
ANNEXATION PETITION

The undersigned (“Petitioner”), in accordance with Article 12, Chapter 31, CRS, as amended, and the Loveland Municipal Code Chapter 18.17.01, as amended, hereby petitions the City Council of the City of Loveland, Colorado, for annexation to the City of Loveland the unincorporated territory more particularly described in Exhibit A, hereto, to be known as

and in support of said Petition, the Petitioner alleges that:

1. It is desirable and necessary that the area described in Exhibit A be annexed to the City of Loveland, Colorado;
2. Not less than one-sixth (1/6) of the perimeter of the area described in Exhibit A is contiguous to the City of Loveland, Colorado;
3. A community of interest exists between the territory proposed to be annexed and the City of Loveland, Colorado;
4. The territory proposed to be annexed is urban or will be urbanized in the near future;
5. The territory proposed to be annexed is integrated or is capable of being integrated with the City of Loveland, Colorado;
6. No annexation proceedings have been commenced in any other municipality for all of part of the land to be annexed.
7. The requirements of CRS 31-12-104 and 31-12-105, inclusive of 31-12-105(1)(f) and (1)(g), exist or have been met:
 - a. In establishing the boundaries of any area proposed to be annexed, if a portion of a platted street or alley is annexed, the entire width of said street or alley shall be included within the area annexed; and
 - b. The City of Loveland shall not deny reasonable access to landowners, owner of an easement, or the owner of a franchise adjoining a platted street or alley which has been annexed by the City of Loveland but is not bounded on both sides by the City of Loveland.

8. The landowner signatures on the Petition comprise landowners of more than fifty percent (50%) of the area proposed to be annexed, excluding streets and public alleys, and said landowners attesting to the facts and agree that the conditions herein contained will negate the necessity of any annexation election;
9. No land 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:
 - a. 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;
 - b. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon has an assessed value in excess of Two Hundred Thousand Dollars (\$200,000.00) for ad valorem tax purposes for the year preceding the annexation, is included within the territory proposed to be annexed without written consent of the landowner or landowners;
10. The annexation shall not result in the detachment of the area to be annexed from any school district and the attachment of the same to another school district, unless Petitioners have obtained a resolution of the board of directors of the school district to which such area will be attached approving such annexation;
11. No part of the area proposed to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will take place;
12. The area proposed to be annexed (check the one that applies):

Comprises more than ten acres and an impact report as provided for in Section 31-12-108.5, CRS, as amended, has been waived in accordance with the Intergovernmental Agreement between Larimer County and the City of Loveland as the property to be annexed lies within the City's Growth Management Area; or

Comprises ten acres or less and an impact report as provided for in Section 31-21-108.5, CRS, is not required;
13. The area proposed to be annexed is located within the following districts, and no others:

14. The mailing address of each signer, the legal description of the land owned by each signer and the date of signing of each signature are all shown on this Petition;
15. Accompanying this Petition are four (4) prints of the annexation map containing the information required under the City of Loveland Annexation Submittal Checklist;
16. The territory to be annexed is not presently a part of any incorporated city, city and county, or town;
17. Pursuant to Loveland Municipal Code Chapter 18.17.103, Petitioner discloses the following as the present and anticipated future public facility requirements for the property to be annexed and how such requirements shall be met by Petitioner:
All public facilities will be dedicated and constructed in compliance with City standards at the time of development.
18. Petitioner acknowledges that either the Director of the Development Services Department for the City of Loveland or the Loveland City Council may require Petitioner to prepare a fiscal impact analysis at Petitioner's cost and expense.
19. The undersigned agree to the following conditions, which shall be covenants running with the land, and which shall, at the option of the city, appear on the annexation map:
 - a. Water rights shall be provided pursuant to city ordinance;
 - b. The territory to be annexed shall be included in the Municipal Sub-district of the Northern Colorado Water conservancy District;
 - c. The owners shall participate in providing drainage plans and improvements and payment of a unit drainage fee as may be required by the city for the area;
 - d. Future development of this property shall be subject to payment of the capital expansion fees pursuant to the Loveland Municipal Code;
 - e. The undersigned hereby waive any and all "vested rights" previously created pursuant to Section 24-68-103, CRS, as amended;
 - f. Future provision of electrical services within the annexed territory is subject to a surcharge as provided in the Loveland Municipal Code;
 - g. The undersigned and the City may enter into a Pre-Annexation Agreement prior to the effective date of this annexation, which agreement shall be additional conditions as effectively as if set forth in this Petition; and
 - h. Any adverse development within the annexed territory shall comply with the City of Loveland Comprehensive Master Plan.

19. Petitioner represents that: *(Check one)*

No part of the property to be annexed is included within any site specific development plan approved by Larimer County, Colorado.

A site specific development plan has been approved by Larimer County, Colorado, which has created a vested right.

IN WITNESS WHEREOF, I/we have executed this Petition for Annexation this _____ day of _____, 2____.

Petitioners/Owner's Signature

Petitioner's/Owner's Signature

Address

Address

City State Zip

City State Zip

STATE OF COLORADO)
)ss
COUNTY OF LARIMER)

The foregoing signature was acknowledged before me this _____ day of _____, 20____, by

_____.

Witness my hand and official seal.

My commission expires: _____

Notary Public