

**PETITION FOR ANNEXATION
TO
CITY/TOWN OF Grand Lake, COLORADO**

**TO: THE CITY/TOWN CLERK AND THE CITY/TOWN COUNCIL OF THE CITY/TOWN OF
Grand Lake, COLORADO**

RE: ANNEXATION OF LAND COMMONLY KNOWN AS The Love Tract

THE UNDERSIGNED PETITIONER(S) in accordance with Title 31, Article 12, Part 1, of the Colorado Revised Statutes, as amended (commonly known as the Municipal Annexation Act of 1965), hereby petitions the City/Town of Grand Lake, Colorado, for annexation to the City/Town of Grand Lake of the unincorporated area more particularly described hereafter, and in support of this Petition, the undersigned Petitioner(s) allege(s) and state(s) the following:

1. That it is desirable and necessary that such area described in **Exhibit 1**, attached hereto and incorporated herein by reference, be annexed to the City/Town of Grand Lake.
2. That the area sought to be annexed to the City/Town of Grand Lake meets all the requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, of the Municipal Annexation Act of 1965, in that:
 - (a) Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed is contiguous with the City/Town of Grand Lake.
 - (b) A community of interest exists between the area proposed to be annexed and the City/Town of Grand Lake.
 - (c) The area proposed to be annexed is urban or will be urbanized in the near future.
 - (d) The area proposed to be annexed is integrated with, or is capable of being integrated with the City/Town of Grand Lake.
 - (e) No land within the area proposed to be annexed and which is 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, meets either of the following:
 - (1) Such separate tract or parcel is being divided by the requested annexation 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, and to the extent a tract or parcel is so divided, this petition is intended to evidence such consent; or
 - (2) If such a separate tract or parcel comprises twenty (20) acres or more and which, together with the buildings and improvements situated thereon, such tract or parcel has an assessed value in excess of Two Hundred Thousand Dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, is included within the area proposed to be annexed without the written consent of the landowner or landowners thereof.
 - (f) The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of such area to another school district.
 - (g) No annexation proceedings have been commenced for the annexation to another municipality of any part or all of the area proposed to be annexed to the City/Town hereunder nor is any part of said area presently a part of any incorporated city, town or city and county.
 - (h) The requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met.
 - (i) The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the City/Town of Grand Lake more than three miles in any direction from any point of the City's/Town's boundary in any one year.

- (j) In establishing the boundaries of the area proposed to be annexed, where a portion of a platted street or alley is annexed, the entire width of said street or alley is included with the area annexed.
- (k) Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining a platted street or alley to be annexed by the City/Town but is not bounded on both sides by the City/Town.

(l) **[Please Check the Appropriate Line:]**

_____ The area proposed to be annexed comprises **more than ten (10) acres** and, therefore, the City's/Town's preparation of an Impact Report as provided for in Section 31-12-108.5, C.R.S., as amended, is required unless waived by the board of county commissioners for _____ County, Colorado in accordance with Section 31-12-108.5, C.R.S.

OR

X The area proposed to be annexed comprises **ten (10) acres or less** and, therefore, the City's/Town's preparation of an Impact Report as provided for in Section 31-12-108.5, C.R.S., as amended, is not required

3. That accompanying this Petition are four (4) copies 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, prepared by and containing the seal of a land surveyor;
- (c) with 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 platted, then the boundaries and the plat numbers of plots or of lots and blocks are shown; and
- (d) next to the boundary of the area proposed to be annexed is drawn the contiguous boundary of the City/Town, and the contiguous boundary of any other municipality abutting the area proposed to be annexed and the dimensions thereof.

- 4. That the Petitioner(s) signed this Petition for Annexation not more than 180 days prior to the date of the filing of this Petition for Annexation with the City/Town Clerk.
- 5. That the undersigned Petitioner(s) comprises at least fifty percent (50%) of all of the landowners of the area to be proposed to be annexed, exclusive of streets and alleys.
- 6. That upon the Annexation Ordinance becoming effective, all lands within the area sought to be annexed shall become subject to all ordinances, resolutions, rules and regulations of the City/Town of Grand Lake, except for general property taxes of the City/Town of Grand Lake which shall become effective on January 1 of the next succeeding year following passage of the Annexation Ordinance.
- 7. That this Petition for Annexation includes the signature(s) of all Petitioner(s) proposing the annexation, the mailing address of each Petitioner, the legal description of the land owned by each Petitioner, and the date of signing of each signature. The legal description of land owned by each undersigned Petitioner is identified in **Exhibit 1**.

THEREFORE, THE PETITIONER(S), as the owner(s) of the property described in **Exhibit 1**, respectfully requests that the City/Town Council of the City/Town of Grand Lake, Colorado, approve the annexation of the area proposed to be annexed, and the Petitioner(s) do(es) hereby consent to the annexation of the property described in **Exhibit 1**.

PETITIONER:

Genette Simpkins Revocable Living Trust
RLT, a _____ (type of entity)

By: _____

Name: Genette Simpkins

Title: Trustee

Date of Signature: 01/31/2023

As the Owner of Property Described in **Exhibit 1**.

Mailing Address: _____

45-238 Kokoahiki Pl
Kaneohe, HI 96744

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first fully sworn upon oath, deposes and says that the undersigned was a circulator of the foregoing Petition for Annexation of lands to the City/Town of Grand Lake, Colorado, and that the signature immediately above this Affidavit was witnessed by affiant and is the true signature of the person whose it purports to be.

By: _____

Genette Simpkins
Circulator

STATE OF Hawaii)
COUNTY OF Honolulu) ss.

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 31st day of January, 2023 by Genette Simpkins.

Witness my hand and official seal.

My commission expires: 4/11/2025

By: _____

Karen Nakamoto
Notary Public



Doc. Date: NA # Pages: 3
Karen Nakamoto First Circuit
Doc. Description: Petition for Annexation
To City/Town of Grand Lake, Colorado
Karen Nakamoto 1/31/2023
Notary Signature Date

NOTARY CERTIFICATION

Petition and Map Content Requirements

C.R.S. § 31-12-107

The **Petition** shall contain the following:

- An allegation that it is desirable and necessary that such area be annexed to the municipality;
- An allegation that the requirements of sections 31-12-104 and 31-12-105 exist or have been met;
- An allegation that the signers of the petition comprise more than fifty percent of the landowners in the area and own more than fifty percent of the area proposed to be annexed, excluding public streets and alleys and any land owned by the annexing municipality;
- A request that the annexing municipality approve the annexation of the area proposed to be annexed;
- The signatures of such landowners;
- The mailing address of each such signer;
- The legal description of the land owned by such signer;
- The date of signing of each signature; and
- The affidavit of each circulator of such petition, whether consisting of one or more sheets, that each signature therein is the signature of the person whose name it purports to be.

Accompanying the **Petition** shall be four copies of an annexation **Map** containing the following information:

- A written legal description of the boundaries of the area proposed to be annexed;
- A map showing the boundary of the area proposed to be annexed;
- Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;
- Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the annexing municipality and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

ANNEXATION MAP

Attachment 2

An Annexation Map is required.

The Town Administrator and Community Development Director should assist in making the determination on the limits of abutting ROW that will be included with the Annexation. When ROW is included in the annexation it must be the full ROW (not to centerline).

The actual approval of the annexation of land is completed through approval of an Ordinance. The zoning shall be approved by separate ordinance, but can occur at the same hearing.

TECHNICAL FORMAT FOR ANNEXATION MAP

1. The size of each sheet should conform to Grand County standards: 24" x 36"
2. Each sheet should be numbered consecutively.
3. The drawing should be to engineering scale and show a ratio and bar scale.
4. An appropriate title block
 - Clearly state "ANNEXATION MAP" at the top of the page. Below that should be lines describing the quarter section, section, township, range, meridian, county, and state.
5. The land description is provided in a metes and bounds format. The area of the property boundaries should be noted in square feet and acres (containing x sf or x acres more or less). The calculation should also break down the area of the annexation that is public right of way.
6. A closure sheet on the boundary indicating it closes within 1': 10,000'. This information needs to match any abutting annexation data.
7. Add a legible vicinity map that shows the contiguous boundary with the Town with north arrow and scale.
8. Add to the Town signature and date block, as follows:

Mayor

Date

Town Clerk

Date

Town Attorney

Date

Ordinance No.

Effective Date

10. Surveyor's Certificate is required (suggest the following).
 - I, *name of surveyor*, a Professional Land Surveyor registered in the State of Colorado do hereby certify that not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed to the Town of Center, Colorado, is contiguous with the boundaries of the annexing municipality, and that this annexation plat substantially complies with the Colorado Revised Statutes and the Town of Grand Lake, Colorado Codes appertaining thereto.
11. The current Town limit lines are labeled with the legend key, The proposed town limits are shown with diagonally-hatching (\\\\\\\\\\\\\\\\) abutting the exterior perimeter of the area to be annexed.

ANNEXATION MAP

Attachment 2

12. Show the annexation ordinance numbers for all abutting parcels within the Town limits.
13. Add to the 1/6 Contiguous Perimeter Calculation the following data:
Total area _____
14. Label the contiguous boundaries of the municipality, the county, or districts.
15. Show the name and widths of existing perimeter public roads and the recording information that created them.
16. Provide County Recorder's Certificate.
17. Within the area being annexed, show ownership lines and owner's names of the individual ownerships within areas of unplatted land. If part or all of the area is platted, also show the plat boundary, lot and block numbers, and subdivision plat name and filing no.
18. Label abutting Townships and Ranges (if applicable).
19. Submit copies of any recorded subdivision plats and documents within or abutting the proposed annexation area.
20. When mylars are requested, all sheets should be stamped and signed by the surveyor. The stamp may be of the rubber stamp; crimp; or electronic type. Upon approval provide mylars of the annexation map(s).