

**TOWN OF EAGLE  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 26th day of January, 2021 at 6:00 p.m. at the Eagle Town Hall, 200 Broadway, Eagle, Colorado or via a virtual meeting platform, the Eagle Town Council will hold a public hearing on the following described petition for the annexation of certain territory to the Town of Eagle, Colorado, for the purpose of determining and finding whether the area proposed to be annexed as the “Powell Park Annexation” meets the applicable requirements of the Colorado Constitution and the Municipal Annexation Act of 1965, and is considered eligible for annexation.

**PETITION FOR ANNEXATION  
POWELL PARK ANNEXATION**

**TO: TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO**

**RE: PETITION FOR THE ANNEXATION FOR THE POWELL PARK ANNEXATION TO THE TOWN OF EAGLE AS DESCRIBED IN EXHIBIT “A” ATTACHED HERETO.**

The undersigned Petitioner, in accordance with the provisions of Sections 31-12-101, *et. seq.*, C.R.S., the Municipal Annexation Act of 1965, hereby petitions the Town Council of the Town of Eagle, Colorado (“Town”) for annexation to the Town of the land described in Exhibit “A” attached hereto and incorporated herein (the “Property”), which is currently in the County of Eagle, State of Colorado.

The Petitioner further state to the Town Council of the Town as follows:

1. That it is desirable and necessary that the Property be annexed to the Town.
2. That the Property meets the requirements of Sections §31-12-104 and §31-12-105, C.R.S. in that:
  - a. Not less than one-sixth (1/6<sup>th</sup>) of the perimeter of the Property is contiguous with the Town.
  - b. A community of interest exists between the Property and the Town; the Property is urban or will be urbanized in the near future; and the Property is integrated with or is capable of being integrated with the Town.
  - c. The petitioners, William and Nancy Powell are the owner of 100% of the Property, and hereby consents to the establishment of the boundaries of this territory as shown on the annexation map submitted herewith.

- d. The Property is not presently part of any incorporated city, city and county, or town; nor have annexation proceedings been commenced for the annexation to another municipality of part or all of the Property; nor has any election for annexation of the Property or substantially the same territory to the Town, been held within twelve (12) months immediately preceding the filing of this Petition.
- e. The annexation of the Property will not result in the detachment of area from any school district and the attachment of the same to another school district.
- f. The annexation of the Property will not have the effect of extending the boundary of the Town more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
- g. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the Property.
- h. Reasonable access shall not be denied to landowners, owners of an easement, or the owners of a franchise, adjoining any platted street or alley annexed by the Town but not bounded on both sides by the Town.
- i. The requirement of C.R.S. Sections 31-12-105 exist or have been met.
- j. Petitioners reserves the right to withdraw this Petition at any time prior to the Town's final approval of the annexation.

**THEREFORE, PETITIONERS RESPECTFULLY REQUEST** that the Town Council of the Town of Eagle, Colorado approve the annexation of the Property pursuant to the provisions of the Municipal Annexation Act of 1965, as amended.

## **LEGAL DESCRIPTION**

### **Exhibit "A" to Petition for Annexation**

**Powell Park**

**Lots 1 and 2**

**Pursuant to a Final Plat of Eagle County, CO, Reception NO. 267605**

**Exhibit "B" to Petition for Annexation**

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says: that he was the circulator of the foregoing Petition for Annexation of Powell Park to the Town of Eagle, Colorado, that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

William P. Powell

\_\_\_\_\_  
Circulator

**Exhibit "C" to Petition for Annexation**

**ANNEXATION MAP**

**Exhibit "D" to Petition for Annexation**

**STATEMENT OF WATER RIGHTS**

Petitioners, William P. Powell and Nancy N. Powell, states that Petitioner owns the water rights described on the attached "Table of Powell Park Water Rights", and that a sufficient portion of such water rights may be dedicated to the Town at the time of annexation of Powell Park to satisfy the Town's water dedication requirements.

Any person may appear at such hearing, in-person or virtually, and present evidence upon any matter to be considered by the Town Council.

TOWN OF EAGLE, COLORADO

By: \_\_\_\_\_/s/\_\_\_\_\_  
Jenny Rakow, Town Clerk

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