

SOUTHEAST METRO STORMWATER AUTHORITY  
acting by and through  
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 12-16

Authorization to Join with the City of Centennial in the *Petition For Annexation To The City Of Centennial, Colorado* of the Windmill Creek Parcels Owned by SEMSWA

WHEREAS, the City of Centennial (City) has requested that SEMSWA join in its *Petition For Annexation To The City Of Centennial, Colorado* of real property owned by SEMSWA located in unincorporated Arapahoe County, Colorado; and

WHEREAS, the parcels owned by SEMSWA that the City wishes annexed into the City are legally described as: Tract A, Centennial East Corporate Center Filing No. 2 (Consisting of 6.22 acres, more or less), Tract B, Centennial East Corporate Center Filing No. 2 (Consisting of 3.29 acres, more or less) and Tract C, Centennial East Corporate Center Filing No. 2 (Consisting of 2.23 acres, more or less) (Windmill Creek Parcels); and

WHEREAS, the Windmill Creek Parcels are graphically shown on the attached Exhibit A; and

WHEREAS, such annexation into the City will not have any adverse impact on SEMSWA or the Windmill Creek Parcels and SEMSWA will maintain its ability to operate and maintain any drainage facilities located with the Windmill Creek Parcels; and

WHEREAS, a copy of the *Petition For Annexation To The City Of Centennial, Colorado* is attached hereto as Exhibit B and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Chairman of SEMSWA is authorized to execute the attached *Petition For Annexation To The City Of Centennial, Colorado* and deliver the same to the City.

SOUTHEAST METRO STORMWATER AUTHORITY  
acting by and through  
SEMSWA WATER ACTIVITY ENTERPRISE

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary

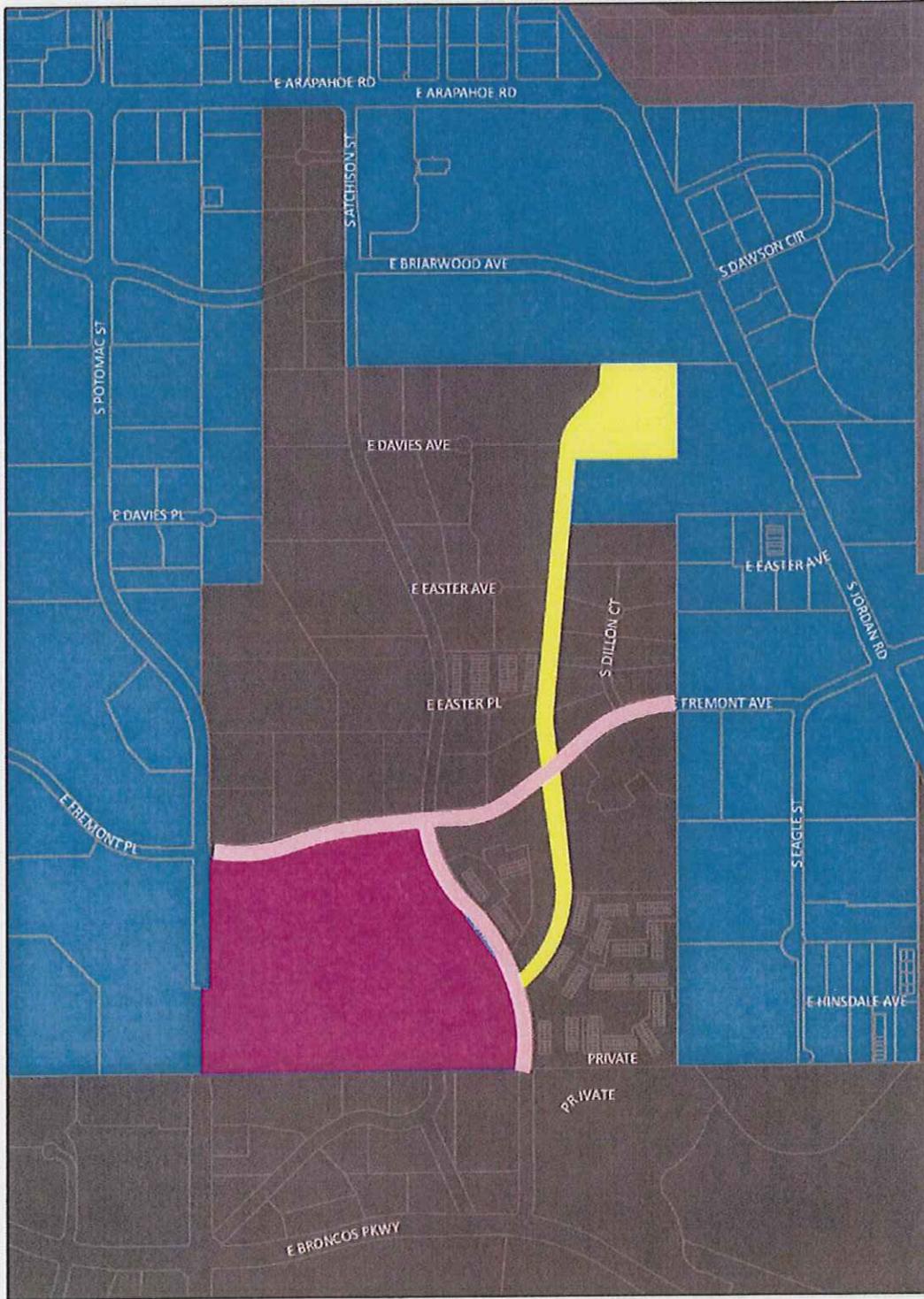
\_\_\_\_\_  
Chairperson

APPROVED AS TO FORM:

Attorney for  
Southeast Metro Stormwater Authority

By \_\_\_\_\_  
Edward J. Krisor

Centennial/SEMSWA Windmill Creek Annexation



Legal Description:

Tracts A, B & C, Centennial East Corporate Center 2nd Filing  
May include portions of Fremont Avenue ROW

- ROW to be Annexed
- City Property
- SEMSWA Annexation Tracts



PETITION FOR ANNEXATION  
TO  
THE CITY OF CENTENNIAL, COLORADO

TO: THE CITY CLERK AND THE CITY COUNCIL OF THE CITY OF  
CENTENNIAL, COLORADO

RE: THE CENTENNIAL / SEMSWA WINDMILL CREEK ANNEXATION  
ANNEXATION OF LAND COMMONLY KNOWN AS THE SOUTH  
POTOMAC STREET AND EAST FREMONT PROPERTY  
(THE "CITY PROPERTY")

AND

TRACTS A, B, AND C, CENTENNIAL EAST CORPORATE CENTER  
FILING NO. 2 (THE "SEMSWA PROPERTY")

AND

TOGETHER WITH CERTAIN PORTIONS OF ADJACENT RIGHT-  
OF-WAY

THE UNDERSIGNED PETITIONERS, being the CITY OF CENTENNIAL, a home rule municipality of the State of Colorado, and the SOUTHEAST METRO STORMWATER AUTHORITY, a political subdivision of the State of Colorado, in accordance with Title 31, Article 12, Part 1, of the Colorado Revised Statutes, as amended (commonly known as the Municipal Annexation Act of 1965), hereby petition the City of Centennial, for annexation to the City of Centennial of the unincorporated area more particularly described in this Petition. In further support of this Petition, the undersigned Petitioners allege and state the following:

1. That it is desirable and necessary that the real property more particularly described in **Exhibit 1**, attached hereto and incorporated herein by reference, be annexed to the City of Centennial.
2. That the area sought to be annexed to the City of Centennial meets all the requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, of the Municipal Annexation Act of 1965, in that:
  - (a) Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed is contiguous with the City of Centennial.
  - (b) A community of interest exists between the area proposed to be annexed and the City of Centennial.

- (c) The area proposed to be annexed is urban or will be urbanized in the near future.
- (d) The area proposed to be annexed is integrated with, or is capable of being integrated with the City of Centennial.
- (e) No land within the area proposed to be annexed and which is 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, meets either of the following:
  - (1) Such separate tract or parcel is being divided by the requested annexation without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way, and to the extent a tract or parcel is so divided, this petition is intended to evidence such consent; or
  - (2) If such a separate tract or parcel comprises twenty (20) acres or more and which, together with the buildings and improvements situated thereon, such tract or parcel has an assessed value in excess of Two Hundred Thousand Dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, is included within the area proposed to be annexed without the written consent of the landowner or landowners thereof.
- (f) The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of such area to another school district.
- (g) No annexation proceedings have been commenced for the annexation to another municipality of any part or all of the area proposed to be annexed to the City hereunder nor is any part of said area presently a part of any incorporated city, town or city and county.
- (h) The requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met.
- (i) The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the City of Centennial more than three miles in any direction from any point of the City's boundary in any one year.
- (j) In establishing the boundaries of the area proposed to be annexed, where a portion of a platted street or alley is annexed, the entire width of said street or alley is included with the area annexed.
- (k) Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining a platted street or alley to be annexed by the City but is not bounded on both sides by the City.
- (l) The area proposed to be annexed comprises **more than ten (10) acres** and, therefore, the City's preparation of an Impact Report as provided for in Section 31-12-108.5,

C.R.S., as amended, is required unless waived by the Board of County Commissioners for Arapahoe County, Colorado in accordance with Section 31-12-108.5, C.R.S.

3. That accompanying this Petition are four (4) copies of the annexation map containing the following information:
  - (a) a written legal description of the boundaries of the area proposed to be annexed;
  - (b) a map showing the boundary of the area proposed to be annexed;
  - (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 platted, then the boundaries and the plat numbers of plots or of lots and blocks are shown; and
  - (d) next to the boundary of the area proposed to be annexed is drawn the contiguous boundary of the City of Centennial, and the contiguous boundary of any other municipality abutting the area proposed to be annexed and the dimensions thereof.
4. That the Petitioners signed this Petition for Annexation not more than one hundred and eighty (180) days prior to the date of the filing of this Petition for Annexation with the City Clerk.
5. That the undersigned Petitioners comprise one hundred percent (100%) of all of the landowners of the area proposed to be annexed, exclusive of streets and alleys. Specifically, the City of Centennial owns a one hundred percent (100%) interest in the "City Property" being more specifically described in **Exhibit 1-A** attached hereto, and the Southeast Metro Stormwater Authority owns a one hundred percent (100%) interest in the "SEMSWA Property" being more specifically described in **Exhibit 1-B** attached hereto. In accordance with Section 31-12-105(1)(f), C.R.S., the Petitioners expressly intend that the entire width of East Fremont Avenue and South Blackhawk Street, as more particularly described in **Exhibit 1** and as depicted on the annexation map be included within the area to be annexed.
6. That upon the Annexation Ordinance becoming effective, all lands within the area sought to be annexed shall become subject to all ordinances, resolutions, rules and regulations of the City of Centennial, except for general property taxes of the City of Centennial which shall become effective on January 1 of the next succeeding year following passage of the Annexation Ordinance.
7. That this Petition for Annexation includes the signature of the Petitioners proposing the annexation, the mailing address of the Petitioners, the legal description of the lands owned by each of the respective Petitioners, and the date of execution of this Petition by each of the named Petitioners. The legal description of the Property owned by each of the respective Petitioners is set forth in **Exhibit 1-A** and **Exhibit 1-B**.

**THEREFORE, THE PETITIONERS**, respectfully request that the City Council of the City of Centennial, Colorado, approve the annexation of the area proposed to be annexed, and the Petitioners do hereby consent to the annexation of the property described in **Exhibit 1**.





EXHIBIT 1

PROPERTY DESCRIPTION  
CENTENNIAL/SEMSWA WINDMILL CREEK ANNEXATION

(AREA TO BE ANNEXED TO CITY OF CENTENNIAL)

PARCEL I:

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 30;  
THENCE NORTH 89°39'55" EAST AND ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30, A DISTANCE OF 46.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF S. POTOMAC STREET AS DESCRIBED IN BOOK 4473 AT PAGE 558 OF THE ARAPAHOE COUNTY RECORDS, SAID POINT BEING THE POINT OF BEGINNING;  
THENCE NORTH 00°16'47" EAST AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF THE S. POTOMAC STREET AS DESCRIBED IN SAID BOOK 4473 AT PAGE 558, A DISTANCE OF 1153.35 FEET TO A POINT OF CURVE;  
THENCE ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 90°03'32", A RADIUS OF 20.00 FEET, A DISTANCE OF 31.44 FEET AS MEASURED ALONG THE ARC TO A POINT OF TANGENT;  
THENCE SOUTH 89°39'41" EAST A DISTANCE OF 109.80 FEET TO A POINT OF CURVE;  
THENCE ALONG A CURVE TO THE LEFT, HAVING A DELTA OF 15°09'08", A RADIUS OF 750.00 FEET, A DISTANCE OF 198.34 FEET, AS MEASURED ALONG THE ARC TO A POINT OF TANGENT;  
THENCE NORTH 75°11'11" EAST, A DISTANCE OF 337.84 FEET TO A POINT OF CURVE;  
THENCE ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 10°07'40", A RADIUS OF 690.00 FEET, A DISTANCE OF 121.97 FEET AS MEASURED ALONG THE ARC TO A POINT OF TANGENT;  
THENCE NORTH 85°18'51" EAST A DISTANCE OF 89.25 FEET;  
THENCE SOUTH 88°58'30" EAST A DISTANCE OF 100.50 FEET;  
THENCE NORTH 85°18'51" EAST A DISTANCE OF 200.00 FEET TO A POINT OF CURVE;  
THENCE ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 85°39'20", A RADIUS OF 20.00 FEET, A DISTANCE OF 29.90 FEET AS MEASURED ALONG THE ARC TO A POINT OF REVERSE CURVE;  
THENCE ALONG A CURVE TO THE LEFT HAVING DELTA OF 26°21'49", A RADIUS OF 772.00 FEET, A DISTANCE OF 355.22 FEET AS MEASURED ALONG THE ARC TO A POINT OF TANGENT;  
THENCE SOUTH 35°23'38" EAST A DISTANCE OF 449.58 FEET TO A POINT OF CURVE;  
THENCE ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 35°50'36", A RADIUS OF 680.00 FEET, A DISTANCE OF 425.40 FEET AS MEASURED ALONG THE ARC TO A POINT OF TANGENT;

THENCE SOUTH 00°26'58" WEST A DISTANCE OF 207.93 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30;  
THENCE SOUTH 89°39'55" WEST AND ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30, A DISTANCE OF 1706.09 FEET TO THE POINT OF BEGINNING;

COUNTY OF ARAPAHOE,  
STATE OF COLORADO.

PARCEL II:

THAT PORTION OF VACATED SOUTH POTOMAC STREET AS DESCRIBED IN THE ORDER RECORDED JANUARY 12, 1987 IN BOOK 5016 AT PAGE 28, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ARAPAHOE COUNTY, STATE OF COLORADO, WITH BEARING BASED UPON THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER AS BEARING NORTH 0°20'19" EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 30; THENCE NORTH 0°20'19" EAST ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30 A DISTANCE OF 467.45 FEET; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID QUARTER SECTION A DISTANCE OF 45.53 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTH POTOMAC STREET AS ESTABLISHED BY QUIT CLAIM DEED RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY IN BOOK 4473 AT PAGES 558 AND 559 ON JUNE 25, 1985 BY INSTRUMENT NUMBER 2547594; THENCE SOUTH 0°16'48" WEST ALONG THE SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 467.45 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST ONE QUARTER OF SAID SECTION 30; THENCE SOUTH 89°39'28" WEST A DISTANCE OF 46.00 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID SECTION 30 AND THE POINT OF BEGINNING; SAID DESCRIPTION BEING THE SOUTHERN 467.45 FOOT PORTION OF THE PARCEL AS DESCRIBED IN THE ABOVE LISTED RECORDED INSTRUMENT;

COUNTY OF ARAPAHOE,  
STATE OF COLORADO

TOGETHER WITH:

TRACT A, CENTENNIAL EAST CORPORATE CENTER FILING NO. 2,  
COUNTY OF ARAPAHOE,  
STATE OF COLORADO

TRACT B, CENTENNIAL EAST CORPORATE CENTER FILING NO. 2,  
COUNTY OF ARAPAHOE,  
STATE OF COLORADO

TRACT C, CENTENNIAL EAST CORPORATE CENTER FILING NO. 2,  
COUNTY OF ARAPAHOE,  
STATE OF COLORADO

**AND TOGETHER WITH THE FOLLOWING PLATTED STREETS OR RIGHTS-OF WAY:**

ALL OF THAT PORTION OF EAST FREMONT AVENUE FROM THE EXISTING CITY BOUNDARY AS DESCRIBED IN DISTRICT COURT, COUNTY OF ARAPAHOE, STATE OF COLORADO CIVIL ACTION NO. 98 CV 4442 DIVISION 3, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SOUTH POTOMAC STREET, EASTERLY TO SAID EXISTING CITY BOUNDARY, ALSO BEING THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30, AND ALL OF THAT PORTION OF SOUTH BLACKHAWK STREET FROM THE NORTHERLY RIGHT-OF-WAY LINE OF EAST FREMONT AVENUE TO THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 30.

EXHIBIT 1-A

PROPERTY DESCRIPTION  
("CITY PROPERTY")

PARCEL 1:

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE SOUTH 88°58'30" EAST A DISTANCE OF 100.50 FEET;  
THENCE NORTH 85°18'51" EAST A DISTANCE OF 200.00 FEET TO A POINT OF CURVE;  
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THENCE ALONG A CURVE TO THE LEFT HAVING DELTA OF 26°21'49", A RADIUS OF 772.00 FEET, A DISTANCE OF 355.22 FEET AS MEASURED ALONG THE ARC TO A POINT OF TANGENT;  
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THENCE ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 35°50'36", A RADIUS OF 680.00 FEET, A DISTANCE OF 425.40 FEET AS MEASURED ALONG THE ARC TO A POINT OF TANGENT;  
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THENCE SOUTH 89°39'55" WEST AND ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 30, A DISTANCE OF 1706.09 FEET TO THE POINT OF BEGINNING;

COUNTY OF ARAPAHOE,  
STATE OF COLORADO.

PARCEL II:

THAT PORTION OF VACATED SOUTH POTOMAC STREET AS DESCRIBED IN THE ORDER RECORDED JANUARY 12, 1987 IN BOOK 5016 AT PAGE 28, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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COUNTY OF ARAPAHOE,  
STATE OF COLORADO

*Consisting of 44 acres, more or less.*

EXHIBIT 1-B

PROPERTY DESCRIPTION  
("SEMSWA PROPERTY")

TRACT A, CENTENNIAL EAST CORPORATE CENTER FILING NO. 2,  
COUNTY OF ARAPAHOE,  
STATE OF COLORADO

*Consisting of 6.22 acres, more or less.*

TRACT B, CENTENNIAL EAST CORPORATE CENTER FILING NO. 2,  
COUNTY OF ARAPAHOE,  
STATE OF COLORADO

*Consisting of 3.29 acres, more or less.*

TRACT C, CENTENNIAL EAST CORPORATE CENTER FILING NO. 2,  
COUNTY OF ARAPAHOE,  
STATE OF COLORADO

*Consisting of 2.23 acres, more or less.*

**NOTE: FOUR (4) COPIES OF THE ANNEXATION MAP FOR THE CENTENNIAL /  
SEMSWA WINDMILL CREEK ANNEXATION ACCOMPANY THIS PETITION.**