

ANNEXATION PLAN

CITY OF ASPEN
AUGUST 1, 2011

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THE CITY OF ASPEN

PURPOSE

The City of Aspen Annexation Plan reflects land use policy of the Aspen Area Community Plan (AACP) with regard to adding urbanized land, and land appropriate for urbanization, surrounding Aspen to the City's jurisdiction. The Plan provides landowners whose property is adjacent to the City of Aspen with the relevant requirements and processes for requesting inclusion into the City of Aspen. The City of Aspen shall use its legislative authority of annexation and this annexation plan to:

- Ensure the natural and well-ordered development of the City.
- Distribute fairly and equitably the costs of city services among those persons who benefit therefrom.
- Extend the city's government, services, and facilities to eligible citizens forming part of a whole community.
- Simplify jurisdictional boundaries and reduce administrative confusion.
- Increase the City's ability to provide its citizens with the services they require.

Colorado Revised Statute

All annexation actions by cities in Colorado are governed by CRS 31-12-102, et. seq. These statutory requirements include the City's need to maintain an annexation plan for a three-mile boundary around the existing City limits. The specific requirements include the following:

"Prior to completion of any annexation, within the three mile area, the municipality shall have in place a plan for the 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 municipality and the proposed land uses for the area. Such plan shall be updated at least once annually."

Plan Approved

This plan has been approved by the City of Aspen Community Development Director of the City of Aspen pursuant to Colorado Revised Statutes (CRS) 31-12-105(e)(l).

Urban Growth Boundary

The City of Aspen and Pitkin County jointly approved Aspen's Urban Growth Boundary (UGB) via adoption of the 2000 AACP. (*The 2000 Aspen Area Community Plan may be obtained from the Aspen/Pitkin Community Development Office, City Hall, Aspen.*) The UGB identifies the land surrounding Aspen as either appropriate for urban development (within the UGB) or inappropriate for urban development (outside the UGB). Land within the UGB is expected to become part of the City's urbanized area, at some point, while land outside the UGB should only be annexed as a method of preserving the non-urban character of lands surrounding Aspen. The UGB should be amended upon determination that the subject land should be re-categorized, independent of an annexation decision.

Disclosure

The City of Aspen Annexation Plan has been adopted to meet the compulsory requirements set forth by the State of Colorado, pursuant to CRS 31-12-105. The plan should not be considered a replacement or complete reflection of the state statutes. Property owners seeking annexation should consult the Colorado Revised Statutes. The plan is not binding upon the City of Aspen.

CITY OF ASPEN ANNEXATION AREA

Map A depicts Aspen's annexation area, corresponding to the State's three-mile area requirement, based on the current jurisdictional boundary. The jointly-adopted Urban Growth Boundary (UGB) is also shown.

The City of Aspen is currently approximately 2,420 acres. The area within the UGB is approximately 4,860 acres, roughly twice the size of the current City jurisdiction. This land within the UGB has been determined appropriate for urbanization and is likely to become part of the City of Aspen.

The three-mile area is approximately 48,000 acres, 46,000 acres larger than the current City jurisdiction. Much of this three-mile area is outside Aspen's UGB and considered inappropriate for urbanization. Annexation of areas outside the UGB should only be considered as a means of preserving the non-urban character of the land.

To understand the City's potential service needs, annexation areas within the UGB have been analyzed as smaller land areas. The boundaries for each area were developed based on the following factors: physical features, existing development patterns, existing property lines, and established neighborhood areas.

ANNEXATION AREA CHARACTERISTICS

The City is required to identify the area within three miles of its boundary. (See Map A.) The proximity of these areas, however, does not necessarily mean these areas are desirable for annexation. The three-mile area is a State requirement and should not be considered an intention of the City of Aspen. Many areas, outside of the UGB especially, may be entirely inappropriate for annexation.

Following is an overview of land use characteristics for each area within a three-mile radius of the City, with particular attention paid to the areas within the UGB. The areas described are shown on Map B. These general characteristics provide a basis for understanding potential land use issues that may need to be addressed during an annexation.

Ute/Northstar, Shadow Mountain, Red Butte

Generally, rural areas with very limited growth potential due to their physical circumstances. These areas are particularly affected by environmental hazards and each request should include an analysis of the regulatory tools used to address such hazards. The City's Land Use Code provisions for Environmentally Sensitive Areas (ESA's) may adequately guide the growth and development of these areas. Further consideration should be given to the more stringent County 1041 regulations particularly with regard to development on steep slopes.

Mountain Valley, Red Mountain

Generally, suburban areas comprised of predominantly developed subdivisions. Several similar subdivisions, such as Eastwood and Knollwood, have already annexed into the City. The major land use issues affecting this group include floor area ratios, legitimizing "bandit dwelling units," wildfire mitigation, wildlife corridors, and the status of the roads and ability of the City to adequately maintain and upgrade them as necessary.

Remote Subdivisions

Several small residential subdivisions, located along the Maroon Creek, Castle Creek, and Roaring Fork River drainages, are within the three-mile area. These subdivisions have little to no additional development potential. These areas do not appear to provide any advantage to the City and could become infrastructure service burdens. New land use regulations addressing wildfire, wildlife, avalanche, and development on steep slopes would be required.

Lower Smuggler

This area contains large development parcels with growth potential, existing subdivisions with little remaining growth potential, the historically important Smuggler Mine, and steeply sloped areas with limited growth potential. Continued public access to the Upper Smuggler area and recreational opportunities would need to be ensured. Land Use Code provisions for mining activity would be necessary. Regulatory tools to address development on steep slopes would be necessary.

Upper Smuggler

This area contains large publicly and privately-owned parcels with significant infrastructure limitations and steeply sloped areas with very limited growth potential. This area was an active mining area. Currently, this area is a very popular recreation area and is a primary public access to public lands. Much of this area has been identified as "land with conservation value" in the AACP. Continued public access to

public lands and recreational opportunities would need to be ensured. Regulatory tools to address development on steep slopes would be necessary.

Meadowood, Tennis Club, West Buttermilk Subdivision, and State Highway 82 Corridor

Generally, suburban areas comprised of predominantly developed subdivisions. The major land use issues affecting this group include floor area ratios, legitimizing “bandit dwelling units,” trail connections, and the status of the roads and ability of the City to adequately maintain and upgrade them as necessary. A few large parcels with significant development potential exist between Meadowood and State Highway 82. The Aspen Valley Hospital, in this area was annexed.

Bar X Ranch, AVL, and Lower Maroon Creek

Generally agricultural in character with significant growth potential. Development issues include preserving the riparian habitat along Maroon Creek, trail connections, fishing access, and traffic generation impacts to the Highway 82 corridor. The Bar X Ranch and AVL land was annexed for the purposes of developing a mix of free-market and affordable dwelling units. The Soldner Family parcel remains in County jurisdiction.

Buttermilk Base Area

The base of Buttermilk Ski Area represents significant development opportunity with potential impacts on, and benefits to, the City of Aspen. This area is presently underutilized and is identified in the AACP as a development node for concentrated mixed-use, transit-oriented development. Residential, commercial, and lodging development would affect the City’s infrastructure and the area’s commercial and lodging profile. This area represents a significant opportunity for transportation improvements. Additionally, the redevelopment of this area may provide the City opportunity to reach community goals. This area should be annexed into the City of Aspen prior to development review. If redevelopment of this area is entitled in the County and then the land is annexed, significant coordination on the administration of development approvals will be necessary.

Aspen Business Center and North Forty

Suburban areas with moderate growth potential. The North Forty subdivision is reaching its residential build-out and has some potential for additional commercial development. The ABC has moderate growth potential in both residential and commercial sectors, most of which would involve redevelopment. Significant expansion of commercial uses in the ABC would affect the profile of commercial activity in the Aspen area and may affect transportation patterns. A new zone district would likely be required to accommodate the ABC.

Aspen Consolidated Sanitation District, County Maintenance Facility, RFTA bus barn, Sardy Field (Aspen/Pitkin County Airport), North Highway 82 Corridor

These public infrastructure facilities are currently operated by either the county or special districts. Expansion of these facilities could be expected to coincide with growth of the area’s population and service needs, although physical constraints may limit expansion capabilities. Expansion of the airport is also controlled by public policy discussions of increasing Aspen’s tourist capacity. Intergovernmental agreements may be necessary for annexation of these facilities.

Brush Creek Village, Cozy Point Ranch, Starwood, McLain Flats

Suburban subdivisions comprised of single-family residences. Cozy Point Ranch is an agricultural and equestrian operation owned and managed by the City of Aspen.

These areas, while within the three-mile area, are removed from Aspen and not likely to become incorporated into the City. The major land use issues affecting this group include floor area ratios, legitimizing “bandit dwelling units,” wildfire mitigation, wildlife corridors, and the status of the roads and ability of the City to adequately maintain and upgrade them as necessary.

Woody Creek

The three-mile area includes a portion of the Woody Creek drainage. This rural area is predominantly agricultural and estate ranches. Although geographically proximate to the City’s boundary, this area lies in a separate drainage basin and is logistically remote from Aspen. This area is not expected to become part of the City of Aspen.

Snowmass Village

The three-mile area includes part of Snowmass Village, an incorporated town. Only unincorporated lands are eligible for annexation. This area is not expected to become part of the City of Aspen.

Owl Creek Ranch, Droste Ranch

This rural area functions as a buffer between the urbanized areas of Aspen and Snowmass Village. Predominantly single-family homes on large lots, this area could sustain significant additional development with the extension of urban infrastructure and bring about significant change in the character of the area. The major land use issues affecting this group include the desired character of the area, additional development potential, wildfire mitigation, wildlife corridors, recreational trails, and the status of the area’s infrastructure.

Ski Areas - Aspen Mountain, Aspen Highlands, Buttermilk

These areas correspond with ski area permit boundaries. This land is typically Forest Service land, although substantial portions of Aspen Mountain Ski Area are owned by the Aspen Ski Company. The City’s Land Use Code is better suited to regulate base facilities. Annexation would necessitate new land use legislation to regulate ski area operation and may also necessitate backcountry emergency rescue operation.

Forest Lands

These areas correspond with Federally-owned land maintained by the United States Forest Service and privately-owned “in-holdings.” These areas are remote, with little or no existing services and have limited access. These areas are typically zoned Rural and Remote (RR) by Pitkin County to maintain the backcountry character. These areas do not appear to provide any advantage to the City and could be a burden. Annexation of these areas would necessitate new land use legislation to regulate backcountry development, agreements with the Forest Service for permitting and administration of forest-related activities, and may also necessitate backcountry emergency rescue operation.

SEQUENTIAL STEPS TO COMPLETE ANNEXATION

Annexation Process:	Associated Processes:
Pre-Application Conference. (See Note #1)	
Annexation Petition Filed – Landowner submits necessary application materials to the City Clerk. (See example petition, attached.)	
	Property owner may enter into a pre-annexation agreement with the City of Aspen. (See note #2)
Resolution #1 – City Council Initiates annexation process by adoption of a resolution. Resolution establishes a public hearing be scheduled more than 30 days and less than 60 days.	
City Engineer verifies contiguity requirement for eligibility.	
Public Hearing and Resolution #2 – City Council identifies properties eligible for annexation according to State Statute.	
	Annexation Impact Report – For annexations of more than 10 acres. (See note #3)
	Land use reviews – The landowner may initiate any City land use review process necessary to develop the property. (See note #4)
	Acknowledgement of Development Rights – The City reserves the right to accept land use approvals granted in the county and establish an agreement for the administration of said rights. (See note #5)
	Initial Zoning – The Community Development Department begins an initial zoning process and establishes public hearing schedule with the Planning and Zoning Commission. (See note #6)
First Reading of Annexation Ordinance – City Council establishes second reading and public hearing date.	
	The City may postpone second reading to permit a property owner to confirm associated land use reviews.
Second Reading of Annexation Ordinance – Property either annexed or denied.	
	Initial Zoning Ordinance – Newly annexed land must be assigned zoning within 90 days of annexation. (See note #6)

Process Notes:

1. Pre-Application. Potential applicants are encouraged to meet with the City Attorney to discuss the annexation process and with the Community Development Director to discuss the potential benefits of annexation. An annexation petition must be found in compliance with the statutory annexation criteria and is subject to compliance with local annexation criteria, to the extent those criteria are considered applicable to the specific petition.

2. Pre-Annexation Agreement. A property owner seeking annexation may negotiate a pre-annexation agreement with the City of Aspen. Such negotiations may include, but are not limited to, the type, amount, character, and timing of development and may specify certain improvements required of a property owner and financial arrangements securing such improvements. At such time of actual annexation, a final annexation agreement may be confirmed.

3. Annexation Impact Report. CRS 31-12-108.5 requires the annexing municipality prepare an annexation impact report at least 25 days prior to the public hearing (Resolution #2). The report must be filed with the Pitkin County Board of County Commissioners (BOCC). A report is not required for annexations of 10 acres or less or when the City and the BOCC agree the report requirement may be waived. An annexation Impact Report shall include, as a minimum:

- A. A map or maps of the municipality and adjacent territory showing the following information:
 1. The present and proposed boundaries for the municipality and in the vicinity of the proposed annexation.
 2. The present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation.
 3. The existing and proposed land use pattern in the areas to be annexed.
- B. A copy of any draft or final pre-annexation agreement, if applicable.
- C. 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 on behalf of the municipality at the time of annexation.
- D. 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.
- E. A statement identifying existing districts within the area to be annexed.
- F. 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.

4. Land Use Reviews. A property owner seeking annexation into the City of Aspen may initiate land use reviews with the City after the petition for annexation has been found valid (after adoption of resolution #2). Property owners seeking to develop the property, in fact, may wish to secure entitlements prior to completing annexation. Land use approvals granted prior to annexation are subject to final adoption of an annexation ordinance. City

Council may postpone the final adoption hearing of the annexation ordinance to allow a property owner to complete a land use review process.

5. Acknowledgement of Development Rights

Property subject of an annexation request may have certain development rights granted by Pitkin County. The City of Aspen may choose to recognize these exact development rights or reach another solution in consultation with the landowner. In instances where land use approvals were granted in the County prior to annexing into the City, the City has significantly benefited with the adoption of a Development Guidebook in combination with the annexation of the land. This guidebook can be used to define the approvals and describe how the City will administer the development of the land, including the applicable design standards for capital improvements. This guidebook can serve an interest of the landowner, developers interested in realizing the development approvals, the interests of prospective property owners within the annexed area, and helps clarify the City's understanding of the development rights.

6. Initial Zoning. The City is required to assign zoning to newly annexed property within 90 days of annexation. Failure to zone land within 90 days may permit unwanted land uses on newly annexed lands. The City typically begins an initial zoning process prior to final annexation. This aids a landowner in determining the benefit of completing an annexation. This initial zoning process follows the process for amending the Official Zone District Map (rezoning), as outlined in the City of Aspen Land Use Code, and requires a review and recommendation from the City Community Development Director and a public hearing and recommendation from the City's Planning and Zoning Commission. Adoption of an ordinance by City Council is the final step in the initial zoning process. Ideally, second reading of an annexation ordinance and second reading of a zoning ordinance occur simultaneously. Property owners are encouraged to participate as an applicant, although not required, in this initial zoning process.

STATUTORY ANNEXATION CRITERIA

In accordance with CRS 31-12-104, an area is eligible for annexation if the governing body, at a hearing, finds and determines the following.

1. That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality. Contiguity is not affected by the existence of a platted street or alley, a public or private right-of-way area, public lands (except county-owned open space), or lake, reservoir, stream, or other natural or man-made waterway between the annexing municipality and the land proposed to be annexed. Subject to the requirements of CRS 31-12-105, contiguity may be established by the annexation of one or more parcels in a series, which annexations may be completed simultaneously and considered together.
2. That a community of interest exists between the area proposed to be annexed and the annexing municipality; that such area is urban or will be urbanizing 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 the above requirement 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, finds that at least two of the following are shown to exist:
 - a. Less than fifty percent of the adult residents of the area propose 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 does not apply.
 - b. 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 intent to devote the land to such agricultural use for a period of not less than five years.
 - c. 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.

LOCAL ANNEXATION CRITERIA

Annexation is a quasi-legislative authority of the City and as such the City may consider the interests of its citizens as guiding annexation policy, in addition to the procedural statutory requirements. This section identifies specific public policy concerns likely to arise during consideration of an annexation request. These criteria should be used to determine when annexation is appropriate, which land should be annexed, and how it should be zoned. Additional considerations, beyond those identified herein, may also arise and guide public policy.

AACP Compliance

Annexation requests should be reviewed for compliance with the Aspen Area Community Plan. Annexation of certain lands could facilitate accomplishment of the plan's goals, objectives, or specific action items. Newly annexed properties should be assigned zoning supporting public policy directives of the AACP.

Urban Growth Boundary (UGB)

The City of Aspen and Pitkin County jointly approved Aspen's Urban Growth Boundary via adoption of the 2000 AACP. The UGB identifies the land surrounding Aspen as either appropriate for urban development (within the UGB) or inappropriate for urban development (outside the UGB). Land within the UGB is expected to become part of the City's urbanized area and should be considered appropriate for annexation.

Land outside the UGB should only be annexed as a method of preserving the non-urban character of lands surrounding Aspen. The UGB does not necessarily need to be amended unless the land is intended for an urban level of development. Annexation of land outside the UGB, in fact, may serve a significant public purpose.

Significant Annexations

Changing the regulatory structure and jurisdiction of significant community facilities, large developments, and large tracts of vacant land present considerable potential for community change. These annexation proposals should involve discussion between the Aspen City Council and the Pitkin County Board of County Commissioners. A joint work session at which various land use issues are discussed can only benefit the City in its analysis of a significant annexation. For example: properties entitled by the County and annexed into the City can require complex administration of development rights, especially when amendments are requested. Discussing the primary elements of the land use review can simplify administration and provide benefit to the annexing landowner.

Likewise, certain annexation proposals may present concerns to other governmental and quasi-governmental agencies with jurisdiction or other interest in the property. As necessary, formal referral comments or work session-format meetings can be held to identify these concerns.

Fiscal Impact Analysis

The City should fully understand the financial implication of assuming additional lands upon each of its functions. The City Finance Department has modeled fiscal impacts of recent significant annexations and this information has been critical in determining the appropriateness of annexation. Certain capital improvements may be necessary as well as

additional operation and service costs. These need to be balanced with additional special fund revenues that are gained.

Pitkin County voters adopted a 2 percent Countywide sales tax, including a provision distributing 47 percent of the tax proceeds to Pitkin County and 53 percent to the City of Aspen. At some point, the distribution of countywide sales tax may need to be reconsidered as more service responsibilities shift to the City.

Development Rights/Zoning

Development rights associated with a property in Pitkin County verses those if the property is annexed into the City of Aspen should be considered. Annexations are typically associated with a proposal to further develop the property. Traditionally, the City weighs an increase in development rights in relation to accomplishment towards community goals available through annexation.

A complete understanding of a property's development potential, prior to annexation, should include a zoning build-out analysis considering regulatory limitations, such as growth management and impact fees, and regulatory incentives, such as the use of Transferable Development Rights. The public policy of such regulations and the impact of changing the regulatory structure upon the City should be considered.

Zoning of newly annexed land should approximate development rights prior to annexation, unless a site-specific development plan is approved concurrent with annexation. The creation of non-conformities should be avoided, although custom legislation to address special interests can further complicate the City's regulatory environment.

The City should encourage the legalization of "bandit units" through the City's Accessory Dwelling Unit provisions to ensure compliance with the health and safety standards of the Uniform Building Code. These units should be expected in older subdivisions surrounding Aspen.

Pitkin County Transferable Development Rights

Certain lands in the County within the City's annexation area are eligible for increased development rights through the extinguishment of transferable development rights (TDRs). Certain site specific approvals granted in Pitkin County may involve or require the use of TDRs. And, certain development may have already occurred by use of these TDRs necessitating acknowledgement of the realized increased development right.

Until the City adopts a program for accepting Pitkin County Transferable development Rights, each individual annexation request should include an analysis of TDR-contingent land use scenarios and, if necessary, an agreement should be reached describing the future use of Pitkin County TDRs within the newly annexed area.

Usefulness and appropriateness of each jurisdiction's regulations

As Aspen City limits expand beyond the original townsite, the effects of environmental constraints and hazards on development increase. Pitkin County's 1041 regulations address development on steep slopes, in wildfire hazard areas, in rockfall and avalanche hazard areas, and within wildlife corridors. The City's Environmentally Sensitive Area review standards address flood hazard areas and development above the 8,040-foot elevation.

The County's regulations primarily attempt to minimize land use intensity and minimize the infrastructure and operational effects of development. The City's land use code encourages the intense use of land and addresses urban development issues, such as architectural character. In transition areas, the City's PUD regulations should be used to establish an appropriate balance.

Design standards for public improvements also reflect the rural and urban aspect of each jurisdiction. The appropriateness of each jurisdiction's development regulations and design standards should be considered in each annexation. The acceptance of substandard public improvements and potential public costs of upgrading those facilities should also be considered. The City may require certain facilities be upgraded prior to annexation. Alternatively, the City may require a cash payment to accommodate expected City capital improvement and operational expenses.

The City currently has no experience administering remote backcountry and Forest Service lands. These lands could require significant changes to the City's emergency services. The public costs of annexing remote lands should be considered in relation to the public goals of such an action.

Aspen recently adopted the Ski Area Base (SKI) Zone District to administer development at the base of ski areas. The zoning provides for a mixture of skiing, recreational, commercial, and tourist-oriented uses and requires adoption of a Planned Unit Development. This zoning was applied to Aspen Highlands Base Village and may be appropriate for the Buttermilk Ski Area base, upon annexation.

Infrastructure and Ability to Serve

Annexation reviews typically focus a great deal of fiscal analysis on the potential extension of urban services to annexed territories. Cost, capacity, and engineering issues related extension of the City's municipal water system to developing land on the urban fringe is a significant annexation issue.

Currently, there are several small water districts serving residences located outside the City's boundaries but within the service area of the water system. These small districts may present a problem for the City as their capital facilities may not be providing acceptable standards of service. Upgrading is expensive, and may become the responsibility of the City following annexation.

The County does not currently require new periphery development to join the City's municipal water system. However, these county development proposals must be reviewed by the City Council and found in compliance with the AACP in order to obtain City water service. In these cases, the City often requires compliance with City development regulations. Property owners developing a property eligible for annexation should consult the City's Community Development Department and consider annexation.

Simplicity of City Boundary

The City/County boundary has created confusion for citizens and staff responsible for enforcing public policy. A complex boundary can complicate emergency service provision and, in extreme cases, defeat efforts of City police officers. Annexations simplifying the boundary should be encouraged while those further complicating the division should be avoided.

[Example]
**PETITION FOR ANNEXATION OF TERRITORY
TO THE CITY OF ASPEN**

THE UNDERSIGNED (hereinafter referred to as the "Petitioners") hereby petitions the Council of the City of Aspen, Colorado for the annexation of an area, to be referred to as the _____ Annexation to the City of Aspen. Said area, consisting of approximately _____ (_____) acres, is more particularly described on Attachment "A," attached hereto.

The Petitioners allege:

1. That it is desirable and necessary that such area be annexed to the City of Aspen.
2. That the requirements of Sections 31-12-104 and 31-12-108, C.R.S., exist or have been met.
3. That not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the boundaries of the City of Aspen.
4. That a community of interest exists between the area proposed to be annexed and the City of Aspen.
5. That the area to be annexed is urban or will be urbanized in the near future.
6. That the area proposed to be annexed is integrated with or capable of being integrated with the City of Aspen.
7. That the Petitioners herein comprise more that fifty percent (50%) of the landowners in the area and own more than fifty percent (50%) of the area to be annexed, excluding public streets, alleys and lands owned by the City of Aspen.

WHEREFORE, said Petitioners request that the Council of the City of Aspen approve the annexation of the area described on Attachment "A," legal description of the land.

The Petitioners reserve the right to withdraw this petition and their signatures there from at any time prior to the commencement of the roll call of the City Council for the vote upon the second reading of the annexation ordinance.

Individual Petitioners signing this Petition represent that they own the portion(s) of the area described on Attachment "A."

IN WITNESS WHEREOF, I/we have executed this Petition for Annexation this _____ day of _____, 2____.

Petitioner's/Owner's Signature

Petitioner's/Owner's Printed Name

Address

City, State, Zip

Please attach the following:

ATTACHMENT "A" – LEGAL DESCRIPTION OF THE ANNEXATION

**ATTACHMENT "B" – AFFIDAVIT OF CIRCULATOR
STATE OF COLORADO**

COUNTY OF PITKIN

The undersigned, being first duly sworn upon his oath states:
That he was the circulator of the attached Petition for Annexation and that each signature therein is the signature of the person whose name it purports to be.

Circulator's Signature

Subscribed and sworn to before me this _____ day of _____,
2_____, by _____.

WITNESS my hand and official seal.

Commission Expiration

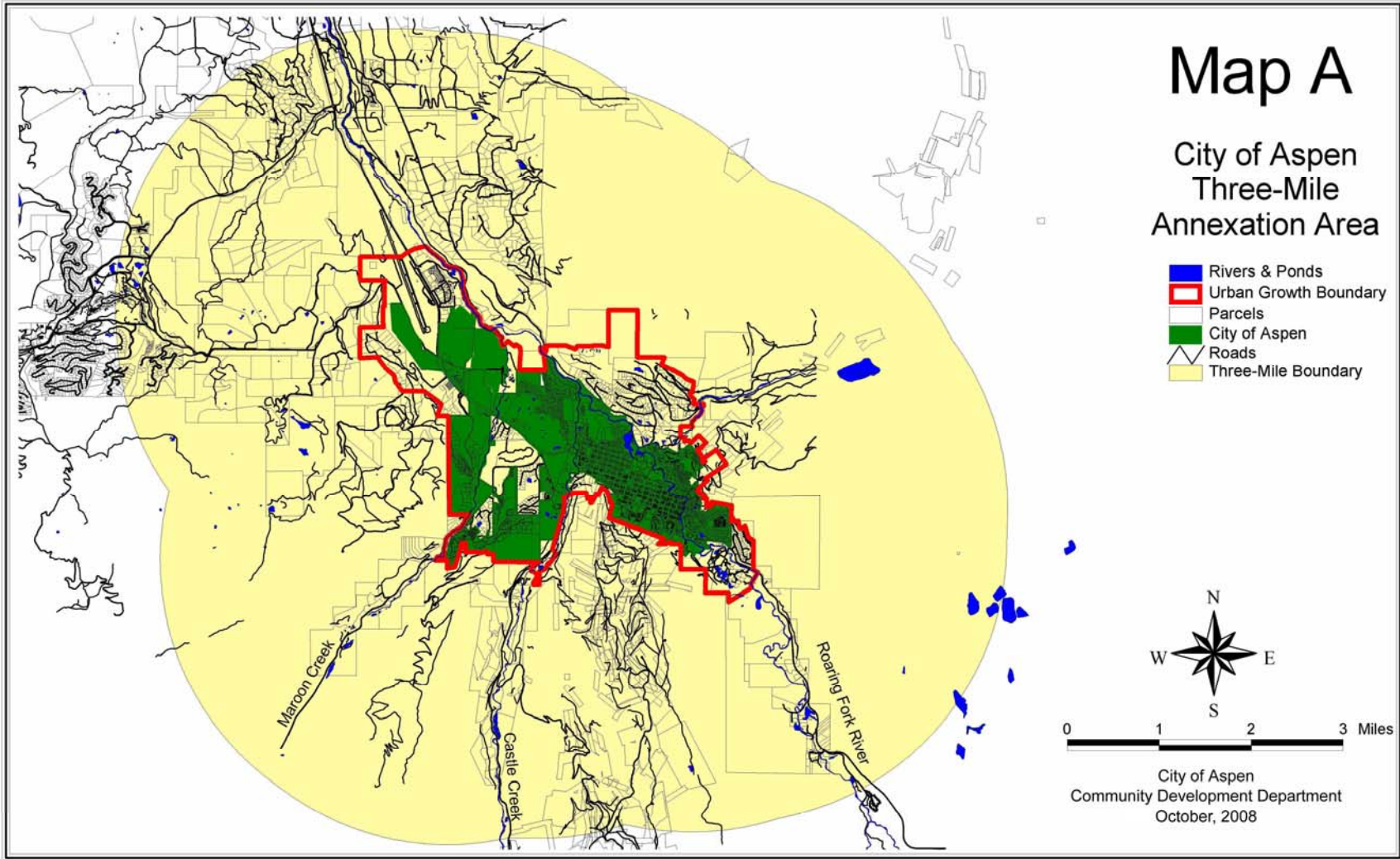
Notary Public

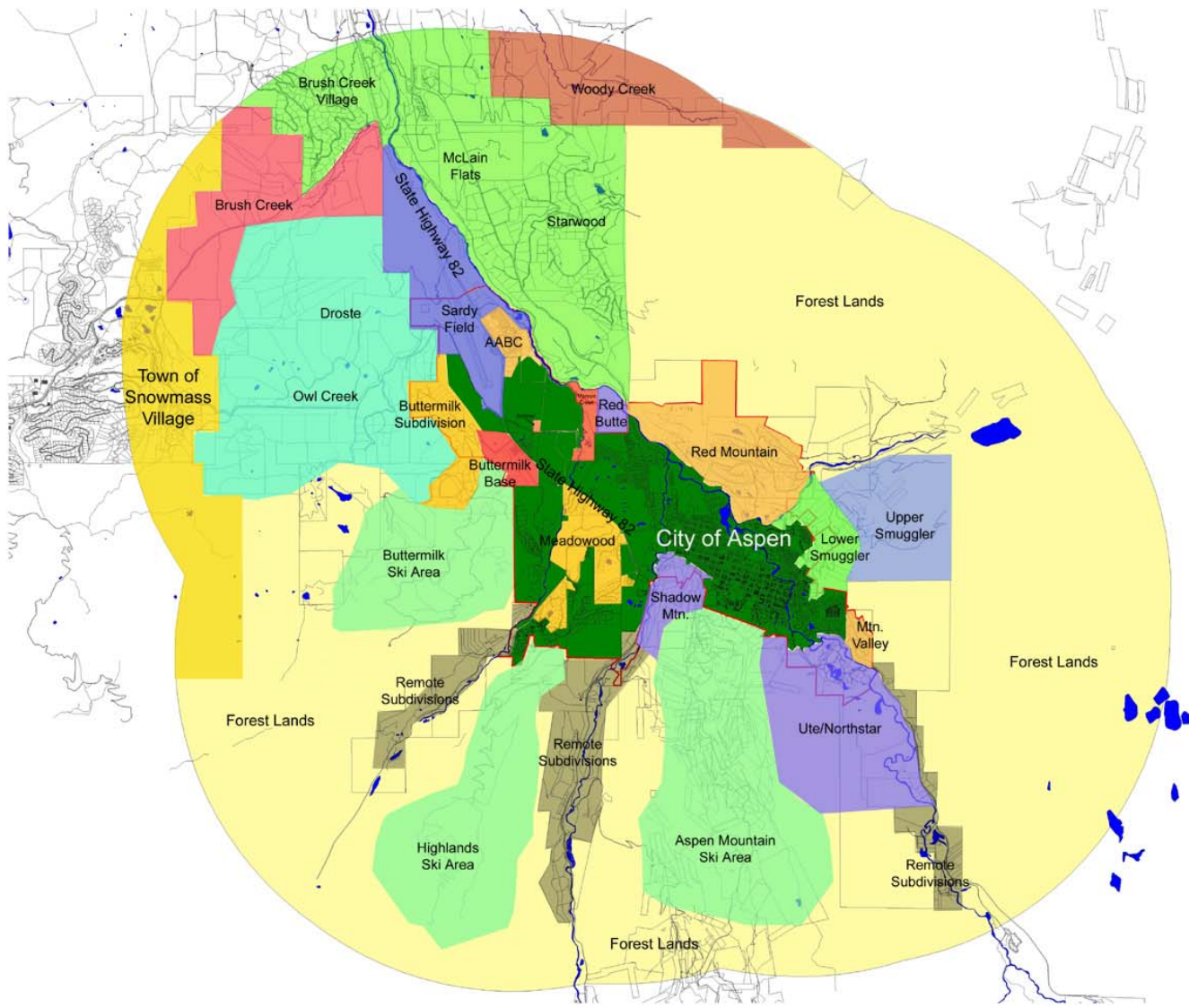
ATTACHMENT "C" – PROOF OF OWNERSHIP

Constituting more than 50% of the landowners in the area proposed for annexation, as said area is described on Attachment "A", and more than 50% of the land in said area, exclusive of streets and alleys.

ATTACHMENT "D" – FOUR PRINTS OF AN ANNEXATION MAP

Containing the information required by C.R.S. 1973 31-8-107.





Map B

**City of Aspen
Three-Mile
Annexation Area**



City of Aspen
Community Development Department
October, 2008