

**TOWN OF ERIE**

Community Development Department – Planning Division
 645 Holbrook Street – PO Box 750 – Erie, CO 80516
 Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY

FILE NAME: <u>STANLEY ANNEXATION</u>	FILE NO: <u>AN-000891 - 2017</u>	DATE SUBMITTED: <u>5/22/17</u>	FEES PAID: <u>NA</u>
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PROJECT/BUSINESS NAME: Stanley Annexation

PROJECT ADDRESS: NA

PROJECT DESCRIPTION: Annex Erie Parkway right-of-way

LEGAL DESCRIPTION (attach legal description if Metes & Bounds)

Subdivision Name: NA

Filing #: _____ Lot #: _____ Block #: _____ Section: _____ Township: _____ Range: _____

OWNER (attach separate sheets if multiple)

Name/Company: Town of Erie

Contact Person: AJ Krieger, Town Administrator

Address: 645 Holbrook Street

City/State/Zip: Erie, Colorado 80516

Phone: 303-926-2700

Fax: _____

E-mail: _____

AUTHORIZED REPRESENTATIVE

Company/Firm: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

MINERAL RIGHTS OWNER (attach separate sheets if multiple)

Name/Company: NA

Address: _____

City/State/Zip: _____

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company: NA

Address: _____

City/State/Zip: _____

LAND-USE & SUMMARY INFORMATION

Present Zoning: A-Agricultural (Boulder County)

Proposed Zoning: PLI-Public Lands & Institutions

Gross Acreage: 0.316

Gross Site Density (du/ac): NA

Lots/Units Proposed: NA

Gross Floor Area: NA

SERVICE PROVIDERS

Electric: Xcel

Metro District: NA

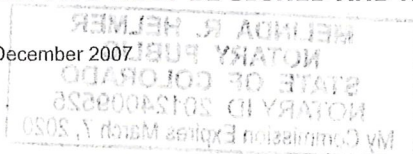
Water (if other than Town): _____

Gas: Xcel

Fire District: MVFPD

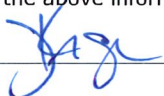
Sewer (if other than Town): _____

PAGE TWO MUST BE SIGNED AND NOTARIZED



DEVELOPMENT REVIEW FEES			
ANNEXATION		SUBDIVISION	
☐ Major (10+ acres)	\$ 4000.00	☐ Sketch Plan	\$ 1000.00 + 10.00 per lot
☒ Minor (less than 10 acres)	\$ 2000.00	☐ Preliminary Plat	\$ 2000.00 + 40.00 per lot
☐ Deannexation	\$ 1000.00	☐ Final Plat	\$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		☐ Minor Subdivision Plat	\$ 2000.00
☐ Major	\$ 3000.00	☐ Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
☐ Minor	\$ 1200.00	☐ Road Vacation (constructed)	\$ 1000.00
ZONING/REZONING		☐ Road Vacation (paper)	\$ 100.00
☐ Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
☐ PUD Rezoning	\$ 1700.00 + 10.00 per acre	☐ Residential	\$ 1400.00 + 10.00 per unit
☐ PUD Amendment	\$ 1700.00 + 10.00 per acre	☐ Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
☐ Major PD Amendment	\$ 3700.00 + 10.00 per acre	☐ Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
☐ Minor PD Amendment	\$ 500.00	☐ Non-Resi. (<2,000 sq. ft.)	\$ 200.00
SPECIAL REVIEW USE		☐ Amendment (major)	\$ 1100.00
☐ Major	\$ 1000.00	☐ Amendment (minor)	\$ 350.00
☐ Minor	\$ 400.00	VARIANCE	\$ 600.00
☐ Oil & Gas	\$ 1200.00	SERVICE PLAN	\$ 10,000.00
All fees include both Town of Erie Planning & Engineering review. These fees do not include referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.			

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: 

Date: 5/30/17

Owner: _____

Date: _____

Applicant: _____

Date: _____

STATE OF COLORADO)
County of Weld) ss.

The foregoing instrument was acknowledged before me this 30th day of May, 2017, by A.J. Krieger.

My commission expires: March 7, 2020
Witness my hand and official seal.


Notary Public

TO: THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO.

RE: PETITION FOR ANNEXATION

DATE: May 30, 2017

The undersigned landowner ("Petitioner"), in accordance with it's the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Statutes ("Act"), as amended and as in effect on the submission date set forth below, hereby petitions the Board of Trustees of the Town of Erie for annexation to the Town of Erie ("Town") of the following unincorporated territory located in the County of Boulder and State of Colorado, the property being more particularly described by its legal description in "Exhibit A," which is attached hereto and incorporated herein by reference ("Property").

In support of this petition for annexation ("Petition"), Petitioner further alleges to the Board of Trustees of the Town that:

1. It is desirable and necessary that the territory described above be annexed to the Town.
2. The requirements of C.R.S. §§ 31-12-104 and 31-12-105, 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 Town or will be contiguous with the Town within such time as required by C.R.S. § 31-12-104.
 - b) A community of interest exists between the area proposed to be annexed and the Town.
 - c) The area proposed to be annexed is urban or will be urbanized in the near future.
 - d) The area proposed to be annexed is integrated with or is capable of being integrated with the Town.
 - e) No land within the boundary of the territory proposed 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 divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road or other public way.
 - f) No land within the boundary of the area proposed to be annexed which is held in identical ownership, comprises 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 next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.

- g) The Property is not presently a part of any incorporated city, city and county, or town; nor have any proceedings been commenced for incorporation or annexation in an area that is part or all of the Property; nor has any election for annexation of the Property or substantially the same territory to the Town been held within the twelve (12) months immediately preceding the filing of this Petition.
 - h) The annexation of the territory proposed to be annexed will not result in the detachment of area from any school district or attachment of same to another 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-mile limit, the proposed annexation will not extend the municipal boundary of the Town more than three (3) miles in any direction from any point of the current municipal boundary in any one year.
 - j) Prior to completion of the annexation of the territory proposed to be annexed, the Town 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 Town; and the proposed land uses for the area; such plan to be updated at least once annually.
 - k) In establishing the boundary of the territory proposed to be annexed, 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 territory to be annexed.
 - l) The Town 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 Town but is not bounded on both sides by the Town.
3. Petitioner comprise more than fifty percent (50%) of the landowners in the Property owning more than fifty percent (50%) of the Property, excluding public streets, 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 in the annexation maps submitted herewith. The legal description of the land owned by the Petitioner is set forth in "Exhibit B," attached hereto and incorporated herein by reference.
4. Accompanying this Petition are four (4) copies of an annexation map (Stanley

Annexation Map) 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 or the area proposed to be annexed, said map prepared and containing the seal of a registered engineer;
 - 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;
 - d) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town and the contiguous boundary of any other municipality abutting the area proposed to be annexed, and a showing of the dimensions of such contiguous boundaries.
5. The affidavit of the circulator of this Petition certifying that the signature on this Petition is the signature of each person whose name it purports to be certifying the accuracy of the date of such signatures is attached hereto as "Exhibit C" and is incorporated herein by this reference.
 6. The proposed annexation of the Property complies with § 30(1)(b) of Article II of the Colorado Constitution.
 7. Upon the annexation ordinance becoming effective, the Property proposed to be annexed will become subject to all ordinances, rules and regulations of the Town, except for general property taxes of the Town which shall become effective as the January 1 next ensuing following the adoption of the annexation ordinance.
 8. This Petition is conditioned upon the zoning classification for the area proposed to be annexed being approved as PLI-Public Lands & Institutions and approval by the Petitioner of an annexation agreement acceptable to the Petitioner and the Town.

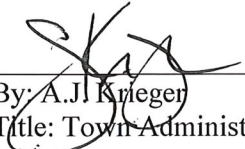
WHEREFORE, the following Petitioner respectfully requests that the Town, acting through its Board of Trustees, approve the annexation of the Property pursuant to the provisions of the Act.

[Signature Page to Follow]

Respectfully submitted this 30th day of MAY, 2017. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

OWNER:

Name of Owner: TOWN OF ERIE


By: A.J. Krieger
Title: Town Administrator

Date of Signature: May 30, 2017

Mailing Address:
645 Holbrook Street
PO Box 750
Erie, Colorado 80516
Resident of the Property: No

STATE OF COLORADO)
) ss.
COUNTY OF Weld)

The foregoing instrument was acknowledged before me this 30th day of May, 2017 by A.J. Krieger.

My commission expires: March 7, 2020

Witness My hand and official seal. 

Notary Public

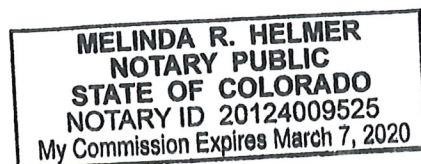


EXHIBIT A

Legal Description of Property to be Annexed

ANNEXATION DESCRIPTION

PARCEL A:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING PART OF THAT PROPERTY DESCRIBED IN DEED RECORDED FEBRUARY 27, 2008 AT RECEPTION NO. 2912547, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 23; THENCE N00°21'45"E ALONG THE WEST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF ERIE PARKWAY, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°21'45"E CONTINUING ALONG SAID WEST LINE A DISTANCE OF 40.00 FEET; THENCE S88°11'40"E A DISTANCE OF 482.94 FEET TO A POINT ON THE EAST LINE OF SAID PROPERTY AT RECEPTION NO. 2912547; THENCE S00°21'45"W ALONG SAID EAST LINE A DISTANCE OF 13.54 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE; THENCE S88°39'57"W ALONG SAID NORTH LINE A DISTANCE OF 483.00 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING 12,924 SQUARE FEET OR 0.297 ACRE, MORE OR LESS.

PARCEL B:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING PART OF THAT PROPERTY DESCRIBED IN DEED RECORDED JUNE 23, 1989 AT RECEPTION NO. 989145, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 22; THENCE N89°22'55"W ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 30.00 FEET; THENCE S00°06'09"W A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ERIE PARKWAY AND THE WEST RIGHT OF WAY LINE OF 111TH STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S00°06'09"W CONTINUING ALONG SAID WEST LINE A DISTANCE OF 20.87 FEET; THENCE ALONG A 25.17 FOOT RADIUS CURVE TO THE LEFT (SAID CURVE HAVING A CENTRAL ANGLE OF 62°36'44" AND A CHORD BEARING N56°02'33"W A DISTANCE OF 26.16 FEET) AN ARC LENGTH OF 27.51 FEET; THENCE N87°21'29"W A DISTANCE OF 183.86 FEET TO A POINT ON SAID SOUTH LINE OF ERIE PARKWAY; THENCE S89°22'55"E ALONG SAID SOUTH LINE A DISTANCE OF 205.41 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING 829 SQUARE FEET OR 0.019 ACRE, MORE OR LESS.

EXHIBIT B

Land Owned By Petitioner

ANNEXATION DESCRIPTION

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EXHIBIT C

Affidavit of Circulator

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

A.J. Krieger, being first duly sworn upon oath, deposes and says that he was the circulator of this Petition for Annexation of lands to the Town of Erie, Colorado, consisting of seven (7) pages including this page and that each signature hereon was witnessed by your affiant and is the signature of the person whose name it purports to be.

CIRCULATOR

By: [Signature]
Name: A.J. KRIEGER

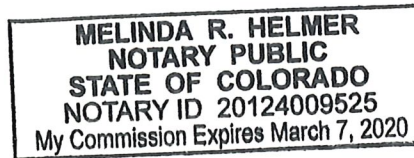
STATE OF COLORADO)
) ss.
COUNTY OF Weld)

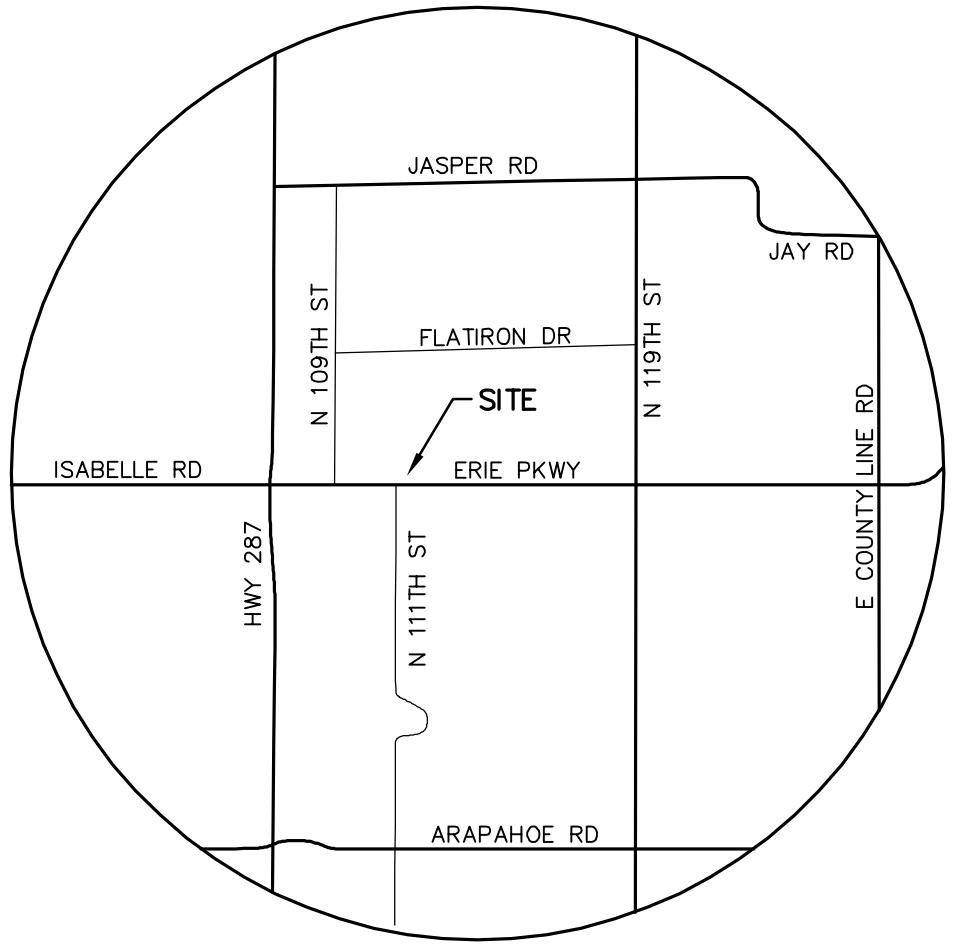
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2017 by A.J. Krieger.

My commission expires: March 7, 2020

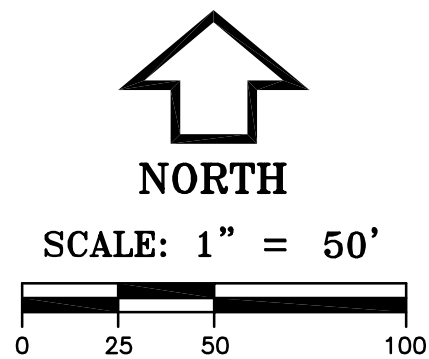
Witness My hand and official seal. [Signature]

Notary Public





VICINITY MAP
NTS



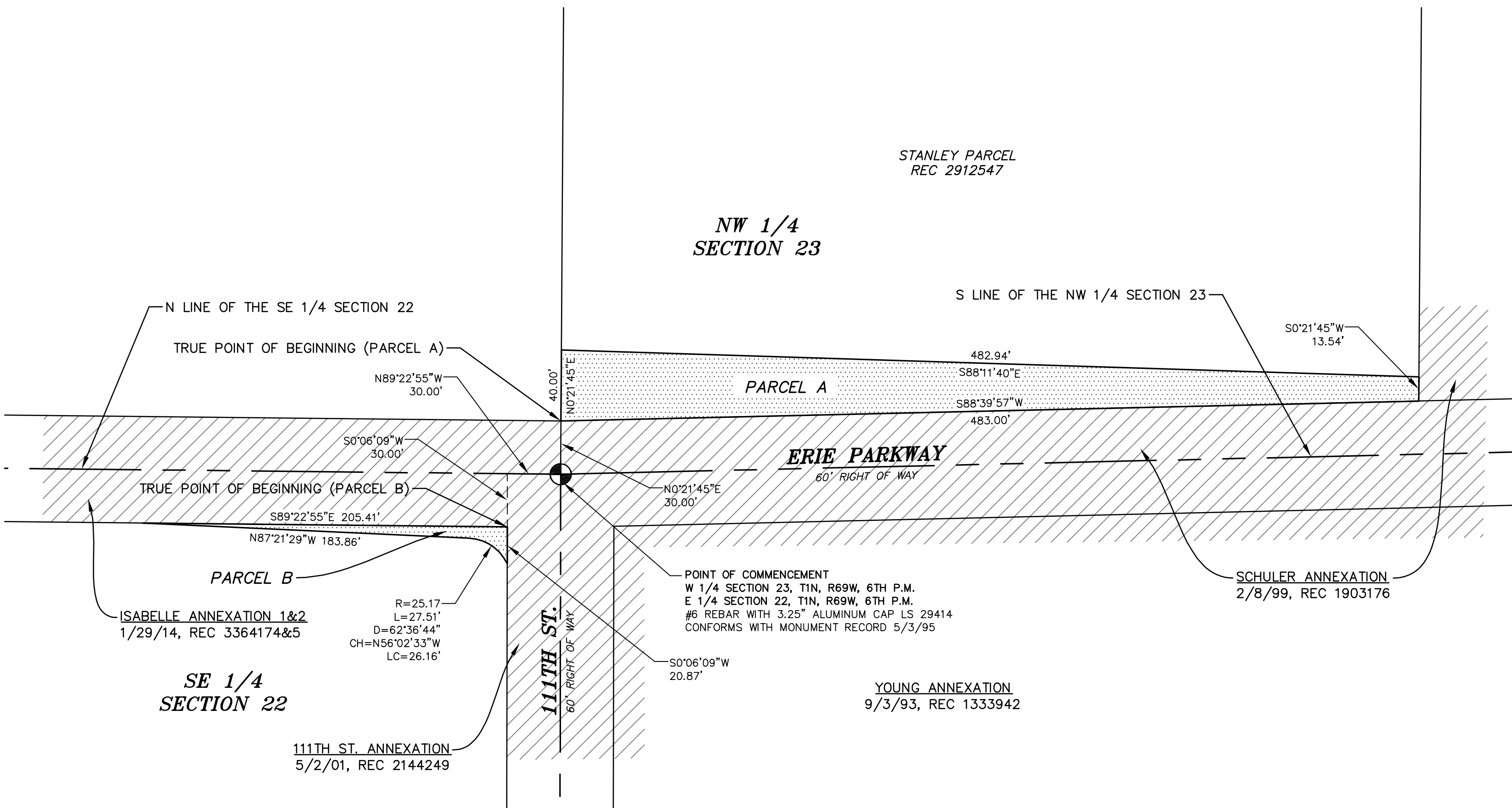
LEGEND

- SECTION CORNER
- TOWN OF ERIE LIMITS
- AREA BEING ANNEXED

STANLEY ANNEXATION
TO THE TOWN OF ERIE

A PORTION OF THE NORTHWEST QUARTER OF SECTION 23 AND THE
SOUTHEAST QUARTER OF SECTION 22, T1N, R69W OF THE 6TH PRINCIPAL
MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO

0.316 ACRE
AN-16-000XX



ANNEXATION DESCRIPTION

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CONTAINING 12,924 SQUARE FEET OR 0.297 ACRE, MORE OR LESS.

PARCEL B:
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO, BEING PART OF THAT PROPERTY DESCRIBED IN DEED RECORDED JUNE 23, 1989 AT RECEPTION NO. 989145, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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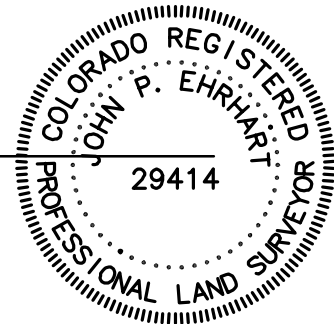
NOTES:

- 1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND DOES NOT CONSTITUTE A TITLE SEARCH BY INTEGRAL SURVEYING, INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREON TO DETERMINE RIGHT-OF-WAY, EASEMENTS AND ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND.
- 2) NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT SHOWN HEREON.

SURVEYING CERTIFICATE

I, JOHN P. EHRHART, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ANNEXATION MAP SHOWN HEREON IS A CORRECT DELINEATION OF THE ABOVE DESCRIBED PARCEL OF LAND AND THAT AT LEAST ONE-SIXTH (1/6) OF THE PERIPHERAL BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT BOUNDARY OF THE TOWN OF ERIE, 150.00 FEET CONTIGUOUS, PERIMETER 894.64 FEET.

I FURTHER CERTIFY THAT THIS MAP AND LEGAL DESCRIPTION WERE PREPARED UNDER MY PERSONAL SUPERVISION ON APRIL 6, 2016.



JOHN P. EHRHART
COLORADO P.L.S. #29414
EHRHART LAND SURVEYING, LLC
P.O. BOX 930, ERIE, CO 80516
(303) 828-3340

CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES

THIS ANNEXATION MAP IS TO BE KNOWN AS "STANLEY ANNEXATION TO THE TOWN OF ERIE" AND IS APPROVED AND ACCEPTED BY ORDINANCE No. _____, PASSED AND ADOPTED AT THE REGULAR (SPECIAL) MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON _____, 20____, AND

MAYOR _____

ATTEST: _____
TOWN CLERK

CLERK & RECORDER'S CERTIFICATE

STATE OF COLORADO }
COUNTY OF BOULDER } ss

I HEREBY CERTIFY THAT THIS ANNEXATION MAP WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____ A.D., 20____, AND WAS RECORDED AT RECEPTION NUMBER _____.

BOULDER COUNTY CLERK AND RECORDER _____

CONTIGUITY - PARCEL A

TOTAL PERIMETER OF PROPERTY _____ 1019.48'
1/6 TOTAL PERIMETER OF PROPERTY _____ 169.91'
PERIMETER CONTIGUOUS TO THE TOWN OF ERIE _____ 496.54'

PARCEL A AREA BEING ANNEXED: 12,924 SQ. FT. OR 0.297 ACRE, MORE OR LESS

CONTIGUITY - PARCEL B

TOTAL PERIMETER OF PROPERTY _____ 437.65'
1/6 TOTAL PERIMETER OF PROPERTY _____ 72.94'
PERIMETER CONTIGUOUS TO THE TOWN OF ERIE _____ 226.28'

PARCEL B AREA BEING ANNEXED: 829 SQ. FT. OR 0.019 ACRE, MORE OR LESS

TOTAL AREA BEING ANNEXED: 13,753 SQ. FT. OR 0.316 ACRE, MORE OR LESS



P.O. Box 930 • Erie, Colorado 80516
(303) 828-3340
www.coloradolands.com

SHEET:

1 OF 1

DATE: 3/22/16

DRAWN BY: JPE

PROJECT: S165035