

CITY OF EVANS
1100 37TH STREET
EVANS, COLORADO 80620
(970) 475-1118



PETITION FOR ANNEXATION

The undersigned, in accordance with Article 12, Chapter 31, CRS, as amended, hereby petition for City Council of the City of Evans, Colorado, for annexation to the City of Evans the unincorporated territory more particularly described below, to be known as _____, and in support of said Petition, your petitioners allege that:

- 1) It is desirable and necessary that the following described territory be annexed to the City of Evans;

- 2) Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Evans, Colorado;
- 3) A community of interest exists between the territory proposed to be annexed and the City of Evans, Colorado;
- 4) The territory proposed to be annexed is urban or will be urbanized in the near future;
- 5) The territory proposed to be annexed is integrated or is capable of being integrated with the City of Evans, Colorado;
- 6) The signatures of the Petition comprise one hundred percent (100%) of the landowners of the territory to be included in the area proposed to be annexed and said landowners attesting to the facts and agreeing to the conditions herein contained will negate the necessity of any annexation election;
- 7) 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 or landowners thereof, unless such tracts or parcels are separated by a separate dedicated street, road or other public way;
 - b) Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon has an assessed value in excess of Two Hundred Thousand Dollars (\$200,000) for ad valorem tax

purposes for the year proceeding the annexation, is included within the territory proposed to be annexed without the written consent of the landowner or landowners.

8) No part of the area proposed to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will take place;

9) The area proposed to be annexed comprises (Check One):
_____ More than ten acres and the Board of County Commissioners of Weld County has agreed to waive the requirement of an impact report as provided for in section 31-12-108.5, C.R.S., as amended.
_____ More than ten acres and an impact report as provided for in section 31-12-108.5, C.R.S., as amended, is required.
_____ Ten acres or fewer and an impact report as provided for in section 31-12-108.5, C.R.S., as amended, is not required.

10) The area proposed to be annexed is located within Weld County, and the following special districts:

Water District _____
Sanitation District _____
Fire District _____
School District _____
Recreation District _____
Library District _____
Ambulance District _____
Jr. College District _____
Other _____

11) The mailing address of each signer, the legal description of the land owned by each signed and the date of signing of each signature are all shown on this Petition;

12) Accompany this Petition are four (4) prints 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 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 area proposed to be annexed is drawn the contiguous boundary of the City of Evans, and the contiguous boundary of any other municipality abutting the area proposed to be annexed;
 - e) The dimensions of the contiguous boundaries are shown on the map.
- 13) The territory to be annexed is not presently a part of any incorporated city, city and county, or town;
- 14) The undersigned agree to the following, which shall be covenants running with the land, and which shall, at the option of the City, appear on the annexation map;
- 15) Petitioner represents that:
- a) Water rights shall be provided pursuant to City Ordinance;
 - b) The owners shall participate in providing drainage plans and improvement and payment of a unit drainage fee as may be required by the City for the area;
 - c) The undersigned hereby waives any and all “vested rights” previously created pursuant to Section 24-68-103, CRS, as amended;
 - d) The undersigned and the City may enter into a Pre-Annexation Agreement prior to the effective date of this annexation, which agreement shall be additional requirements as effectively as if set forth in this Petition;
 - e) The undersigned consents to inclusion of the property into the Municipal Subdistrict, Northern Colorado Water Conservancy District, when the annexations become effective; and

Check One:

_____ No part of the property to be annexed is included within any site specific development plan approved by Weld County, Colorado.

_____ A site specific development plan has been approved by Weld County, Colorado, which has created a vested right.

- 16) The petitioner understands he will be responsible for costs incurred by the City of Evans such as, but not limited to, advertising and recording fees, attorney fees, and other professional costs incurred by the city.

PETITION FOR ANNEXATION

Executed this _____ day of _____, 20_____.

Property Owner

Property Owner

Address

Address

The foregoing instrument was acknowledged before me this _____ day of _____, A.D. 20_____.

Witness my hand and official seal. My commission expires _____.

Notary Public

Property Owner

Property Owner

Address

Address

The foregoing instrument was acknowledged before me this _____ day of _____, A.D. 20_____.

Witness my hand and official seal. My commission expires _____.

Notary Public

Office Use Only

Received

Signed