

Petition for Annexation

To: The Town Council of the Town of Eagle, Colorado

Re: Property Known as: 220 East Sixth Street

The undersigned landowner, in accordance with Title 31, Article 12, Part 1, C.R.S., known as the Municipal Annexation Act of 1965, hereby petitions the Town Council of the Town of Eagle, Colorado (the "Town Council") for annexation to the Town of Eagle (the "Town") of the following described unincorporated area situate and being in the County of Eagle, State of Colorado (the "Property"):

(See **Exhibit A** attached hereto and incorporated herein by reference)

In support of its Petition, Petitioner states as follows:

1. That it is desirable and necessary that the Property be annexed to the Town of Eagle, Colorado.
2. That the Property meets the requirements of C.R.S. §§ 31-12-104 and 105, in that:
 - a. Not less than 1/6 of the perimeter of the Property is contiguous with the existing boundaries of the Town, disregarding for contiguity purposes, as allowed by C.R.S. § 31-12-104(1)(a), the existence of any platted street or alley, any public or private right-of-way, any public or private transportation right-of-way or area, public lands (except county-owned open space) or any lakes, reservoirs, streams or other natural or artificial waters located between the Town and the Property. The contiguity required by C.R.S. § 31-12-104(1)(a) has not been established by use of any boundary of an area that was previously annexed to the Town where the area, at the time of its annexation, was not contiguous at any point with the boundary of the Town, and was not otherwise in compliance with C.R.S. § 31-12-104(1)(a), and was located more than 3 miles from the nearest boundary of the Town, nor was the contiguity required by C.R.S. § 31-12-104(1)(a) established by use of any boundary of territory that was subsequently annexed directly to, or which was indirectly connected through, subsequent annexations of such an area.
 - b. The proposed annexation will not create any disconnected municipal satellites.
 - c. A community of interest exists between the Property and the Town.
 - d. The Property is urban or will be urbanized in the near future, and said area is integrated or is capable of being integrated with the Town.
 - e. No land held in identical ownership, whether consisting of 1 tract or parcel real estate or 2 or more contiguous tracts or parcels of real estate:

- i. 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 dedicated street, road, or other public way.
 - ii. Comprising 20 acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars \$200,000 for *ad valorem* tax purposes for the year next preceding the annexation is included within the Property without the written consent of the landowner(s).
 - f. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the Property.
 - g. The annexation of the Property will not result in the detachment of area from any school district and the attachment of same to another school district.
 - h. The annexation of the Property will not have the effect of extending the boundary of the Town more than 3 miles in any direction from any point of the Town's boundary in any one year.
 - i. 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.
 - j. Reasonable access will not be denied to landowners, owners of easements or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town.
3. That attached hereto and incorporated herein by reference are 4 prints of the annexation map, containing the following information:
- a. A written legal description of the boundaries of the Property.
 - b. A map showing the boundary of the Property.
 - c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land, and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - d. Next to the boundary of the Property, a drawing of the contiguous boundary of the Town and the contiguous boundary of any other municipality abutting the Property.
4. That Petitioner is the owner of more than 50% of the Property, exclusive of streets and alleys.

5. That Petitioner signed this Petition no more than 180 days prior to the date of the filing of this Petition.
6. That this Petition satisfies the requirements of Article II, § 30 of the Colorado Constitution in that it is signed by persons comprising more than 50% of the landowners of the Property who own more than 50% of the Property, excluding public streets and alleys and any land owned by the Town.
7. That no election has been held within the last 12 months for annexation of the Property to the Town.
8. That the Property is located within Eagle County, the Eagle County School District and the Greater Eagle Fire Protection District.
9. That upon the effective date of the ordinance annexing the Property to the Town, the entire Property shall become subject to the ordinances, resolutions, rules and regulations of the Town, except for general property taxes which shall become effective on January 1 of the next year following passage of the annexation ordinance.
10. That Petitioner has not requested from any government entity review of a site specific development plan that would vest Petitioner with the property rights contemplated in C.R.S. § 24-68-101, *et seq.*, and that Petitioners hereby waive any vested property rights for the Property resulting from any prior approval of any site specific development plan as defined in C.R.S. § 24-68-101, *et seq.*
11. That, by the date that is 90 days after the effective date of the annexation ordinance, the Property shall be brought under the Town's zoning code and map.
12. That Petitioner reserves the right to withdraw this Petition at any time prior to the adoption of an annexation ordinance.

Therefore, the undersigned Petitioners respectfully request that the Town Council approve the annexation of the Property to the Town.

George S. Henry 2/10/25

George S. Henry
Name

Date

Postal Box 1647, Eagle CO 81631
Mailing Address

Kathy R. Chandler-Henry 2/10/2025

Kathy R. Chandler-Henry
Name

Date

Postal Box 1647, Eagle CO 81631
Mailing Address

State of Colorado)
County of Eagle) ss.

Subscribed, sworn to and acknowledged before me this 10th day of February 2025 by George S. Henry and Kathy R. Chandler-Henry.

My Commission expires 4/5/2028.

(Seal)

KATELYN ANTILLON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20244013618
MY COMMISSION EXPIRES 04/05/2028

Katelyn Antillon
Notary Public