

PETITION FOR ANNEXATION

WE, THE UNDERSIGNED, in accordance with the Municipal Annexation Act of 1965, Part 1, Article 12, Title 31, Colorado Revised Statutes, as amended, hereby petition the City Council of the City of Fruita, Colorado, for the annexation of the unincorporated area located in the County of Mesa, State of Colorado, as described on attached Exhibit A.

In support of this Petition, the Petitioners state:

1. It is desirable and necessary that the above-described area be annexed to the City of Fruita, Colorado.
2. The requirements of Section 31-12-104, C.R.S., as amended, exist or have been met, to wit:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Fruita;
 - b. A community interest exists between the area proposed to be annexed and the City of Fruita;
 - c. The area proposed to be annexed is urban or will be urbanized in the near future; and
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the City of Fruita.
3. The requirements of Section 31-12-105 C.R.S., as amended, exist or have been met, to wit:
 - a. In establishing the boundaries of the territory to be annexed, no land 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 landowners thereof unless such tracts or parcels are separated by a dedicated street, road, or other public way;
 - b. In establishing the boundaries of the area proposed to be annexed, no land 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, comprising twenty acres or more (which, together, with the buildings and improvements situated thereon) has a valuation for assessment in excess of two hundred thousand dollars 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;

- c. No annexation proceedings have been commenced for the annexation of part or all of the subject property to another municipality;
 - d. The annexation of the area proposed to be annexed will not result in the detachment of the area from any school district and the attachment of same to another school district;
 - e. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the City of Fruita more than three miles in any direction from any point of the City's boundary in any one year;
 - f. If any portion of the platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed; and
 - g. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises, adjoining any platted street or alley to be annexed that will not be bordered on both sides by the City of Fruita.
4. The Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
 5. This Petition for Annexation satisfies the requirements of Article II, Section 30, of the Colorado Constitution 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 Fruita.
 6. Attached hereto and incorporated by reference is an Annexation Map showing:
 - a. The boundary of the area proposed to be annexed including a legal description of the area to be annexed;
 - b. The location of each ownership tract in unplatted land and the boundaries and the plat numbers of plots or of lots and blocks; and
 - c. The contiguous boundary of the City of Fruita abutting the area proposed to be annexed.

7. All of the petitioners signed this Petition for Annexation no more than 180 days prior to the date of the filing of this Petition for Annexation.

WHEREFORE, the Petitioners request that the Fruita City Council approve the annexation of the area proposed to be annexed.

Dated this 24th day of October, 2023.

[Signature]

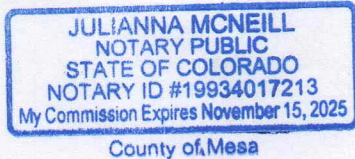
Property Owner

Property Owner

County of Mesa)
) ss.
State of Colorado)

Subscribed and sworn to before me this 24th day of October, 2023 by

Jack Hays, manager of Hays Development, LLC
a Colorado Limited Liability Company
Witness my hand and official seal.



[Signature]

Notary Public

My commission expires:

Mailing address of each property owner:

Jack W. Hays

2613 Partridge Court

Grand Jet. CO 81506

AFFIDAVIT OF CIRCULATOR

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

That he/she was the circulator of the foregoing Petition for Annexation consisting of 4 pages, including this page and that each signature thereon was witnessed by your affidavit and is the true signature of the person whose name it purports to be.

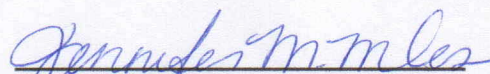


Circulator
DANE GRIFFIN

State of Colorado)
) ss.
County of Mesa)

The foregoing Affidavit of Circulator was subscribed and sworn to before me this 7 day of November, 2023, by Dane Griffin.

Witness my hand and official seal.



Notary Public

My commission expires: 16 October 2027

JENNIFER M MILES
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154040882
MY COMMISSION EXPIRES 10/16/2027

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

That he/she was the circulator of the foregoing Petition for Annexation consisting of _____ pages, including this page and that each signature thereon was witnessed by your affidavit and is the true signature of the person whose name it purports to be.

Circulator

State of Colorado)
) ss.
County of Mesa)

The foregoing Affidavit of Circulator was subscribed and sworn to before me this _____ day of _____, 20____, by _____.

Witness my hand and official seal.

Notary Public

My commission expires: _____