

<p><b>District Court, Saguache County, Colorado</b> 501 4<sup>th</sup> Street, Saguache, CO 81149</p> <hr/> <p>In the Matter of: <b>CITIZENS FOR PROPOSED TOWN OF BACA GRANDE</b></p>	<p style="text-align: center;"><b>Δ COURT USE ONLY Δ</b></p> <hr/> <p>Case Number: <b>2022CV5</b></p> <p>Division: <b>C</b></p>
<p><b>ORDER REQUIRING SUPPLEMENTAL INFORMATION AND SUBMISSION OF BOND</b></p>	

**THIS MATTER** comes before the Court on a Petition for Incorporation of the Town of Baca Grande (“Petition”) filed by Citizens for Proposed Town of Baca Grande (“Citizens”) on August 8, 2022. The Court hereby orders the petitioner to submit supplemental information and post a bond before the Petition can be fully reviewed.

Under C.R.S. § 31-2-101(2.5)(a), notice to the individuals of the proposed town is required when there are less than 2,500 persons who reside there.

[W]henever the number of registered electors within the area that is the subject of a petition filed pursuant to subsection (1) of this section is less than two thousand five hundred persons, notice of the filing of the petition shall be sent by first-class mail to each person owning real property within the area at the address shown for such owner in the records of the county assessor’s office. The cost of mailing the notice required by this paragraph (a) shall be borne by the petitioners.

C.R.S. § 31-2-101(2.5)(a). In this instance, the Citizens who filed the Petition have provided the census information which gives a population of 1,022 persons for Baca Grande. This is less than 2,500 people. Therefore, C.R.S. § 31-2-101(2.5)(a) applies. The Citizens must serve notice of

the filing of the Petition by first-class mail to every person within the limits of the proposed town. The Court must receive proof of notice through a certificate of service.

Additionally, C.R.S. § 31-2-101(1)(d) states that a bond is required to be submitted with the Petition. “At the time of the filing of said petition, the petitioners shall file a bond, in an amount to be determined and approved by the court, to cover the expenses connected with the proceedings in case the incorporation is not effected.” C.R.S. § 31-2-101(1)(d). Here, no bond was filed with the Petition. The Court has determined that a bond amount of \$500 will be required before the Petition will move forward. Once these two obligations are met, the Court will further review the Petition.

**ORDER**

**IT IS THEREFORE ORDERED THAT** supplemental information regarding service of notice of the filing of the Petition on all citizens of the proposed town shall be submitted to the Court.

**IT IS FURTHER ORDERED THAT** the Citizens shall submit a bond of \$500 in accordance with the bond requirements of C.R.S. § 31-2-101(d).

Done this 24th day of August 2022.

**BY THE COURT:**

  
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**CRISTA NEWMYER-OLSEN**  
**DISTRICT JUDGE**