**PETITION FOR ANNEXATION TO THE CITY OF EVANS, COLORADO**

The undersigned, in accordance with Article 12, Title 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 (insert name of annexation) and in support of said Petition, petitioners allege that:

1. It is desirable and necessary that the following described territory be annexed to the City of Evans (attach legal description as Exhibit “A”);
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 to 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 10 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 10 acres and an impact report as provided for in section 31-12-108.5, C.R.S., as amended, is required.

 10 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 Districts

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. Accompanying this Petition is the draft annexation and initial zoning plat 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;

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

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

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 conditions as effectively as if set forth in this Petition; and

16. The petitioner understands he/she 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 SIGNATURE PAGE**

Executed this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.

**PROPERTY OWNER(S):**

Property Owner Signature Property Owner Signature

Property Owner Printed Name Property Owner Printed Name

Mailing Address Mailing Address

City, State, Zip City, State, Zip

Email Address Email Address

Contact Phone Contact Phone

STATE OF COLORADO )

 ) ss.

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ )

 SUBSCRIBED AND SWORN to before me this\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, by

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WITNESS my hand and official seal. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (SEAL) Notary Public in and for the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_