

PETITION FOR ANNEXATION

POWELL PARK ANNEXATION

TO: TOWN COUNCIL, TOWN OF EAGLE, COLORADO

RE: PETITION FOR THE ANNEXATION FOR THE POWELL PARK ANNEXATION TO THE TOWN OF EAGLE AS SET FORTH 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 states 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 ($1/6^{\text{th}}$) 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. Petitioner reserves the right to withdraw this Petition at any time prior to the Town's final approval of the annexation.

THEREFORE, PETITIONER RESPECTFULLY REQUESTS 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.

SIGNATURE OF LANDOWNER/PETITIONER
 THE POWELL FAMILY TRUST DATED JULY 5, 2019

William P. Powell
 William P. Powell, Trustee

Nancy N. Powell
 Nancy N. Powell, Trustee

Date of Signature: 12/18/2020

STATE OF COLORADO)
) ss.
 COUNTY OF EAGLE)

B ~~2020~~ ²⁰²⁰ The foregoing instrument was acknowledged before me this 18th day of December, ~~2019~~, by William P. Powell as Trustee for the Powell Family Trust dated July 5, 2019.

My commission expires: 12/14/2021

Witness my hand and official seal

Patricia K Ferguson
Notary Public

STATE OF COLORADO)

) ss.

COUNTY OF EAGLE)

PATRICIA K FERGUSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20094040649
MY COMMISSION EXPIRES DECEMBER 14, 2021

P.F. 2020 The foregoing instrument was acknowledged before me this 18th day of December,
2019, by Nancy N. Powell as Trustee for the Powell Family Trust dated July 5, 2019.

My commission expires: 12/14/2021

Witness my hand and official seal

Patricia K Ferguson
Notary Public

PATRICIA K FERGUSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20094040649
MY COMMISSION EXPIRES DECEMBER 14, 2021

**Mailing Address of Petitioner:
The Powell Family Trust dated July 5, 2019
William and Nancy Powell
PO Box 1227
Eagle, CO 81631-1227**

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

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 18th day of December, 2020, by William P. Powell, Circulator.

My commission expires: 12/14/2021

Witness my hand and official seal

Patricia K Ferguson
Notary Public

PATRICIA K FERGUSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20094040649
MY COMMISSION EXPIRES DECEMBER 14, 2021

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.

Land Owner William P. Powell
William P. Powell

Date of Signature: 12/18/2020

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 18th day of December,
2020, by William P. Powell, as Land Owner.

My commission expires: 12/14/2021

Witness my hand and official seal
Patricia K. Ferguson
Notary Public

PATRICIA K FERGUSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20094040649
MY COMMISSION EXPIRES DECEMBER 14, 2021

Land Owner

Nancy N. Powell
Nancy N. Powell

Date of Signature: 12/18/2020

STATE OF COLORADO)
)ss.
COUNTY OF EAGLE)

The foregoing instrument was acknowledged before me this 18th day of December, 2020, by Nancy N. Powell, as Land Owner.

My commission expires: 12/14/2020

Witness my hand and official seal

Patricia K. Ferguson
Notary Public

