



ANNEXATION APPLICATION

P.O. Box 2002
 Buena Vista, CO 81211
 719-395-8643
 www.buenavistaco.gov

Project Address

Basic Information: (Chapter 15)

1) Name of Annexation: _____

2) Rational for Annexation: _____

3) Location: Section _____, Township _____, Range _____
 Brief Description of Location _____

4) Size in Acre(s): _____ Zoning Requested: _____
 (Attach Complete Legal Description)

5) Existing Contractual Agreements on Property

_____ Utility Extension Policy Contract (Name, Recording Information)	_____ Annexation (Name, Recording Information)	_____ Other (Plat/PD) (Name, Recording Information)
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6) Check One: 100% of owners signed
 Less than 100% of owners signed: _____ % Signed

7) Special Conditions Requested _____

Existing Conditions

1) Water:

a) Existing Wells: Number of Wells _____ Type of Wells _____

b) Existing Water Rights: Acre Ft/Yr /Unit _____

2) Sanitation:

a) Existing Septic Systems: Number of Septic Systems _____

Districts Serving the Property: Please list out all government and semi-governmental agencies providing service to the proposed annexed property.

(Attach additional sheets if necessary)

Applicant	Required Item (15-3)	Town Staff
	Pre application conference (15-2) completed on _____ (date)	
	Annexation Fee: \$500 + Rezoning Fee	
	Annexation Petition	
	Legal Description of the Property - Warranty Deed	

	<p>Annexation Map (15-3(b)) - 4 Hard Copy, 1 Electronic Copy (24x36) Map Size (1 inch = 100 Feet) Scale</p>	
	<p>Master Plan (15-3(c)) - 4 Hard Copy, 1 Electronic Copy (24x36) Map Size (1 inch = 100 Feet) Scale Show that at least one-sixth of the perimeter of the lot area proposed to be annexed is contiguous with the annexing municipality as required in Section 31-12-104 of the Colorado Revised Statutes. Show total square footage of lot and at least one-sixth of total is touching town limit in drawing and calculation.</p>	
	<p>Supportive Information (15-3(d)) - Soils description and limitation, A preliminary utility plan, Mailing addresses of all property owners within 300 feet of the annexation, Identification and documented description of any water rights, Vicinity Map, Statement on community need for proposed annexation and zoning, if above 10 acres - Statement of the effect of the annexation upon the school district.</p>	
(Sec. 31-12-104 C.R.S.)		
	<p>(1) No unincorporated area may be annexed to a municipality unless one of the conditions set forth in section 30 (1) of article II of the state constitution first has been met. An area is eligible for annexation if the provisions of section 30 of article II of the state constitution have been complied with and the governing body, at a hearing as provided in section 31-12-109, finds and determines:</p>	
	<p>(a) That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality. Contiguity shall not be affected by the existence of a platted street or alley, a public or private right-of-way, a public or private transportation right-of-way or area, public lands, whether owned by the state, the United States, or an agency thereof, except county-owned open space, or a lake, reservoir, stream, or other natural or artificial waterway between the annexing municipality and the land proposed to be annexed. Subject to the requirements imposed by section 31-12-105 (1) (e), contiguity may be established by the annexation of one or more parcels in a series, which annexations may be completed simultaneously and considered together for the purposes of the public hearing required by sections 31-12-108 and 31-12-109 and the annexation impact report required by section 31-12-108.5.</p>	
	<p>(b) That a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality. The fact that the area proposed to be annexed has the contiguity with the annexing municipality required by paragraph (a) of this subsection (1) shall be a basis for a finding of compliance with these requirements unless the governing body, upon the basis of competent evidence presented at the hearing provided for in section 31-12-109, finds that at least two of the following are shown to exist:</p>	
	<p>(I) Less than fifty percent of the adult residents of the area proposed to be annexed make use of part or all of the following types of facilities of the annexing municipality: Recreational, civic, social, religious, industrial, or commercial; and less than twenty-five percent of said area's adult residents are employed in the annexing municipality. If there are no adult residents at the time of the hearing, this standard shall not apply.</p>	
	<p>(II) One-half or more of the land in the area proposed to be annexed (including streets) is agricultural, and the landowners of such agricultural land, under oath, express an intention to devote the land to such agricultural use for a period of not less than five years.</p>	

	(III) It is not physically practicable to extend to the area proposed to be annexed those urban services which the annexing municipality provides in common to all of its citizens on the same terms and conditions as such services are made available to such citizens. This standard shall not apply to the extent that any portion of an area proposed to be annexed is provided or will within the reasonably near future be provided with any service by or through a quasi-municipal corporation.	
	(2) (a) The contiguity required by paragraph (a) of subsection (1) of this section may not be established by use of any boundary of an area which was previously annexed to the annexing municipality if the area, at the time of its annexation, was not contiguous at any point with the boundary of the annexing municipality, was not otherwise in compliance with paragraph (a) of subsection (1) of this section, and was located more than three miles from the nearest boundary of the annexing municipality, nor may such contiguity be established by use of any boundary of territory which is subsequently annexed directly to, or which is indirectly connected through subsequent annexations to, such an area.	
	(b) Because the creation or expansion of disconnected municipal satellites, which are sought to be prohibited by this subsection (2), violates both the purposes of this article as expressed in section 31-12-102 and the limitations of this article, any annexation which uses any boundary in violation of this subsection (2) may be declared by a court of competent jurisdiction to be void ab initio in addition to other remedies which may be provided. The provisions of section 31-12-116 (2) and (4) and section 31-12-117 shall not apply to such an annexation. Judicial review of such an annexation may be sought by any municipality having a plan in place pursuant to section 31-12-105 (1) (e) directly affected by such annexation, in addition to those described in section 31-12-116 (1). Such review may be, but need not be, instituted prior to the effective date of the annexing ordinance and may include injunctive relief. Such review shall be brought no later than sixty days after the effective date of the annexing ordinance or shall forever be barred.	
	(c) Contiguity is hereby declared to be a fundamental element in any annexation, and this subsection (2) shall not in any way be construed as having the effect of legitimizing in any way any noncontiguous annexation.	

For Town Staff Only

Pre Application Meeting with Staff	Date	20
Annexation Impact Report sent to County 31-12-108.5 C.R.S	Date	20
1st Board of Trustees Meeting (15-2)	Date	20
Decision Denied Approval to continue	Date of 2nd BoT Meeting	20
Planning & Zoning Meeting (15-3(a)(4))	Date	20
Recommendation Approved Denied Conditions		
Board of Trustees Meeting (15-5)	Date	20
Notice of Hearing sent to applicant on:	Date	20
Posted notice provided on (Affidavit Of Posting):	Date	20
Mailed notice sent on (Certificate Of Mailing):	Date	20
Notice published in newspaper on (4 weeks CR 31-12-108(2)):	Date	20
Proof of notice to mineral estate owners (if applicable)	Date	20
Date of decision of Board of Trustees Meeting	Date	20
Decision Approved Denied Conditions		