or will be urbanized in the near future.
- (6) That the territory proposed to be annexed is integrated with or is capable of being integrated with the City of Thornton, Colorado.
- (7) That, in establishing the boundaries of the territory proposed to be annexed, 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(s) thereof, unless such tracts or parcels are separated by a designated street, road or other public way;
 - (b) Comprising twenty (20) acres or more which, together with the buildings and improvements situated thereon has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year preceding the annexation is included within the territory proposed to be annexed without the written consent of the landowner(s).
- (8) That in establishing the boundaries of the area proposed to be annexed, the entire width of any street or alley is included within the area annexed.

(9) That the signers of this Petition for Annexation comprise more than fifty percent (50%) of the landowners of the territory proposed to be annexed, exclusive of streets, and by their signatures have attested to the facts and agree to the conditions herein contained negating the necessity for any annexation election.

(10) That the signers of this Petition for Annexation are landowners of more than fifty percent (50%) of the area proposed to be annexed, excluding public streets and alleys.

(11) That no part of the territory proposed to be annexed is more than three (3) miles from a point on the boundary of the City of Thornton as such was established more than one year before this annexation is effective.

(12) That the territory proposed to be annexed by the City of Thornton or substantially this same area has not been the subject of an election for annexation to the City of Thornton within the preceding twelve (12) months.

(13) That the territory proposed to be annexed is located within the following special district(s) and no other(s):

Adams County Fire Protection District
Rangeview Library District
School District 1-Mapleton
Urban Drainage & Flood Control District

(14) That the mailing address of each signer, the legal description of the landowner by each signer and the date of signing of each signature are all shown on this Petition for Annexation.

(15) That no person has signed this Petition for annexation more than one hundred eighty (180) days prior to the date of filing the Petition for Annexation with the Thornton City Clerk.

(16) That this Petition for Annexation is accompanied by four (4) prints of the annexation map containing the following information:

(a) A written legal description of the boundaries of the territory proposed to be annexed.

(b) A map showing the boundary of the territory proposed to be annexed, such map prepared and containing the seal of a registered engineer or land surveyor.

(c) Within the annexation boundary map there is shown the location of each ownership tract in unplatted land, and if part or all of the area is to be platted, then the boundaries and the plat number of plots or of lots and blocks are shown.

(d) Next to the boundary of the territory proposed to be annexed is drawn the contiguous boundary of any other municipality

abutting the territory proposed to be annexed.

(17) That the area proposed to be annexed will not result in the detachment of area from any school district.

(18) That the territory proposed to be annexed is not presently a part of any incorporated city, city and county, or town.

(19) That the legal description of the land owned by each signer of this petition is set forth in Exhibit "A" attached hereto and hereby incorporated as if fully set forth herein.

(20) That upon the annexation ordinance becoming effective, all lands within the territory proposed to be annexed shall become subject to the Charter of the City of Thornton, Colorado, and all ordinances, resolutions, rules and regulations of the City of Thornton, except for general property taxes, which shall become effective January 1 of the next seceding year following passages of the annexation ordinance.

(21) That in the event an Annexation Agreement satisfactory to both the Petitioner and the City of Thornton, Colorado, is not entered into and fully executed by the Petitioner or the City on or before the date of the second reading of the ordinance to effectuate the annexation contemplated in this Petition for Annexation, the effect of which shall be as if no Petition had ever been executed and filed with the City of Thornton.

THEREFORE, the Petitioner(s) request that the City Council of the City of Thornton, Colorado, approve the annexation of the territory described herein.

Signature of Landowner

Date of Signature

BL BL

6/29/2023

Print Name: Brandon Becker

Title: owner

Mailing Address: 9901 Legler Rd
Lenexa, KS 66219

Are you a resident of territory to be annexed? Yes No

Legal Description of land owned by signer: 3199 E. 86th Ave. Thornton, CO

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the City of Thornton, Colorado, consisting of 6 pages; including this page and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

Signature of Circulator

Date of Signature

Jeremy McDonnell

7/7/23

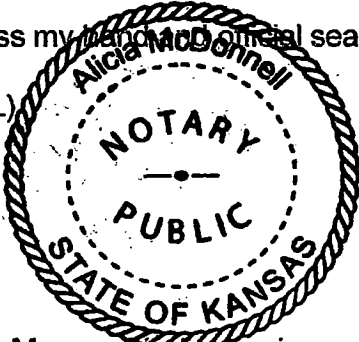
Print Name: Jeremy McDonnell

Kansas
STATE OF ~~COLORADO~~
COUNTY OF Johnson) ss.

The foregoing AFFIDAVIT OF CIRCULATOR was subscribed and sworn to before me this 7 day of July, 2023 by Jeremy McDonnell.

Witness my hand and official seal.

(SEAL)



Alicia McDonnell
Notary Public

My commission expires: 08/17/2025

Public Notice

**NOTICE OF PUBLIC HEARING
BSM BUSINESS PARK
(86TH & STEELE) ANNEXATION
(First Notice)**

Notice is hereby given that the Thornton City Council will hold a public hearing concerning the BSM Business Park Annexation for approximately 6.59 acres of land generally located on the northwest corner of 86th Avenue and Steele Street. A copy of the Resolution initiating annexation proceedings and the legal description of the property proposed for annexation are attached.

This hearing will be held on **September 12, 2023, at 7 p.m.** in the Council Chambers at the Thornton City Hall, 9500 Civic Center Drive, Thornton, Colorado. Thornton is also offering remote access to the public hearing. To attend online, register in advance at <https://thorntonco.zoom.us> or call 669-900-6833 and enter meeting ID 883 9784 3448. After registering, you will receive a confirmation email containing information about joining the meeting and the process for providing testimony.

All interested parties are invited to attend the public hearing or present their views by providing written comments in advance of the public hearing. Written comments sent via email must be received at CityDevelopment@ThorntonCO.gov prior to 4 p.m. MDT/MST on the day of the public hearing. You may email your comments to CityDevelopment@ThorntonCO.gov. Written comments sent via mail to Thornton City Hall, City Development Department, 9500 Civic Center Drive, Thornton, CO 80229 must be received prior to 5 p.m. MDT/MST on the Friday preceding the public hearing. If you have any questions concerning this matter, please contact the City Development Department at 303-538-7295.

If you have any questions regarding attending the Zoom Meeting, please email CityDevelopment@ThorntonCO.gov prior to 4 pm on September 12, 2023.

Qualified individuals with a disability may contact Thornton's ADA Coordinator to request and arrange for accommodations. Requests for accommodation should be made as far in advance as possible, but preferably no less than five business days prior to the date needed. Please contact Thornton's ADA Coordinator via telephone 303-538-7334 or email adacoordinator@ThorntonCO.gov.

ATTEST:
Kristen N. Rosenbaum, City Clerk

APPROVED AS TO FORM:
Tami Yellico, City Attorney

RESOLUTION

A RESOLUTION ACKNOWLEDGING RECEIPT OF THE BSM BUSINESS PARK ANNEXATION PETITION AND ESTABLISHING SEPTEMBER 12, 2023, AS THE DATE FOR CONSIDERATION OF THE REQUESTED ANNEXATION OF PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF EAST 86TH AVENUE AND STEELE STREET TO THE CITY (86TH AND STEELE - BSM BUSINESS PARK ANNEXATION).

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WHEREAS, Title 31, Article 12, Section 108, Colorado Revised Statutes, requires that the City establish a date, time, and place that the City will consider the annexation and various requirements of Title 31, Article 12, Colorado Revised Statutes; and

WHEREAS, the City Council, at its regular meeting on August 8, 2023, reviewed the Petition for Annexation and various documents submitted in support of the Petition for Annexation; and

WHEREAS, the City Council has examined the record in this case; examined the various exhibits; considered the request and the recommendations of the City staff; considered the applicable require-

ments of the Municipal Annexation Act of 1965, as amended; and based upon the record which has been made concerning the request, has arrived at its decision.

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Consideration of the Annexation is scheduled for the City Council meeting on **Tuesday, September 12, 2023, at 7:00 p.m.**

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on August 8, 2023.

CITY OF THORNTON, COLORADO
Jan Kulmann, Mayor

ATTEST:
Kristen N. Rosenbaum, City Clerk

LEGAL DESCRIPTION

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