ANNEXATION INFORMATION FORM

Attached is a blank annexation petition to be completed and submitted to the Town.

In order to expedite the processing of the Petition, the following information should be furnished with the Petition when it is presented to the Town.

TO BE COMPLETED BY APPLICANT: Date: 7/28/2016

Name of Annexation: Miller Annexation

Name of Property Owner(s): Roy Miller

Person to Contact: Jon Mueller (Name) 556 Struthers Ave, GJ, CO 81501 (Address) 970-255-2098 (Phone)

Size of Acreage (Gross Acreage): 2.575

Location: Sec. 49 T 5, R 86 W.
County of Eagle

Percentage of owners signed: 100 %

Percentage of land owned by property owners: 100 %
Filing Fee Amount: $ Part of Elam Submittal
More than 50 acres - $2,500 non-refundable application fee and $40,000 deposit fee
Less than 50 acres- $1,250 non-refundable application fee and $15,000 deposit fee

School District(s): Eagle County RE50J
Special District(s): RE50J

FOR OFFICE USE ONLY:

Above Information Review by: _____
Name Title Date

Date Petition Filed: _____ Petition No. _____

Filing Fee Paid: Amount $_____ Date _____

Resolution No. _____ Initiating Annexation Proceedings

Hearing Notice Published (once per week for 4 consecutive weeks at least 30 days prior to hearing)

1. _____
2. _____
3. _____
4. _____

Petition Information & Notice Sent to:
County Commissioners: _____
County Attorney: _____
School District(s): _____
Special District(s): _____

Impact Report - Due Date (25 days prior to hearing): _____

Filed with County Commissioners (within 5 days after due date): _____

Annexation Agreement submitted/approved: _____ (date)

Public Hearing Date (Not less than 30 days, nor more than 60 days after effective date of Initiating Resolution): _____

Fact Finding Resolution No. _____

Annexation Ordinance No.: _____ Effective Date: _____

Zoning Ordinance No.: _____ Effective Date: _____

Motion for Reconsideration (within 10 days of effective date of Ordinance): _____

Expiration of challenge period (60 days after effective date of Ordinance): _____

RECEIVED
AUG 15 2016

PETITION FOR ANNEXATION No. _____

TO: THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO

RE: PETITION FOR ANNEXATION OF LAND KNOWN AS THE Roy Miller ANNEXATION

The undersigned Petitioners, in accordance with the provisions of Sections 31-12-101, ET. seq., C.R.S., also known as the Municipal Annexation Act of 1965, hereby petition the Town Council of the Town of Gypsum, Colorado ("Town") for annexation to the Town of the land described on Exhibit A attached hereto and incorporated herein ("Property"), which is currently within the unincorporated area of Eagle County, Colorado.

The Petitioners further state to the Town Council as follows:

That it is desirable and necessary that the Property be annexed to the Town.

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 (1/6th) of the perimeter of the Property is contiguous with the Town, which contiguity may be established by the annexation of one or more parcels in a series.

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. Without the consent of the landowners, no land included within the Property 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:

   (1) is divided into separate parts or parcels, unless such tracts or parcels are separated by a dedicated street, road, or other public way; or

   (2) comprises 20 acres or more and, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of $200,000.00 for ad valorem tax purposes for the year next preceding the proposed annexation.

D. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the Property.

E. 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.

F. The annexation of the Property will not have the effect of extending the boundary of the Town more than three miles in any direction from any point of the Town's boundary in any one 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.

3. That the Petitioners comprise more than fifty percent (50%) of the landowners in the Property who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town.

That attached as Exhibit A hereto and incorporated herein by reference are four (4) copies of the annexation map, containing the following information:

a) A written legal description of the boundaries of the Property;

b) A showing of the boundary of the Property;

c) 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.

5. That all of the Petitioners signed this Petition for Annexation no more than 180 days prior to the date of the filing of this Petition for Annexation.

6. That upon an ordinance annexing the Property ("Annexation Ordinance") becoming effective, the Property shall become subject to the Charter, Municipal Code and all laws and ordinances, resolutions, rules and regulations of the Town, except for general property taxes of the Town which shall become effective on January I of the next succeeding year following passage of the Annexation Ordinance.

7. That the Petitioners will, within sufficient time to allow the Town to act within ninety (90) days after the effective date of the Annexation Ordinance, file a request that zoning be granted by the Town consistent with the Annexation Agreement described in the following paragraph.

8. That in the event an Annexation Agreement satisfactory to the Petitioners and the Town is not entered into and fully executed on or before the date of the second reading of the Annexation Ordinance, the Petitioners may withdraw their signatures from this Petition for Annexation, the effect of which shall be as if no petition had ever been executed and filed with the Town.

9. Petitioners acknowledge that all costs incurred by the Town during meeting and reviewing this petition and annexation material must be reimbursed by the Petitioners whether or not the annexation application is approved. Professional services include, but are not limited to, Town Engineers, Town Attorneys, publication fees, recording fees

THEREFORE, YOUR PETITIONERS RESPECTFULLY REQUEST that the Town Council of the Town of Gypsum, Colorado approve the annexation of the Property.

PETITIONER

Roy L. Miller (signature)

Roy L Miller (name printed)

8-11-16 (date of signature)

PO Box 2016 (mailing address)

Eagle Co 81631

Legal description of land owned by Petitioner:

Tract: 49 Section: 5 N Township: 5 Range: 86 W

PETITIONER

(signature)

(name printed)

(date of signature)

(mailing address)

Legal description of land owned by Petitioner:

PETITIONER

_____ (signature)
_____ (name printed)
_____ (date of signature)
_____ (mailing address)
_____

Legal description of land owned by Petitioner:

_____

_____

_____

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of the Property to the Town of Gypsum, Colorado that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it **purports to be.**

_____
Circulator

STATE OF COLORADO }
}
COUNTY OF Mesa }

Subscribed and sworn to before me by Jonathan Mueller as Environmental Compliance of Elam Construction, Inc. this 18th day of August, 2016.

_____
Notary Public

My Commission Expires: 12/10/19

KAREN BINDER
Notary Public
State of Colorado
Notary ID 20154047528
My Commission Expires Dec 10, 2019