



**TOWN OF DEBEQUE
APPLICATION FOR ANNEXATION
& RESOLUTION OF SUBSTANTIONAL
COMPLIANCE
Land Use Regulations – Chapter 14.02**

Important - Please Read the Following Information Carefully

Applicants are encouraged to prepare a separate project narrative to accompany all submitted materials. This

narrative should be organized and include a table of contents, page numbers and similar information to facilitate review by town staff and elected/appointed commissions. If a separate narrative is submitted, this application form shall reference the narrative as necessary.

*It is the applicant's responsibility to obtain, read and understand all of the relevant sections of the DeBeque Municipal Code applicable to this procedure. Please keep in mind that more than one section of the code may apply to your application. These regulations are available through the Town of DeBeque municipal offices or on-line <http://debeque.org/>. If you do not understand portions of the Code concerning your application, please ask questions. Failure to complete the application, submit **all** of the required materials or answer questions completely and accurately may result in a delay and processing or a rejection of the application as incomplete. All fees must be paid in full at the time of application. Public meetings or public hearings will **not** be scheduled for an application until it is deemed complete by the Town. Each applicant should take the time necessary to submit a complete and comprehensive application. Town staff is available to direct the applicant to appropriate sources of information.*

APPLICANT

Date: _____

Name: _____ Owner ³ _____ Agent ³ _____

Mailing Address: _____

Mailing Address for Notices, if different from above: _____

Telephone: _____ Fax: _____ Cell: _____ E-mail: _____

SECOND APPLICANT (IF NECESSARY)

Date: _____

Name: _____ Owner ³ _____ Agent ³ _____

Mailing Address: _____

Mailing Address for Notices, if different from above: _____

Telephone: _____ Fax: _____ Cell: _____ E-mail: _____

PROPERTY SUBJECT TO APPLICATION

Street Address: _____

Practical Property Description: _____

Parcel Number _____

Legal Description (may attach):

Acreage or Square Feet of Parcel _____ Existing Zoning: _____

Surrounding Zoning – North: _____ South: _____ East: _____ West: _____

Description of Annexation Request (attach additional sheets if necessary):

Present Use of Subject Property:

Uses Surrounding Subject Parcel - North: _____, South: _____, East: _____,
West: _____,

Property owner(s) if different from applicant (inclusive of mineral owners/lessees):

Name	Mailing Address	Telephone
1.		
2.		
3.		

Attach additional sheets if necessary.

Current list of adjoining and abutting property owners to the subject parcel obtained from the Mesa County Assessor's Office.

Name	Mailing Address	Telephone
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional sheets if necessary.

Description of Proposed Utilities, Access and Other Infrastructure Needs - (use additional sheets as necessary): _____

Complete, Incomplete – Comments: _____

The Application Shall Completely Address each of the Following Items (Attach additional sheets if necessary):

Justification for annexation. Please clearly state the basis upon which the proposed annexation is made (use additional sheets as necessary):

Complete, Incomplete – Comments: _____

Designation of the Property in the DeBeque Comprehensive Plan. Identify the applicable classifications or descriptions of the property and recommendations for use, density or other requirements specified in the DeBeque Comprehensive Plan (use additional sheets as necessary):

Complete, Incomplete – Comments: _____

All information set forth above is true and accurate to the best of my information, knowledge and belief.

Applicant Signature: _____, Printed Name: _____ Date: _____

Additional Applicant Signature (if applicable): _____, Printed Name: _____, Date: _____

For Town Use Only

Application Checklist

- Application deemed complete _____ Date: _____ By: _____
- See Application Checklist
- Envelopes (stamped and addressed) for persons entitled to receive notice.
- Fee
- Other _____
- Board of Trustees Meeting Date: _____
- Annexation Public Hearing: _____
- Newspaper Notice Publication Date (not less than 15 days prior to hearing): _____
- Date Notice Posted on Property (not less than 10 days before the public hearing): _____

- Date of individual written notice mailed by first-class mail to all owners of property abutting the parcel disregarding intervening public streets or other public rights-of-way (not less than 10 days before the hearing) or date of hand delivery (not less than 5 days prior to the hearing): _____

Annexation Submittal Check List

IMPORTANT. This submittal checklist is *provided as a convenience only* to land-use applicants as a guide to the submittal process. Applicants must use the land-use regulations of the town of DeBeque to obtain the required information necessary for submitting a complete application. The land-use regulations are available at Town Hall during regular business hours or online at <http://www.debeque.org/municipal%20code.htm>. The town of DeBeque planner is available to answer questions or to provide clarification on application submittal requirements. **DO NOT USE THIS CHECKLIST AS THE PRIMARY INFORMATION SOURCE FOR APPLICATION SUBMITTALS.**

Ordinance NO. 446 Series 2014 details the procedures for annexation and in conjunction with Section 31-12-101 *et seq.*, C.R.S. and the DeBeque Municipal Code Chapter 14.02. This information should be referenced for specifics pertaining to annexation to DeBeque.

14.07.010 - General. The application submittal requirements consist of elements that are common to all applications as well as requirements that are necessary only for certain types of applications. Common submittal requirements are indicated first followed by specific requirements of various types of applications. In some instances, additional submittal requirements may be specified as part of the supplemental or special development requirements of these Regulations.

Complete applications must be submitted, as required in these Regulations, at the point of initiation of the land use review process.

14.07.020 - Common Submittal Requirements. Unless indicated otherwise in these Regulations or by the Town Clerk, three (3) copies of the application shall be submitted. Except for text amendments, all applications identified in Chapter 14.05 shall include:

- Application form, signed by the owner(s) of the property, in the format provided by the Town Clerk.
- Legal description of the property included in the application.
- Proof of legal ownership and the names and addresses of the owners of the property and any lienholder(s).
- Names and addresses of any owners or lessees of mineral rights for the property.
- The names and addresses of any property owners within two hundred feet (200') of any portion of the property.
- Statement of the purpose of the application and a brief description of the proposal.
- Vicinity map indicating the location of the property included in the land use application.
- Application fee pursuant to Section 14.01.080.

Section 14.02.020 - Application Requirements. The following are the submission requirements for an annexation petition. One (1) original and three (3) copies of the following forms, maps, but letters and documents are to be delivered to the Town Clerk with the fees. The documents are to be submitted in separate three-ring binders of suitable size to hold the material. Any forms or letters requiring signatures shall have one original signed and dated in blue ink. The remaining copies may be photocopies of the original. The binders shall contain a table of contents and be tabbed accordingly. Pockets are to be provided in the binder for the folded maps that are submitted.

Following staff review and notice of acceptance for referral to the Board of Trustees, the applicant shall provide Seventeen (17) copies of the annexation documents. Fourteen (14) sets shall be bound in three-ring binders as above. The remaining three (3) sets are to be three hole-punched, collated into complete application packets and bound with binder clips only.

The name or title of the proposed annexation on all documents and maps must be consistent. All letter size (8 ½" x 11") documents to be filed with the County Clerk and Recorder Office must have one (1) inch margins, or they will be rejected for filing.

The application shall include:

- Letter of Intent.
- Annexation Application Form.
- Agreement for Payment of Development Review Expenses Incurred by the Town.
- Petition for Annexation.
 - An allegation that it is desirable and necessary that the area be annexed to the municipality.
 - An allegation that eligibility requirements and limitations have been met or addressed respectively.
 - An allegation that the petitioners comprise the land owners of more than fifty (50) percent of the territory included in the proposed annexation area (excluding streets and alleys).
 - A request that the annexing municipality approve the annexation.

- If not already included, consent to the inclusion of the property into the applicable special districts as appropriate.
- A waiver of any right to election pursuant to Section 28 of Article X of the Colorado Constitution before a district can impose property tax levies and special assessments.
- The dated signatures of petitioning landowners. Petition signatures must be signed within one hundred eighty (180) days of the date the petition is first submitted to the Town Clerk.
- The mailing address of each signer of the petition.
- The full legal description of land owned by each signer of the petition (if platted, by lot and block; if unplatted, by metes and bounds).
- The affidavit of each petition circulator that each petitioner's signature is valid.
- Annexation Map.
- Concept Plan Map.
- Title Commitment.
- Property Tax Statement.
- Mailing List and Envelopes for County, Special Districts, Irrigation Ditch Companies, Mineral Interest Owners and Adjacent Property Owners.
- Annexation Impact Report.
 - A map or maps of the municipality and adjacent territory showing the present and proposed boundaries of the municipality in the vicinity of the proposed annexation; the present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and irrigation and drainage ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation; and the existing and proposed land use pattern in the areas to be annexed;
 - A copy of any draft or final pre-annexation agreement, if available;
 - A statement setting forth the plans of the municipality for extending to or otherwise providing for, within the area to be annexed, municipal services performed by or for the municipality at the time of annexation;
 - A statement setting forth the method under which the municipality plans to finance the extension of the municipal services into the area to be annexed (those municipal services supplied by the Town);
 - A statement identifying existing special districts within the area to be annexed;
 - A statement on the effect of annexation upon local public school district systems including the estimated number of students generated and the capital construction required to educate such students.
- DeBeque Comprehensive Plan Compliance Report.
- Water Rights.
- Zoning of Property to Be Annexed.
- Annexation Assessment Report.
 - An assessment of the community needs for the proposed annexation and land use;
 - The economic impact to the municipality of the proposed annexation. This is to include an analysis of short-term and long-term municipal revenues to be generated by the development, short-term and long-term municipal expenses likely to be incurred as a result of the annexation and development, and proposals to mitigate any negative impacts;
 - The school impact including an estimated of the number of students to be generated by development of the property, capital construction required to educate the students, and proposals to mitigate any negative school impacts;
 - The impact on the existing transportation system and proposals to mitigate any negative transportation impacts upon the community (arterial and collector street improvements, intersection improvements, intersection signalization, alternative modes of transportation, etc.);
 - The impact of the proposed development on the existing storm drainage system and proposals to mitigate any negative drainage impacts upon the community (historic rainfall drainage patterns, detention and retention areas,

storm sewer requirements, discharged irrigation ditches, floodways and floodplains, etc.);

- The impact of the proposed development on the DeBeque_Police Department and proposals to mitigate any impact upon the existing police services (special security needs, additional officers required, additional equipment requirements, etc.);
- The impact of the proposed development on the DeBeque Fire Department and proposals to mitigate any impact upon the existing fire protection services (special fire hazards, fire prevention, fire detection, emergency access, additional equipment requirements, additional manpower requirements, additional fire stations, etc.);
- The impact of the proposed development on the Town of DeBeque park facilities and recreation programs and proposals to mitigate any impact upon the existing facilities and programs (additional facilities, additional recreation programs, additional personnel required, etc.);
- The impact of the proposed development on the natural environment of DeBeque_and proposals to mitigate any negative impact (identify environmentally sensitive areas, endangered species, significant habitats, etc.);
- The short-term and long-term economic development potential for the property (numbers of jobs to be created, sales and use tax generation, property tax generation, utility revenue generation, incentives to be offered, etc.);
- The compatibility of the proposed development with the town transportation system including, but not limited to, street systems, pedestrian/bicycle/trail systems, existing and projected traffic volumes, the DeBeque Master Road Plan and plans for mitigating any negative impacts;
- The compatibility of the proposed development with the DeBeque Comprehensive Plan and any plan amendments that may be necessary for the proposed development;
- A review of existing and adjacent land uses, areas of compatibility or conflict, and possible mitigation measures that may be required for the proposed development.

For Town Use Only

Date App. Received: _____

Fee \$: _____

Deposit Paid \$: _____

Application Received by: _____

PETITION FOR ANNEXATION

The undersigned Petitioners, in accordance with “The Municipal Annexation Act of 1965,” Article 12, Title 31, C.R.S., as amended, hereby petition the Board of Trustees of the Town of DeBeque, Colorado for annexation to the Town of DeBeque of the unincorporated territory (the “Property”) more particularly described in Exhibit A attached hereto and made a part hereof by reference. In support of this Petition, the Petitioners allege that:

1. Petitioners are_____. The purpose of this Petition is to enable Petitioners to obtain municipal services within the municipal boundaries of the Town of DeBeque.
2. Petitioners are the record owners of the Property at the date of this Petition.
3. It is desirable and necessary that the Property be annexed to the Town of DeBeque, Colorado.
4. The requirements of C.R.S. §31-12-104 and §31-12-105, as amended, exist or have been met as set forth and shown herein.
5. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the Town of DeBeque, Colorado.
6. A community of interest exists between the Property proposed to be annexed and the Town of DeBeque, Colorado.
7. The Property proposed to be annexed is urban or will be urbanized in the near future.
8. The Property proposed to be annexed is integrated with or is capable of being integrated with the Town of DeBeque, Colorado.
9. No land in the Property sought to be annexed 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, has been or shall be divided into separate parcels without the written consent of the landowner(s).
10. No land in the Property sought to be annexed which is held in identical ownership and comprising twenty (20) or more acres and having an assessed valuation for ad valorem tax purposes in excess of \$200,000.00 has been included in the area without the written consent of the landowner(s).
11. The entire width of any portion of a platted street or alley to be annexed within the Property is included.
12. The proposed annexation will not result in detachment of the Property from any school district or attachment to another district.
13. The Property to be annexed is not presently a part of any incorporated city, city and county, or town; nor have any proceedings been commenced for annexation of part or all of the Property to any other municipality; nor has any election for annexation of such Property or substantially the same Property to the Town of DeBeque been held within the twelve (12) months immediately preceding the filing of this Petition.
14. The annexation of the Property proposed to be annexed will not have the effect of extending the boundary of the Town of DeBeque more than three (3) miles in any direction from any point of the Town of DeBeque municipal boundary in any one (1) year.
15. The signers of this petition comprise more than fifty percent of the landowners and own more than fifty percent of the Property, exclusive of public streets and alleys and any land owned by the annexing municipality.
16. The affidavit of the circulator of this Petition, stating that each signature herein is the signature of the person whose name it purports to be and that the person is authorized to convey land, is attached to this Petition, and made a part of this Petition by this reference.

17. Attached hereto and incorporated herein by reference are four (4) copies of an annexation map in the form required by C.R.S. §31-12-107(1)(d) and containing:

- 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;
- c) 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 lots and blocks; and
- d) 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.

18. Each person signing this Petition for Annexation represents that they have full authorization to execute this Petition on behalf of the Petitioners.

19. The mailing addresses of the Petitioners are as follows:

_____	_____
_____	_____
_____	_____
_____	_____

WHEREFORE, Petitioners request that the Town of DeBeque approve the annexation of the area described herein.

PETITIONER

Dated: _____

PETITIONER

Dated: _____

STATE OF COLORADO)

) §

COUNTY OF MESA)

The foregoing Petition for Annexation was subscribed and sworn to before me this _____ day of _____, 20____, by _____.

Witness my hand and official seal.

My commission expires _____

Notary Public

AFFIDAVIT OF CIRCULATOR

Town of DeBeque, Colorado

The undersigned, being duly sworn, states as follows:

1. He is over 21 years of age;
2. He was the circulator of the Petition attached hereto; and
3. Each signature thereon is the signature of the person that it purports to be.

STATE OF COLORADO)

) §

COUNTY OF MESA)

Acknowledged, subscribed, and sworn to before me this ____ day of _____, 2006, by _____.

WITNESS my hand and official seal.

My Commission expires: _____.

Notary Public