

PETITION FOR ANNEXATION

TO: THE CITYCOUNCIL OF THE CITY OF FOUNTAIN, COLORADO

RE: PETITION KNOWN AS: THE RANCH ANNEXATION NO. 1 AND THE RANCH ANNEXATION NO. 2

The undersigned landowner(s), in accordance with the provisions of Sections 31-12-101, et seq., 12B C.R.S. and known as the Municipal Annexation Act of 1965, as amended, hereby petition(s) the City Council of the City of Fountain for annexation to the City of Fountain the following described unincorporated area situate and being in the County of El Paso, and State of Colorado, to wit:

(See Exhibit A, attached hereto and incorporated herein by reference)

Your petitioner(s) further state(s) to the City Council of the City of Fountain, Colorado, as follows:

1. That it is desirable and necessary that such be annexed to the City of Fountain, Colorado.

2. That the area sought to be annexed to the City of Fountain meets the requirements of Section 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:

a. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the City of Fountain, Colorado.

b. A community of interest exists between the area proposed to be annexed and the City of Fountain, Colorado.

c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the City of Fountain, Colorado.

d. No land held in identical ownership, whether consisting of one tract or parcel or real estate or two or more contiguous tracts or parcels of real estate:

(1) 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;

(2) comprising 20 acres or more and which, 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 annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.

e. No annexation proceedings have been commenced for the annexation to another municipality of part or all the territory proposed to be annexed.

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 same to another school district.

g. The annexation of the area proposed to be annexed does not extend the municipal boundary of the City of Fountain more than three (3) miles in any direction from any point of such municipal boundary in any one year unless such limit has the effect of dividing a parcel of property held in identical ownership provided that at least fifty percent (50%) of such property is within the three mile limit or the property to be annexed is an enterprise zone.

h. 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 such street or alley is included within the area annexed.

3. That attached hereto and incorporated herein by reference are two (2) prints folded to 8 ½" x 11" and one (1) copy reduced to 11" x 17" of the annexation plat, 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;

c. Within the annexation boundary map, 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 area proposed to be annexed, a drawing of the contiguous boundary of the City of Fountain and the contiguous boundary of any other municipality abutting the area proposed to be annexed.

A mylar and xerox mylar of the annexation plat that is acceptable to the City shall be submitted for recordation purposes on or before the effective date of the Annexation Ordinance.

4. That the petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed exclusive of streets and alleys.

5. That all the petitioners signed this Petition for Annexation within 180 days of the date of the filing of this Petition of Annexation.

6. That this Petition for Annexation satisfies the requirements of Article II, Section 30, of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the City of Fountain.

7. That upon the Annexation Ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the Charter of the City of Fountain, Colorado, and all ordinances, resolutions, rules and regulations of the City of Fountain, except for general

property taxes of the City of Fountain which shall become effective January 1 of the next succeeding year following the passage of the Annexation Ordinance.

8. That, by the date that is ninety (90) days after the effective date of the Annexation Ordinance, the petitioners will request that the zoning be granted by the City of Fountain.

9. That in the event an Annexation Agreement, if applicable, satisfactory to both petitioners and the City of Fountain, Colorado, is not entered into and fully executed on or before the date of the second reading of the Ordinance to effectuate the annexation contemplated in this Petition for Annexation, 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 City of Fountain.

Therefore, your petitioners respectively request that following a public hearing on this Petition for Annexation, the City Council with the City of Fountain, Colorado, approve the annexation of the area proposed to be annexed, which is described in Exhibit A, attached hereto.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or neuter gender will include each of the other genders.

PETITION KNOWN AS: NORRIS RANCH PROPERTY
ADDITION TO THE CITY OF FOUNTAIN

SIGNATURE OF
LANDOWNER(S)
NAME AND TITLE

DATE OF
SIGNATURE

MAILING ADDRESS
OF LANDOWNER(S)

La Plata Cruz Holdings, LLC
By: La Plata Communities, Inc., Manager
By: B. Douglas Quimby 12/7/2020
B. Douglas Quimby, President

1755 Telstar Dr., Suite 211
Colorado Springs, CO 80920

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12/7/20

970 Summer Games Dr.
Colorado Springs, CO 80905

