

**PETITION FOR ANNEXATION  
TO THE CITY COUNCIL OF  
THE CITY OF STEAMBOAT SPRINGS, COLORADO:**

The undersigned ("Petitioner"), in accordance with the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Statutes, as amended and as in effect on the submission date set forth below ("Annexation Act"), hereby petition ("Petition") the City Council of the City of Steamboat Springs, Colorado ("City Council") to annex to the City of Steamboat Spring ("City") the unincorporated property located in the County of Routt, State of Colorado, which property is more particularly described in Exhibit A attached hereto and incorporated herein by reference ("Property"). In support of this Petition, Petitioner alleges that:

1. It is desirable and necessary that the Property be annexed to the City.
2. The requirements of C.R.S. § 31-12-104 and 105, as amended, exist or have been met, in that:
  - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City's current municipal boundary.
  - b. A community of interest exists between the Property and the City.
  - c. The Property is urban or will be urbanized in the near future.
  - d. The Property is integrated with or is capable of being integrated with the City.
  - e. In establishing the boundaries of the Property, no land which is held in identical ownership, whether consisting of a single tract or parcel of real estate or two or more contiguous tracts or parcels of real estate is being 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.
  - f. In establishing the boundaries of the Property, no land which is held in identical ownership, whether consisting of a single tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty (20) acres or more and together with buildings and improvements situate thereon having a valuation for assessment in excess of \$200,000.00 for ad valorem tax purposes for the year next preceding the proposed annexation, is included in the Property without the written consent of the landowner or landowners.
  - g. No annexation proceedings have been commenced for any portion of the Property proposed to be annexed for the annexation of such Property to another municipality.

h. The annexation of the Property proposed to be annexed will not result in the detachment of area from any school district.

i. Except to the extent necessary to avoid dividing parcels within the Property held in identical ownership, at least fifty percent (50%) of which are within the three (3) mile limit, the proposed annexation will not extend the municipal boundary of the City more than three (3) miles in any direction from any point of the current municipal boundary.

j. Within the three-mile area, the contiguity required by section 31-12-104(1)(a) is not being achieved by annexing a platted street or alley, a public or private right-of-way, a public or private transportation right-of-way or area, or a lake, reservoir, stream, or other natural or artificial waterway pursuant to section 31-12-105(l)(e)(I) of the Annexation Act and therefore, sections 31-12-105(l)(e)(II), e.1 and e.3 of the Annexation Act do not apply.

k. Prior to completion of the annexation of the Property, the City will have in place a plan for that area, which generally describes the proposed: Location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City; and the proposed land uses for the area; such plan to be updated at least once annually.

l. In establishing the boundary of the Property, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the Property to be annexed. The City will not deny reasonable access to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed to the City but is not bounded on both sides by the City.

3. The owners of more than fifty percent of the area proposed to be annexed, exclusive of dedicated streets and alleys, have signed this petition and hereby petition for annexation of such Property.

4. Petitioner requests that the annexing municipality approve the annexation of the area proposed to be annexed.

5. Petitioner comprises more than fifty percent (50%) of the landowners in the area to be annexed and owning more than fifty percent (50%) of the Property, excluding public streets, and alleys and any land owned by the annexing municipality, and the Petitioner hereby consents to the establishment of the boundaries of the Property as shown on the annexation plat submitted herewith.

6. The legal description of the land owned by the Petitioner is set forth on Exhibit B, attached hereto and incorporated herein by this reference. As more particularly described on Exhibit B, the land owned by Petitioner constitutes one hundred percent (100%) of the Property within the meaning of Section -107 of the Annexation Act.

7. The affidavit of the circulator of this Petition certifying that each signature on this Petition is the signature of the person whose name it purports to be and certifying the accuracy of the date of such signature is attached hereto as Exhibit C and is incorporated herein by this reference.

8. This Petition is accompanied by four copies of an annexation map containing, among other things, the following information:

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

(b) A map showing the boundary of the Property;

(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 of lots and blocks; and

(d) Next to the boundary of the Property, a drawing of the contiguous boundary of the annexing municipality abutting the Property.

9. In connection with the processing of this Petition, Petitioner requests that the City:

(a) Institute zoning for the Property as TND District in accordance with Section -115 of the Annexation Act and Section 720 of the Community Development Code, Chapter 26, Steamboat Springs Municipal Code of the City; and

(b) Approve and execute an annexation agreement and regulating plan ("Annexation Agreement and Regulating Plan") which establishes vested property rights for the Property for an agreed upon term greater than three years pursuant to Article 68, Title 24, Colorado Revised Statutes, and otherwise establishes the development plan for the Property.

10. Petitioner has filed this Petition subject to the following conditions:

(a) Concurrently with its approval of annexation of the Property, the City: (i) approves for those portions of the Property which are not public right-of-way zoning and subdivision which is substantially consistent with the application for zoning and subdivision which Petitioner submits in connection with this Petition; and (ii) approves and authorizes execution of the Annexation Agreement and Regulating Plan.

(b) Petitioner hereby reserves the sole, exclusive, and unilateral right to withdraw this Petition by so notifying the City Clerk in writing at any point prior to the later to occur of: (i) forty (40) days after the latest effective date of the final ordinance(s) approving annexation of the Property, the Annexation Agreement and Regulating Plan, or zoning of the Property as requested pursuant to this Petition; or (ii) any later date contemplated in such Annexation Agreement and Regulating Plan.

(c) Prior to expiration of the period described in the foregoing subparagraph (b) without Petitioner having withdrawn the Petition, neither Petitioner nor the City shall cause or permit the occurrence of the conditions to effectiveness of the annexation as set forth in Section -113(2)(b) of the Annexation Act.

11. Upon the annexation of the Property becoming effective, and subject to the conditions set forth in this Petition and to be set forth in the Annexation Agreement, the Property shall become subject to all ordinances, resolutions, rules and regulations of the City, except as otherwise set forth in the Annexation Agreement, and except for general property taxes of the City, which shall become effective on January 1 of the next succeeding year following adoption of the annexation ordinance.

12. This Petition is filed on the condition that, concurrently with its approval of annexation of the Property, (i) the City approve zoning and subdivision of the Property that is substantially consistent with the applications for zoning and subdivision approval which Petitioner will submit following the City making the required finding of this Petition's substantial compliance with the requirements of the Annexation Act, and (ii) the City approves and authorizes execution of the Annexation Agreement.

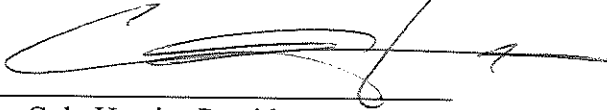
13. Except for the terms and conditions of this Petition and of the Annexation Agreement, which terms and conditions Petitioner expressly approve and therefore do not constitute an imposition of additional terms and conditions within the meaning of Section-107(1)(g) of the Annexation Act, Petitioner request that no additional terms and conditions be imposed upon annexation of the Property to the City.

THEREFORE, Petitioner requests that the City Council of the City of Steamboat Springs, Colorado, complete and approve the annexation of the Property pursuant to the provisions of the Annexation Act, as amended.

Respectfully submitted this 18 day of OCTOBER, 2022.

Signature of Landowner/Petitioner:

YAMPA VALLEY HOUSING AUTHORITY, a Colorado multijurisdictional housing authority



By: Cole Hewitt, President

2100 Elk River Rd.  
Steamboat Springs, CO 80487

PO Box 774542  
Steamboat Springs, CO, 80477

STATE OF COLORADO    )  
  )  
COUNTY OF ROUTT     )

The Petition for Annexation was acknowledged before me this 18 day of October, 2022, by Cole Hewitt, as President of the Yampa Valley Housing Authority. Witness may hand and official seal. My commission expires: 11-05-2025.

  
Notary Public

**MAXIMO JAIR ALFARO GARCIA**  
Notary Public  
State of Colorado  
Notary ID # 20214043650  
My Commission Expires 11-05-2025

**EXHIBIT A  
TO PETITION FOR ANNEXATION**

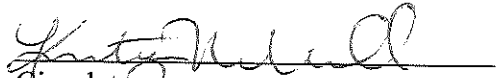
**Legal Description of Property**

MAXIMO JAIR ALVARO GARCIA  
Notary Public  
State of Colorado  
Notary ID # 2021404380  
My Commission Expires 11-08-2028

**EXHIBIT C  
TO PETITION FOR ANNEXATION**

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

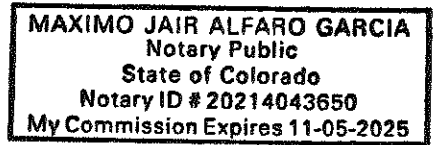
That (s)he was the circulator of the foregoing Petition for Annexation of lands to the City of Steamboat Springs, Colorado, consisting of 7 pages, excluding the page of this Exhibit C, and that the signatures of the Petitioner thereon were witnessed by the circulator and are the true and original signatures of the persons whose names they purport to be, and that the dates of such signatures are correct.

  
Circulator

STATE OF COLORADO    )  
  )  
COUNTY OF ROUTT    )

The foregoing instrument was acknowledged before me this 18 day of October, 2022, by Kristen A Marshall. Witness my hand and official seal.  
My commission expires: 11-05-2025.

  
Notary Public



**EXHIBIT B  
TO PETITION FOR ANNEXATION**

**Legal Description of Property Owned by Each Petitioner**

Name of Landowner/Petitioner: Yampa Valley Housing Authority is the owner of all the Property included in this Petition and the legal description in Exhibit A is the legal description of the property owned by the Sole Petitioner.

