

RESOLUTIONS, CONTRACTS, LEASES AND ORDERS  
1977

1-77	1-3-	REGION 9 COMMISSION
2-77	1-24	OIL & GAS LEASE - GERALD BAILEY
ORDER	2-7	TRANSFER TO GENERAL FUND
3-77	2-2	APPOINTING HOUSING AUTHORITY BOARD
4-77	MISSING	
5-77	3-28	SERVICE PLAN, MANCOS FIRE PROTECTION DISTRICT
6-77		GRANTING RETAIL 3.2% BEER LICENCE TO THE 76 CLUB
7-77	2-22	DESIGNATING CHM TO HOUSING AUTHORITY
7-77A	4-25	REQ DESIGNATION AS DISASTER AREA BY DROUGHT
ORDER	4-18	ORMISTON FUND - SHARON STROUD
8-77	4-25	MANCOS FIRE PROTECTION
9-77	7-8	HIGH VIEW ACRES SUBDIVISION
ORDER	7-11	ORMISTON FUND - SHARON STROUD
10-77	8-2-	NO PLANS FOR CONST OF CO RD
11-77	8-15	ALLOCATION OF MINERAL LEASING MONIES
ORDER	8-15	TRANSFER TO WORKS FUND
12-77	9-26	SYMPATHY - ED HOLMAN
13-77	9-26	SYMPATHY - EDWARD KROCESKY
14-77	10-31	CORTEZ-MONTEZUMA COUNTY AIRPORT
15-77	11-7	ABANDON OLD ROAD 29
16-77	11-7	DA TO REPRESENT SHERIFF IN A LAW SUIT
ORDER	11-14	TRANSFER FUNDS
17-77	11-21	DA TO REPRESENT PUBLIC TRUSTEE
18-77	11-21	DA TO REPRESENT PUBLIC TRUSTEE
19-77	MISSING	
20-77	12-12	AMBULANCE SERVICE TO BE LICENSED
ORDER	12-19	ALLOCATION OF FEDERAL FOREST MONIES

18-77      11-21      May set forth more stringent  
regs for Special Transport  
Permit Regs

1977

- 1-10-77 1-77 San Juan Basin Regional Planning Commission
- 1-24-77 2-77 Oil: Con. Lease - Gerald Bailey
- 2-7-77 Order To Trust - Transferring \$60000 from R/S to General
- 2-21-77 3-77 Agent of Housing Authority Commission
- 3-14-77 4-77 Payment of money to SES out of Conservation Trust Fund
- 3-28-77 5-77 Manco Fire Protection Dist.
- 3-14-77 6-77 Chaffin "96" Club - approval of license
- 1-26-77 Order Ormiston Fund - Stroud
- 4-25-77 9-77 Reg. bill from Gov. Lamm in re disaster aid
- 5-8-77 8-77 Manco Fire Prot. Dist. Res.
- 7-11-77 Order Ormiston Fund - Stroud
- 7-18-77 Public Hearing - application of Richard & Carolyn Lee DBA. Mesa Verde  
Board of Equalization Point Kay
- 7-21-77 Special meeting - Petition of Duvarin & Marie Lively
- 8-2-77 10-77 Construction of county Rd denied
- 8-15-77 Order - Transferring \$499.96 from R/S Fund to County Work
- " 11-77 Allocation of mineral leasing monies (ORS-34.43-02.73)
- ~~9-26-77~~ ~~Order - Transferring \$100,000 from R/S Fund to General Fund~~
- 9-26 12-77 Res. expressing sympathy to family of Chaffin Co. Comm
- 13-77 " " " " " "
- 10-31 14-77 Early Montezuma County Airport
- 16-77 District Attorney Represent <sup>Shuff.</sup> " officials with any civil suit or civil process
- 11-7 Order Transfer \$50,000 from Revenue Sharing Fund to General Fund
- 11-21 17-77 District Attorney Represent Treasurer officials with any civil suit or <sup>civil</sup> process
- 15-77 Special Transport permits for use of <sup>bus</sup> over weight, over height, and other unusual loads
- 12-5 19-77 Certificate of Resolution Between State Highway Dept. & Commission on Montezuma Contract
- 12-12 20-77 Licensing of ambulances in County
- 12-19 Order Federal Land Marry records \$55,549.39

20-77

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 12th day of December, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay V. Bader,  
Commissioners Absent: None  
County Clerk and Recorder: Jean DeGraff  
County Attorney: Grace Merlo

the following proceedings, among others, were taken:

WHEREAS, pursuant to the provisions of section 25 - 3.5 - 301, C.R.S. 1973 (A portion of the Colorado Emergency Medical Services Act contained in S.B. 454 enacted this year by the Fifty - First General Assembly), no person may provide ambulance service publicly or privately in this state after December 31, 1977, unless that person holds a valid license to do so issued by the Board of County Commissioners of the County in which the ambulance service is based, with certain exceptions noted; and,

WHEREAS, the preparation required and the drafting time needed for the adoption of a resolution regulating treatment, transportation and other aspects of any ambulance service based in this County are such that the January 1, 1978 deadline under the Colorado Medical Services Act can not be met in any way, reasonably satisfying this County's needs and requirements or the major purposes of the act; and,

WHEREAS, there is legislative authority, independent of the Colorado Medical Services Act, for the County's licensing of ambulance service based within its boundaries, namely, section 30 - 11 - 107 (1) (q), C.R.S. 1973, wherein it is stated that:

"The Board of County Commissioners of each county has power at any meeting... to organize, own, operate, control, direct, manage, contract for, or furnish ambulance service."; and,

WHEREAS, the Board of County Commissioners of Montezuma County does hereby declare its intention to establish temporary ambulance service licensing authority, effective January 1, 1978.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Montezuma County at a regular meeting of the Board held at the Courthouse, in Cortez, Colorado, on the 12th day of December, 1977, that all persons who are providing public or private ambulance service in this state at the time of the adoption of the Resolution, whose service is based in this County and who desire to continue providing such service after December 31, 1977, shall, immediately, make application for an ambulance service license to the (Montezuma County Public Health Officer)

1. The licensing procedure provided for herein shall be as follows:
  - (a) The (County Public Health Officer) has prepared, under the Board's supervision, a short application form which shall be furnished, upon request, to any person seeking to be licensed under this Resolution. Said application is attached hereto.
  - (b) The Board, upon finding that the information and statements requested in the application form have been completely supplied and upon determining that such information and statements are sufficient indication of the applicant's compliance with the ambulance service requirements set forth herein, shall, thereupon, issue a temporary ambulance service license, together with an appropriate number of temporary ambulance permits, to such applicant.
2. The license and each permit shall be valid for not more than ninety days from the date of issue.

20-77

3. The licensee and permit holder shall, upon notification by the Board, through the County Public Health Officer that an Emergency Medical Services Resolution has been adopted, immediately make application for ambulance service licensing under the provisions of such subsequently adopted resolution, if the licensee desires to continue ambulance service in the County beyond the period provided in the temporary license and temporary permits.
4. Any licensing granted under this Ambulance Service - Temporary Licensing Resolution shall, in no event, extend beyond April 1, 1978.

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray, and Clay V. Bader.

Commissioners voting Nay: None

Curtis Honaker  
Floyd M. Ray  
Clay V. Bader

[Signature]  
County Clerk and Recorder  
of Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Date this 12th day of December, 1977.

[Signature]  
County Clerk and Recorder of  
Montezuma County, Colorado

MONTEZUMA COUNTY

Temporary Ambulance License Application

To be completed by the Owner/Operator of each ambulance in Colorado as provided in Section 25-3.5-301, C.R.S. 1973.

1. Name of Owner/Operator: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

2. Description of Ambulance:

_____	_____
Make & Model	Year

Colorado License Number: \_\_\_\_\_

Vehicle Chassis Number: \_\_\_\_\_

Length of Time in Service: \_\_\_\_\_

3. Location and description of place or places from which the ambulance operates:

\_\_\_\_\_  
\_\_\_\_\_

4. Narrative Report to Accompany Application:

a. A statement indicating that the vehicle has passed the Colorado State Vehicle Inspection within the past twelve months (show date of inspection sticker expiration).

\_\_\_\_\_  
\_\_\_\_\_

B. A statement that the ambulance has equipment that meets the minimum requirements set forth in the latest edition of the American College of Surgeons Committee on Trauma publication "Essential Equipment for Ambulances" or its equivalent.

\_\_\_\_\_

- c. A statement that each driver has a valid Colorado Driver's License and, at a minimum, a current American Red Cross Advanced First Aid Card.

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- d. A statement that each ambulance attendant, other than the ambulance driver has an Emergency Medical Technician Certificate issued by the Department of Health.

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- e. A statement indicating the ambulance is covered by the provisions of the Colorado Auto Accident Reparations Act.

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I certify the information furnished in this application is true and correct.

\_\_\_\_\_  
Owner/Operator

By \_\_\_\_\_

18-77

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 21st day of November, 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray and Clay Bader  
Commissioners absent: \_\_\_\_\_  
County Clerk and Recorder: Jean DeGraff  
County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

RESOLUTION 18-77

WHEREAS: Montezuma County has established Special Transport Permits for use of over-weight, over-width, over-height, and other unusual loads; and,

WHEREAS: Such permit system was designed to protect the road system of Montezuma County from damage that may be caused by unusual loads; and,

WHEREAS: Unusual conditions of roads and bridges may occur from time to time requiring load limitations more stringent than those set forth in the Permit Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County, through it's agents may set forth more stringent regulations as to load size and weight. Such regulation shall then be a part of the Special Transport Permit Regulations for as long as may be required and on such roads and structures as may be required.

Commissioners voting aye in favor of the resolution were:

Curtis Honaker  
Floyd M Ray  
Clay V. Bader

Jean DeGraff  
County Clerk and Recorder  
Montezuma County, Colorado

I certify that the above and foregoing resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

17-77

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

at a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 21ST day of NOVEMBER, 1977, with the following persons in attendance:

Commissioners: CURTIS HONAKER, FLOYD RAY,

and CLAY V. BADER.

Commissioners absent: NONE,

County Clerk and Recorder: JEAN DEGRAFF,

County Attorney: GRACE S. MERLO,

the following proceedings, among others, were taken:

WHEREAS, Russell Hindmarsh has been sued by Larry M. Chandler and Jo Beth Chandler, husband and wife, in his legal capacity as Public Trustee of Montezuma County in the Montezuma County District Court and is in need of legal representation, and,

WHEREAS, Article 1-105 of Title 20 C.R.S. 1973 as amended, provides that the District Attorney upon a request in the form of a resolution by the Board of County Commissioners shall represent any county officer enumerated in Article 10 of Title 30, C.R.S. 1973 in the defense of any civil suit or civil proceeding brought against such officer in any court in this state, and,

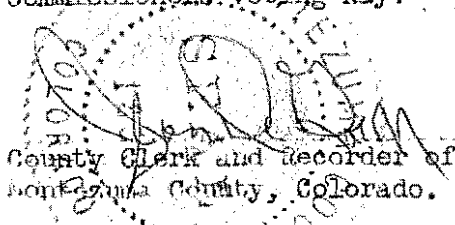
WHEREAS, The Public Trustee of Montezuma County is such an officer enumerated in Article 10 of Title 30, C.R.S. 1973 as amended,

NOW THEREFORE BE IT RESOLVED, That the Montezuma County District Attorney is herewith requested to represent the Public Trustee of Montezuma County in the above mentioned law suit.

Commissioners voting aye in favor of the Resolution were: CURTIS HONAKER

FLOYD RAY, and CLAY V. BADER.

Commissioners voting Nay: NONE.

  
County Clerk and Recorder of  
Montezuma County, Colorado.

*Curtis Honaker*  
*Floyd M. Ray*  
*Clay V. Bader*

I certify that the above and foregoing Resolution is a true and correct copy of same



THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 7th day of November 1977, with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray  
and Clay V. Bader.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

WHEREAS, Bob W. Hampton, has been sued by Safeco Insurance Co. of America, in the Montezuma County District Court in his legal capacity as the Montezuma County Sheriff and is in need of legal representation, and,

WHEREAS, Article 1-105 of Title 20 C.R.S. 1973 as amended, provides that the District Attorney upon a request in the form of a resolution by the Board of County Commissioners shall represent any county officer enumerated in Article 10 of Title 30, C.R.S. 1973 in the defense of any civil suit or civil proceeding brought against such officer in any court in this state, and,

WHEREAS, The Montezuma County Sheriff is such an officer enumerated in Article 10 of Title 30, C.R.S. 1973 as amended,

NOW THEREFORE BE IT RESOLVED, that the Montezuma County District Attorney is herewith requested to represent the Montezuma County Sheriff in the above mentioned law suit.

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray and Clay V. Bader.

Commissioners voting Nay: None

Curtis Honaker  
Clay V. Bader  
Floyd M. Ray

Jean DeGraff  
County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Date this 7th day of November, 1977.

(SEAL)

Jean DeGraff  
County Clerk and Recorder of  
Montezuma County, Colorado

#16-77

15-77

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 7th day of November 19 77 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray

and Clay V. Bader.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

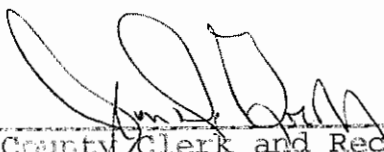
the following proceedings, among others, were taken:


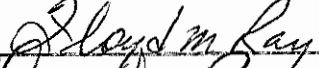
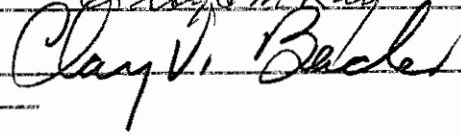
Commissioner Ray made a motion to abandon the old Road 29 in preference of the new Road 29 in Section 16 and 30, Township 36 North, Range 15 West. Motion seconded by Commissioner Bader and carried.

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray and Clay V. Bader.

Commissioners voting Nay: None

  
\_\_\_\_\_  
County Clerk and Recorder of  
Montezuma County, Colorado

  
  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true

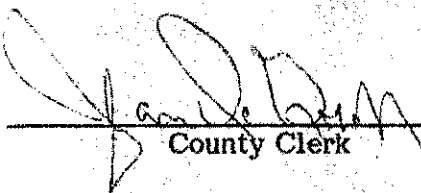
BY THE COMMISSIONERS:

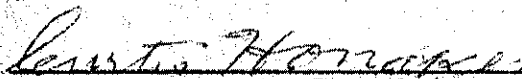
A RESOLUTION APPROVING AN APPLICATION FOR FEDERAL ASSISTANCE FOR NONCONSTRUCTION PROGRAMS FOR DEVELOPMENT OF THE CORTEZ-MONTEZUMA COUNTY AIRPORT, ASSURING COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AS AMENDED AND PART 21 OF THE REGULATIONS OF THE OFFICE OF THE SECRETARY OF TRANSPORTATION: AUTHORIZING THE CHAIRMAN AND THE COUNTY CLERK TO EXECUTE AND ATTEST SAID APPLICATION AND ANY AND ALL DOCUMENTS NECESSARY OR REQUIRED TO IMPLEMENT THE APPLICATION AND THE ASSURANCE OF COMPLIANCE WITH SAID CIVIL RIGHTS ACT OF 1964 AS AMENDED AND THE REGULATION OF THE SECRETARY OF TRANSPORTATION.

Adopted by the Commissioners of the County of Montezuma, Colorado, this 31st day of October, 19 77.

ATTEST:

ADOPTED:

  
County Clerk

  
Montezuma County Commissioners  
Curtis Honaker, Chairman

DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION  
**STANDARD DOT TITLE VI ASSURANCES**  
(FOR USE WITH PLANNING GRANT APPLICATION)

The County of Montezuma, State of Colorado

(hereinafter referred to as the "Sponsor") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the sponsor receives Federal financial assistance from the Department of Transportation, including the Federal Aviation Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Sponsor hereby gives the following specific assurances with respect to its Planning Grant Program.

1. That the Sponsor agrees that each "program," as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Sponsor shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Planning Grant Program and, in adapted form, in all proposals for negotiated agreements:

The Sponsor, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority

business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Sponsor shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.

4. That this assurance obligates the Sponsor for the period during which Federal financial assistance is extended to the program.

5. The Sponsor shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other sponsor, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

6. The Sponsor agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Sponsor by the Department of Transportation under the Planning Grant Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Planning Grant Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Sponsor.

DATED October 31, 1977

County of Montezuma, Colorado  
(Sponsor)

by Curtis Honaker  
(Signature of Authorized Official)  
Curtis Honaker, Chairman  
County Commissioners

## APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations.

(3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Sponsor or the Federal Aviation Administration to be

pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Sponsor or the Federal Aviation Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the (Sponsor) shall impose such contract sanctions as it or the Federal Aviation Administration may determine to be appropriate, including, but not limited to:

(a) withholding of payments to the contractor under the contract until the contractor complies, and/or

(b) cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempted by the Regulations or directives issued pursuant thereto. The contractor shall take such action, with respect to any subcontract or procurement, as the Sponsor or the Federal Aviation Administration may direct as a means of enforcing such provisions including sanctions for non-compliance. Provided, however, that in the event a contractor becomes involved in or is threatened with litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Sponsor to enter into such litigation to protect the interests of the Sponsor, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

13-77

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 26th day of September 19 77 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray

and Clay V. Bader.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Kent Williamson,

the following proceedings, among others, were taken:

WHEREAS, Edward Krocesky served Chaffee County as County Commissioner.

WHEREAS, this Board of Commissioners, Montezuma County, is aware that said Edward Krocesky served this office faithfully and honestly,

NOW THEREFORE BE IT RESOLVED that this Board of County Commissioners, Montezuma County, expresses their deepest sympathy to the family of Edward Krocesky and do cause this resolution to be spread upon the minutes of this Board meeting.

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray and Clay V. Bader.

Commissioners voting Nay: None

Curtis Honaker

Floyd M. Ray

Clay V. Bader

Jean DeGraff  
County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

12-77

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 26th day of September 19 77  
with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray

and Clay V. Bader.

Commissioners absent: None.

County Clerk and Recorder: Jean DeGraff.

County Attorney: Kent Williamson.

the following proceedings, among others, were taken:

WHEREAS, Ed Holman served Chaffee County as County Commissioner.

WHEREAS, this Board of Commissioners, Montezuma County, is aware that said Ed Holman served this office faithfully and honestly,

NOW THEREFORE BE IT RESOLVED that this Board of County Commissioners, Montezuma County, expresses their deepest sympathy to the family of Ed Holman and do cause this resolution to be spread upon the minutes of this Board meeting.

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd Ray and Clay V. Bader.

Commissioners voting Nay: None

Curtis Honaker

Floyd M. Ray

Clay V. Bader

Jean DeGraff  
County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true

11-77

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 15th day of August 1977 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd M Ray  
and Clay Bader.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

**ALLOCATION OF MINERAL LEASING MONIES WILL BE AS FOLLOWS:**

75% TO ROAD AND BRIDGE FUND

25% TO PUBLIC SCHOOL FUND

100%


(CRS-34-63-102-1973)

Commissioners voting Aye in favor of the Resolution were:

Honaker, Ray and Bader.

Commissioners voting Nay:

Curtis Honaker  
Clay Bader  
Floyd M Ray

  
County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true



#10-17

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 2nd day of August 19 77 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd M Ray  
and Clay Bader.

Commissioners absent: None,

County Clerk and Recorder: Jean DeGraff,

County Attorney: Grace S. Merlo,

the following proceedings, among others, were taken:

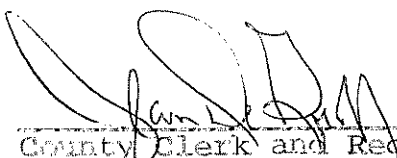
After due consideration, Commissioner Ray made a motion that the County has no plans for construction of a County road between Sections 31 and 32, T35N, R16W at this time or in the foreseeable future. Motion seconded by Commissioner Bader.

Commissioners voting Aye in favor of the Resolution were:

Curtis Honaker, Floyd M Ray and Clay Bader.

Commissioners voting Nay: none

Curtis Honaker  
Clay Bader  
Floyd M Ray

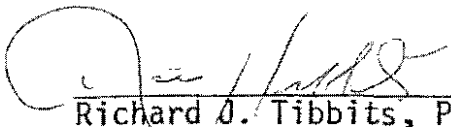
  
County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true.

Res. # 9-

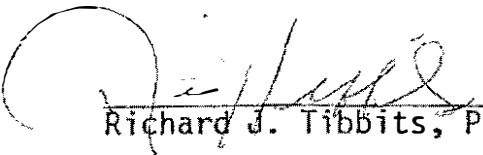
We, High Camp Company, Mountain Gravel and Construction Company, and Richard J. Tibbits and Evelyn F. Tibbits, do formally request and petition the Montezuma County Board of Commissioners to release from the High View Acres Subdivision, all road, utility, and lot line easements appurtenant thereto, and from operation of the protective covenants for said Subdivision on Tract II, Lots 30 through 37, inclusive. Said Subdivision protective covenants were recorded in the Montezuma County Courthouse on February 14, 1977, in Book 476, Page 56. All property owners in said Subdivision have signed waivers in concurrence with this request. Said waivers are attached hereto and made a part hereof. In the event the proposed exchange of these lots by Richard J. Tibbits and Evelyn F. Tibbits with the United States of America is not consummated, said lots shall continue to be part of the High View Acres Subdivision and shall remain subject to all easements and covenants referred to herein.

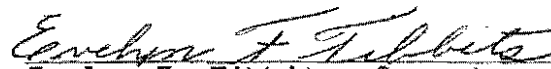
High Camp Company

  
Richard J. Tibbits, Pres.

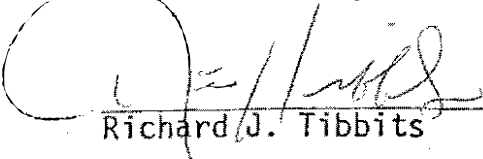
  
Peter Ballode, Secretary

Mountain Gravel & Construction Co.

  
Richard J. Tibbits, Pres.

  
Evelyn F. Tibbits, Secretary

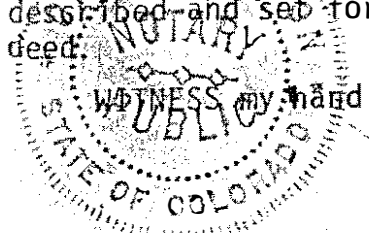
Richard J. and Evelyn F. Tibbits

  
Richard J. Tibbits

  
Evelyn F. Tibbits

State of Colorado )  
                          ) ss.  
County of Montezuma)

I Ona Lee Olson, a notary public in and for said county and state, do hereby certify that on this 8th day of July, 1977, before me personally appeared Richard J. Tibbits, Evelyn F. Tibbits and Peter Ballode, being to me personally well known; acknowledged that the foregoing instrument bearing date of July 8th 1977, was executed by them for the purpose and intent in said instrument described and set forth; and acknowledged the same to be their free act and deed.



WITNESS my hand and seal this 8th day of July, 1977.

  
Notary Public

Commissioners voting aye in favor of this request were:

Curtis Hornaker

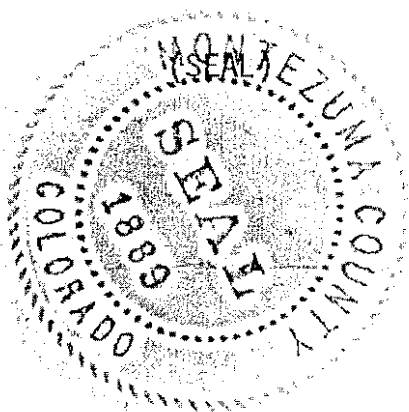
Clay V. Bader

Lloyd M. Ray

[Signature]

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.



[Signature]

County Clerk and Recorder  
Montezuma County, Colorado

8-77

State of Colorado                    }  
County of Montezuma                }                   ss.

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at the Montezuma County Courthouse in Cortez, Colorado being the regular meeting place of the Board, at the hour of 3:00 p.m. on Monday, the 25th day of April, 1977.

Present:

Chairman:	Curtis Honaker
Commissioners	Floyd M. Ray
	Clay Bader
County Attorney	Grace S. Merlo
County Clerk and Recorder	Jean DeGraff

Absent:                               None

Thereupon the following proceedings, among others, were had and taken.

Commissioner Honaker reviewed the action of this Board taken at this same regular meeting of Monday, April 25, 1977 at which time a hearing on the Service Plan and related documents for the proposed Mancos Fire Protection District was held by the Board of County Commissioners, pursuant to the provisions of Chapter 32, Article 1, Colorado Revised Statutes 1973 and in accordance with a Resolution adopted and approved by the Board on the 28th day of March, 1977.

Thereupon Commissioner Bader introduced and moved the adoption of the following Resolution:

R E S O L U T I O N

#8-77

WHEREAS, pursuant to the provisions of Chapter 32, Article 1, Colorado Revised Statutes 1973, the Board of County Commissioners of Montezuma County, Colorado, on Monday, the 25th day of April, 1977, held a public hearing on the Service Plan and related documents for the proposed Mancos Fire Protection District; and

WHEREAS, Notice of this hearing was duly published in the Mancos Times Tribune, a newspaper of general circulation within Montezuma County, said publication occurring on March 31st, April 7th and 14th, 1977, as required by law and said Notice was forwarded to the Petitioners and to the governing body of each municipality and special district which has levied an ad valorem tax within a radius of three miles of the proposed District, and also to the Planning Commission of Montezuma County; and

WHEREAS, the Board has considered the Service Plan and all other testimony and evidence presented at the hearing; and

WHEREAS, it appears that the Service Plan should be approved with one condition, that the mill levy requested be reduced to the amount needed to cover the proposed budget as shown in the Service Plan;

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

1. That the Board of County Commissioners of Montezuma County, Colorado, does hereby determine that all of the requirements of Chapter 32, Article 1, Colorado Revised Statutes 1973, relating to the filing of the Service Plan for the proposed Mancos Fire Protection District have been fulfilled and that Notice of the hearing was duly given in the time and manner required by law.

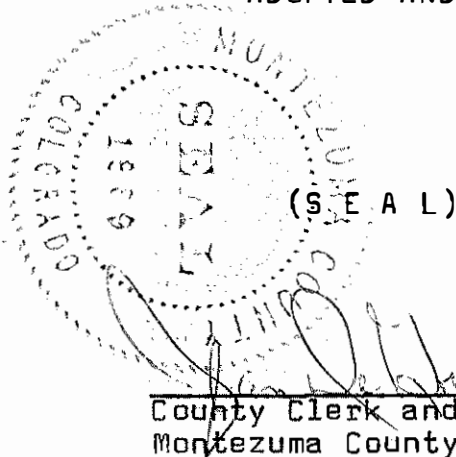
2. That said publication of the Notice of Hearing in the Mancos Times Tribune, a newspaper of general circulation within the County, is hereby approved.

3. That the Service Plan of the proposed Mancos Fire Protection District is hereby approved with the following condition; that the mill levy requested be reduced to the amount needed to cover the proposed budget as shown in the Service Plan.

4. All resolutions, or parts thereof, in conflict with the provisions hereof, be and the same are hereby repealed.

5. That a certified copy of this Resolution be filed in the records of Montezuma County and submitted to the petitioners for the purpose of filing in the District Court of Montezuma County, Colorado.

ADOPTED AND APPROVED this 25th day of April, 1977.



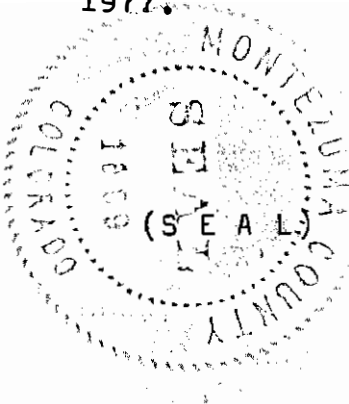
SEAL  
1969  
(S E A L)  
COUNTY CLERK AND RECORDER  
MONTEZUMA COUNTY, COLORADO

Curtis Honaker  
Chairman  
Board of Commissioners  
Montezuma County, Colorado

CERTIFICATE

I, Jean DeGraff, do hereby certify that the above and foregoing is a true, correct and complete copy of a Resolution adopted by the Board of County Commissioners of Montezuma County, Colorado, at a duly called meeting held April 25, 1977.

WITNESS my hand and official seal this 25th day of April, 1977.



SEAL  
1969  
(S E A L)  
COUNTY CLERK AND RECORDER  
MONTEZUMA COUNTY, COLORADO

Jean DeGraff  
County Clerk and Recorder  
Montezuma County, Colorado

Commissioner Ray seconded the motion for the passage and adoption of said Resolution.

The question being upon the passage and adoption of said Resolution, the roll was called and the question put to a vote with the following results:

Those voting AYE:

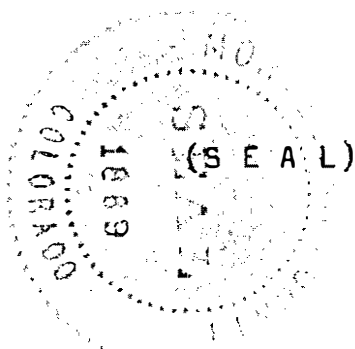
Commissioners	Curtis Honaker
	Floyd M. Ray
	Clay Bader


Those voting NAY:

NONE

The presiding officer thereupon declared that, a majority of all the Commissioners elected having voted in favor thereof, the motion was carried and the Resolution duly passed and adopted.

After consideration of other matters to come before the Board, on motion duly made and seconded, the meeting was adjourned.

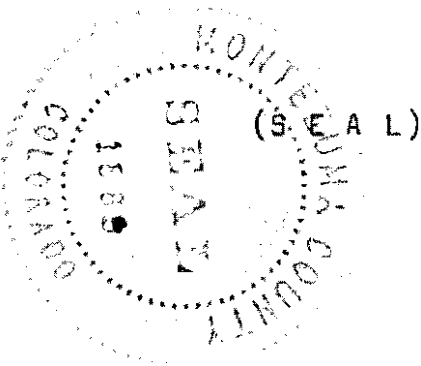



  
\_\_\_\_\_  
County Clerk and Recorder  
Montezuma County, Colorado

I, Jean DeGraff, County Clerk and Recorder of the County of Montezuma, State of Colorado, do hereby certify that the foregoing pages numbered 1 to 4, inclusive, constitute a true and correct copy of the record of proceedings of the Board of County Commissioners of said County, taken at a regular meeting held on the 25th day of April, 1977, at the Montezuma County Courthouse, Cortez, Colorado, insofar as said minutes relate to a Resolution, a copy of which is therein set forth; that the copy of said Resolution contained in the minutes is a full, true and correct copy of the original of said Resolution as adopted by the Board of County Commissioners at said meeting; that the original Resolution has been duly signed and approved by the presiding officer of the Board of County Commissioners and myself, as County Clerk and Recorder, sealed with the corporate seal of the County and recorded in the Book of Resolutions of the County kept for that purpose in my office.

I further certify that the Chairman and two members of the Board of County Commissioners were present at said meeting and that three members of the Board voted on the passage of the Resolution as set forth in said minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said County of Montezuma, Colorado, this 25th day of April, 1977.



  
\_\_\_\_\_  
County Clerk and Recorder  
Montezuma County, Colorado



7-77

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado, duly convened and held the 25th day of April, 1977, with the following persons in attendance:

Commissioners: Curtis Hona er, Floyd Ray and Clay Bader

Commissioners absent: \_\_\_\_\_

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

the following proceedings, among others, were taken:

Resolution 7-77

WHEREAS: Montezuma County is now plagued with serious water shortages due to the minimal snowfalls of the past winter; and,


WHEREAS: Surveys of availability of water flows and forecasts of limited rainfalls for the summer indicate little or no irrigation water will be available this summer, and even some domestic water shortages may be experienced; and,

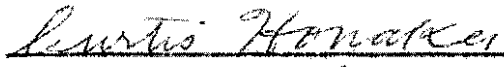
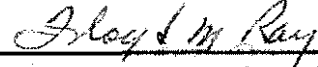
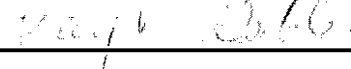
WHEREAS: We understand that various disaster funds can only be made available after an area is declared a disaster area; and,

WHEREAS: The drought will bring about many financial and social burdens that many of the citizens of our area cannot carry without assistance.


NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Montezuma County, Colorado request the Governor's assistance in being designated a disaster area brought about by the drought conditions that presently prevail.

Commissioners voting aye in favor of the Resolution were:

  
\_\_\_\_\_  
County Clerk and Recorder of  
Montezuma County, Colorado

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.



R E S O L U T I O N      No. 6-77

It was moved by Commissioner Floyd Ray and  
duly seconded by Commissioner Clay Bader that the  
following resolution be adopted:

WHEREAS, Gary Chaffin submitted an application to  
the County of Montezuma, Colorado, requesting the granting  
of a Retail Fermented Malt Beverage license for sale of 3.2%  
beer only for consumption on the premises known as the 76  
Club, a three acre tract described as follows:

A tract of land in the SE/4 NE/4 of Section  
7, Township 37 North, Range 16 West, N.M.P.M.,  
being more particularly described as follows:

Beginning at a point on the South right of way  
line of Colorado Highway No. 147 in the SE/4  
NE/4 of Section 7, Township 37 North, Range  
16 West, N.M.P.M., from which point the NE  
Corner of said Section 7 bears N 13°32'38" E.,  
a distance of 1469.47 feet; thence S 00°29'15" E.  
a distance of 361.50 feet; thence S 87°35'17" E.  
a distance of 361.50 feet to the East line of  
said Section 7; thence N 00°29'15" W. a distance  
of 361.50 feet along the East line of said Sec-  
tion 7 to the South right of way line of Colorado  
Highway No. 147; thence N 87°35'17" W. a distance  
of 361.50 feet along the South right of way  
line of Colorado Highway No. 147 to the point  
of beginning, County of Montezuma, State of  
Colorado, and,

WHEREAS, the Board of County Commissioners of  
Montezuma County, Colorado scheduled a public hearing on  
said application for March 8, 1977 at 7:00 o'clock P.M.; and  
set the neighborhood as being within a two mile radius of  
the proposed outlet; and publication and posting of notice  
of said public hearing was accomplished in accordance with  
the law; and the public hearing took place in the District  
Courtroom in the Montezuma County Courthouse, Cortez, Colorado,  
at the date and time as above set; and,

WHEREAS, at said public hearing, the application  
and the Investigator's Report were reviewed by the Commis-  
sioners, and,

WHEREAS, at said Public Hearing the application, the Investigator's Report and other pertinent material submitted by the applicant were reviewed by the Commissioners. Testimony was presented by the applicant as to his character, past experience, his residence, the layout of the buildings, parking, his equipment, number of employees, the character of the neighborhood, the hours his business would be open, the need for such an outlet, and the desires of the neighborhood. The applicant further testified that he would insulate the ceiling of his building in order to muffle the sound of music coming from his establishment to avoid disturbing the peace and quiet of nearby neighbors. The applicant also testified that he would hire a qualified person to check identification and to control the behavior of the crowd during his open business hours. The applicant also presented one petition signed by 101 persons recommending that he be granted a 3.2 beer license, and, another petition signed by 14 persons opposing the granting of the license. Applicant further testified that parents and other adults would be welcome to visit the club at anytime. The applicant was then questioned by the Commissioners and members of the audience. Sheriff Bob Hampton gave testimony in behalf of the applicant and stated that the area would be patrolled by his deputies. William Kvasnicka testified that he lived in the neighborhood and urged that the license be granted, as did Abe L. Imel and Jack Johnson, all of whom stated there was a need for such an establishment in the neighborhood. Stan Chaffin, a brother of the applicant, gave a resume of his law enforcement background and stated he would be employed by Club 76 to check the identification of the patrons and to maintain control inside the club and in the parking lot. Testimony was then presented in opposition to the granting of the license by Roger Davis, Ken Stocks,

Marva Davis, Ealine Riffey, Renay Neeley and Gary Nielson.

The opposition presented a petition opposing the granting of the license signed by 47 persons. Some testifying in opposition expressed concern over noise from loud music, increase in traffic on the roads, and bad location for such an establishment, while others stated they did not approve of the drinking or the selling of beer, either on religious or moral grounds. Before the end of the hearing, six young people, over the age of 18, gave testimony as to the need for such an establishment for the benefit of the young people in the area. It was stated that the nearest 3.2 beer establishment was in Cortez, approximately 10 miles away. At the close of the hearing thirty-seven persons stood up in favor of the application and 14 persons stood up opposing the application, and,

WHEREAS, the applicant has agreed to insulate his ceiling in such a manner as to prevent the sound of loud music from disturbing the peace and quiet of nearby residents in the neighborhood, and has agreed to employ a person capable of maintaining order and checking the identification of patrons in his establishment, and to encourage his patrons to drive on the paved roads, and,

WHEREAS, the Public Hearing was closed on the same date and the matter was taken under advisement by the Commissioners, and the Commissioners, after reviewing all of the testimony, evidence and exhibits, have made a decision in regard to said application.

NOW, THEREFORE, BE IT RESOLVED that the application submitted by Gary Chaffin for a 3.2 beer license for consumption on the premises of Club 76, in Montezuma County, Colorado, be granted with the understanding that the ceiling of the establishment will be adequately insulated against the transmission of sound through it, and that a qualified

person will be employed to maintain order in the establishment, for the following reasons:

1. Desires of the Inhabitants:

The applicant has presented a petition signed by numerous residents in the neighborhood recommending approval of said application. The opposition has also presented a petition signed by residents in the neighborhood expressing opposition. In determining the desires of the inhabitants, it was noted that much of the opposition, as stated by those who attended the hearing, was based on religious and moral grounds, as well as increase in traffic and noise associated therewith. It would appear from the evidence presented, that there was a greater number of residents in favor of granting the license than those opposed.

2. Need of the Neighborhood:

There is no similar outlet in this neighborhood. The nearest similar outlet is in the town of Cortez, some 10 miles away. There are no schools or churches within the two mile radius.

On polling the Board, Commissioner Honaker voted "aye", Commissioner Ray voted "aye" and Commissioner Bader voted "aye", in favor of the motion to approve the resolution. The motion was carried.

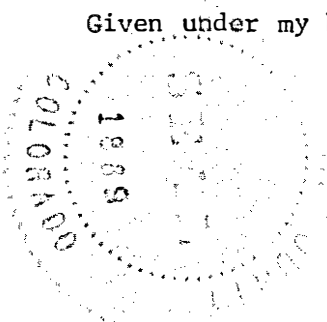
Harold Honaker  
Blond M Ray  
May V. Bader

ATTEST

County Clerk and Recorder

Given under my hand and seal and dated this 14th day of March.

County Clerk and Recorder



STATE OF COLORADO     )  
                              )  
COUNTY OF MONTEZUMA    )     ss.

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at the County Courthouse, in Cortez, Colorado, being the regular meeting place of said Board, at the hour of 9:30 o'clock a.m. on Monday the 28th day of March, 1977.

There were present:

- |                              |                            |
|------------------------------|----------------------------|
| Chairman:                    | Curtis Honaker             |
| Commissioners:               | Floyd Ray<br>Clay V. Bader |
| County Clerk<br>and Recorder | Jean DeGraff               |
| County Attorney:             | Grace Merlo                |

Thereupon the following proceedings, among others, were had and taken.

The Chairman informed the Board that a Service Plan, supplemental documents and the required processing fee had been filed for the proposed Mancos Fire Protection District and a request made that a Hearing on said Service Plan be called and held.

Thereupon Commissioner Bader introduced the following Resolution:

R E S O L U T I O N

#5-77

WHEREAS, a Service Plan, supplemental documents and a processing fee have been filed relating to the proposed Mancos Fire Protection District; and

WHEREAS, the law requires that a Hearing be called and held within 30 days of this meeting concerning the adequacy of said Service Plan;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONTEZUMA COUNTY, COLORADO:

Section 1. That a Hearing on the Service Plan, as filed, for the proposed Mancos Fire Protection District be and the same is hereby set for the hour of 3:00 o'clock p.m., at the County Courthouse, in Cortez, Colorado, the regular meeting place of the Board of County Commissioners, on Monday, the Twenty-Fifth day of April, 1977.

Section 2. That the Clerk of this Board is hereby directed to cause the Notice of Hearing to be published in the Mancos Time Tribune, Mancos, Colorado, newspaper of general circulation within the County, once each week for a period of three successive weeks by three publications, the first publication to be at least 20 days prior to the date of Hearing.

Section 3. That the Clerk is hereby further directed to provide written Notice of the Hearing to the Petitioners and to the governing body of any existing municipality of special district which has levied an ad valorem tax within the next preceding tax year and has boundaries within a radius of three miles of the proposed Mancos Fire Protection District, and also to the Planning Commission of Montezuma County.

Section 4. That said Notice shall be in substantially the following form:

OFFICE OF  
**Board of Commissioners**  
**Montezuma County**

Montezuma County Courthouse  
Cortez, Colorado 81321

PHONE 565-7464

STATE OF COLORADO     )  
                              )  
COUNTY OF MONTEZUMA   )     ss.

NOTICE OF HEARING

PUBLIC NOTICE IS HEREBY GIVEN that there was filed with the County Clerk and Recorder of Montezuma County, a Service Plan and related documents for the proposed Mancos Fire Protection District, the purpose of which is generally to provide facilities for a fire station and fire fighting equipment and personnel. Said Service Plan and related documents are now on file in the office of the County Clerk and Recorder and are available for public inspection.

NOTICE IS FURTHER GIVEN that, by order of the County Commissioners of Montezuma County, Colorado, a public hearing on said Service Plan and related documents will be held at the Montezuma County Commissioner's Room, Montezuma County Courthouse, in Cortez, Colorado, at 3:00 p.m. on Monday, the 25th day of April, 1977.

The purpose of said Hearing shall be to consider the adequacy of the Service Plan of the proposed Mancos Fire Protection District and form a basis for adopting a Resolution approving, conditionally approving or disapproving said Service Plan.

The proposed Mancos Fire Protection District has the following boundaries: Beginning at the NE corner of Section 30, Township 37 North, Range 12 West; Thence South to the SE corner of Section 7, Township 36 North, Range 12 West; Thence East to the NE corner of Section 17, Township 36 North, Range 12 West; Thence South following the Section boundaries to the point where the East boundary of Section 20, Township 36 North, Range 12 West intersects the Montezuma County boundary; Thence Southerly and Westerly to the point where the Montezuma County boundary intersects the South boundary of Section 23, Township 36 North, Range 12 West; Thence West to the SW corner of Section 35 Township 36 North, Range 13 West; Thence South to the SE corner of Section 27, Township 35 North, Range 13 West; Thence West to the SW corner of Section 30, Township 35 North, Range 13 West; Thence North to the NW corner of Section 30, Township 35 North, Range 13 West; Thence West to the SW corner of Section 23, Township 35 North, Range 14 West; Thence North to the NW corner of Section 23, Township 35 North, Range 14 West; Thence West to the SW corner of Section 15, Township 35 North, Range 14 West; Thence North to the West Quarter corner of Section 15, Township 35 North, Range 14 West; Thence West to the Center of Section 16, Township 35 North, Range 14 West; Thence North to the Center of Section 4, Township 35 North, Range 14 West; Thence West to the West Quarter corner of said Section 4; Thence North to the NW corner of said Section 4; Thence West to the SW corner of Section 31, Township 36 North, Range 14 West; Thence North to the West Quarter corner of Section 19, Township 36 North, Range 14 West; Thence West to the Center of Section 24, Township 36 North, Range 15 West; Thence North to the North Quarter corner of said Section 24; Thence West to the NW corner of



said Section 24; Thence North to the West Quarter Corner of Section 13, Township 36 North, Range 15 West; Thence East to the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 13; Thence North to the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 13; Thence East to the NE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 13; Thence South to the SE corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 13; Thence East to the East Quarter corner of said Section 13; Thence North to the West Quarter corner of Section 7, Township 36 North, Range 14 West; Thence East to the Center of said Section 7; Thence North to the North Quarter corner of said Section 7; Thence East to the NE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 10, Township 36 North, Range 14 West; Thence North to the Northwest Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 34, Township 37 North, Range 14 West; Thence East to the NE corner of Section 36, Township 37 North, Range 14 West; Thence North to the NW corner of Section 30, Township 37 North, Range 13 West; Thence East to the Point of Beginning.

THIS NOTICE GIVEN BY ORDER of the Board of County Commissioners of Montezuma County, Colorado, this 29th day of March, 1977.



Jean DeGraff, Clerk to the  
Board of Commissioners  
Montezuma County, Colorado

Publish three consecutive weeks beginning 3-31-77

# 3-77

CERTIFICATE OF APPOINTMENT OF COMMISSIONERS OF THE HOUSING AUTHORITY  
OF THE COUNTY OF MONTEZUMA, COLORADO, AND DESIGNATION OF THE FIRST  
CHAIRMAN.

WHEREAS, the Board of Commissioners of Montezuma County,  
Colorado, held a duly authorized regular meeting on the twenty second  
day of February, 1977, and

WHEREAS, at a regular meeting held November 22, 1976,  
the following resolution was passed and adopted: "A RESOLUTION  
DECLARING THE NEED FOR A HOUSING AUTHORITY TO FUNCTION IN THE  
COUNTY OF MONTEZUMA."

NOW THEREFORE, pursuant to the provisions of Section  
29-4-504(3) of "The County Housing Authority Law" of the  
State of Colorado, and by virtue of my office as Chairman,  
I hereby appoint the five persons hereinafter named, who are  
residents of this County, to serve as Commissioners of the  
Housing Authority of the County of Montezuma, Colorado, for  
the number of years appearing after their names, respectively,  
from the date hereof.

V. T. Boyd, Dolores, One Year  
Dale Fredrick, Mancos, Two Year  
Henry DiRe, Cortez, Three Years  
Floyd Ray, Cortez, Four Years  
Roy Henneman, Cortez, Five Years

I hereby certify that none of the above designated  
Commissioners is a County official, with the exception of  
Floyd Ray.

I hereby designate Roy Henneman as the First Chairman  
of the Housing Authority of the County of Montezuma, Colorado.

IN WITNESS WHEREOF, I have hereunto signed my name as  
Chairman of the Board of Commissioners, Montezuma County, Colorado,  
and caused the official corporate seal of said County to be attached  
hereto this twenty second day of February, 1977.

Lurtis Henneman  
Chairman, Board of Commissioners

ATTEST:

[Signature]  
Clerk

# 2-77

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF MONTEZUMA  
STATE OF COLORADO

At a regular meeting of the Board of County Commissioners of Montezuma County, Colorado duly convened and held the 24th day of January 19 77 with the following persons in attendance:

Commissioners: Curtis Honaker, Floyd Ray  
and Clay V. Bader.

Commissioners absent: None.

County Clerk and Recorder: Jean DeGraff.

County Attorney: Grace S. Merlo.

the following proceedings, among others, were taken:

WHEREAS, Gerald O. Bailey, 748 Equitable Building, Denver, Colorado 80202, had offered to purchase from Montezuma County, Colorado, for the sum of One Thousand Nine Hundred Seventy and 50/100 Dollars (\$1,970.50) an oil and gas lease on the form attached hereto as Exhibit "A", covering all interest which Montezuma County, Colorado, may own in the property described as:

Township 36 North, Range 13, West of the New Mexico Principal Meridian

Sec. 19: Lot 3 (37.05 acres), SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$

Sec. 21: W $\frac{1}{2}$ SE $\frac{1}{4}$

and containing 197.05 acres, more or less.

WHEREAS, Gerald O. Bailey owns oil and gas leases on other lands adjoining the lands described in Paragraph I or in the immediate vicinity thereof; and

WHEREAS, This Board, in the exercise of its best judgment and deeming such action to be for the best interests of Montezuma County, Colorado, desires to accept the offer of Gerald O. Bailey to lease for oil and gas purposes the lands described in Paragraph I above.

NOW THEREFORE, IT IS HEREBY RESOLVED, That by authority of its statutory power in the premises, this Board, on behalf of Montezuma County, Colorado, does execute and deliver to Gerald O. Bailey an oil and gas lease covering all of its interest in the lands described in Paragraph I above, such lease to be for a term of five (5) years, and such lease to be in the form of the oil and gas lease attached hereto as Exhibit "A".

Commissioners voting Aye in favor of the Resolution were:

Honaker, Ray and Bader.

Commissioners voting Nay: None

Curtis Honaker  
Floyd M. Ray  
Clay V. Bader

Jean DeGraff

County Clerk and Recorder of  
Montezuma County, Colorado

I certify that the above and foregoing Resolution is a true and correct copy of same as it appears in the minutes of the Board of County Commissioners of Montezuma County, Colorado, and the votes upon same are true and correct.

Date this 24th day of January, 19 77.

(SEAL)

Jean DeGraff  
County Clerk and Recorder of  
Montezuma County, Colorado

2-77

"A"  
OIL AND GAS LEASE

Tatlock's, Denver, Colo.

AGREEMENT, Made and entered into this 24th day of January, 19 77, by and between Montezuma County, a political subdivision of the State of Colorado, acting by and through its duly authorized Board of County Commissioners, party of the first part, hereinafter called lessor, (whether one or more) and Gerald O. Bailey, 748 Equitable Building, Denver, Colorado 80202, party of the second part, hereinafter called lessee.

WITNESSETH: That the lessor for and in consideration of Ten & More (\$10.00) Dollars in hand paid, receipt of which is hereby acknowledged, of the royalties herein provided, and of the agreements of lessee herein contained, hereby grants, demises, leases and lets exclusively unto lessee for the purpose of investigating, exploring, prospecting, drilling and mining for and producing oil, gas, casinghead gas and other hydrocarbons and including all other products produced therefrom; laying pipe lines, building tanks, power stations, telephone lines and other structures thereon to produce, save, take care of, treat, transport, and own said products, and housing its employees, the following described land in Montezuma County, State of Colorado, to wit:

Township 36 North, Range 13, West of the New Mexico Principal Meridian

Sec. 19: Lot 3 (37.05 acres), SE1/4, NE1/4

Sec. 21: W1/2SE4

(See Rider attached hereto and made a part hereof.)

including all minerals heretofore named underlying lakes, streams, roads, easements and rights-of-way which traverse or adjoin said lands owned or claimed by lessor, or which may hereafter be established to be owned by lessor, and also in addition to the above described land and rights, any and all strips or parcels of land, other than those constituting regular governmental subdivisions, adjoining or contiguous to the above described land and owned or claimed by lessor, all of the foregoing land being hereinafter referred to as said land or leased premises. For the purpose of calculating the rental payments for which provision hereinafter is made, said land shall be treated as comprising 197.05 acres whether it actually comprises more or less.

TO HAVE AND TO HOLD the same (subject to the other provisions herein contained) for a term of five (5) years from this date (called primary term) and as long thereafter as oil, gas, casinghead gas or other hydrocarbons or either or any of them, is produced therefrom; or as much longer thereafter as the lessee in good faith shall conduct drilling operations or reworking operations thereon and should production result from such operations, this lease shall remain in full force and effect as long as oil, gas, casinghead gas or other hydrocarbons shall be produced therefrom.

In consideration of the premises it is hereby mutually agreed as follows:

1. The lessee shall deliver to the credit of the lessor as royalty, free of cost, in the pipe line to which lessee may connect its wells the equal one-eighth (1/8) part of all oil produced and saved from the leased premises, or lessee may from time to time at its option purchase any royalty oil in its possession, paying the market price thereof prevailing for oil of like grade and gravity in the field where produced on the date of purchase.

2. The lessee shall pay lessor, as royalty, on gas, including casinghead gas or other gaseous substances, produced from the leased premises and sold or used off the premises or used in the manufacture of gasoline or other products, the market value at the well of one-eighth of the gas sold or used, provided that on gas sold the royalty shall be one-eighth of the amount realized from such sale. The amount realized from the sale of gas shall be the price established by the gas sales contract entered into in good faith by lessee and a gas purchaser for such term and under such conditions as are customary in the industry. "Price" shall mean the net amount received by Lessee after giving effect to applicable regulatory orders and after application of any applicable price adjustments specified in such contract or regulatory orders. In the event Lessee compresses, treats, purifies, or dehydrates such gas (whether on or off the leased premises) or transports gas off the leased premises, Lessee in computing royalty hereunder may deduct from such price a reasonable charge for each of such functions performed. If a well capable of producing gas or gas and gas-condensate or distillate in paying quantities located on the leased premises (or on acreage pooled with all or a portion of the leased premises into a unit for the drilling or operation of such well) is at any time shut-in and no gas or gas-condensate or distillate therefrom is sold or used off the premises for the manufacture of gasoline or other products, nevertheless such shut-in well shall be deemed to be a well on the leased premises producing gas in paying quantities and this lease shall continue in force during all of the time or times while such well is so shut-in, whether before or after the expiration of the primary term hereof. Lessee shall use reasonable diligence to market gas or gas-condensate or distillate capable of being produced from such shut-in well but shall be under no obligation to market such products under terms, conditions or circumstances which, in lessee's judgment exercised in good faith, are unsatisfactory. Lessee shall be obligated to pay or tender to lessor within 45 days after the expiration of each period of one year in length (annual period) during which such well is so shut-in, as royalty, an amount equal to annual delay rental herein provided applicable to the interest of lessor in acreage embraced in this lease as of the end of such annual period; provided that if gas or gas-condensate or distillate from such well is sold or used as aforesaid before the end of such annual period, or if, at the end of such annual period, this lease is being maintained in force and effect otherwise than by reason of such shut-in well, lessee shall not be obligated to pay or tender, for that particular annual period, said sum of money. Such payment shall be deemed a royalty under all provisions of this lease. Such payment may be made or tendered to lessor or to lessor's credit in the designated depository bank in the manner prescribed for the payment of delay rentals. Royalty ownership as of the last day of each such annual period as shown by lessee's records shall govern the determination of the party or parties entitled to receive such payment.

3. If operations for the drilling of a well for oil or gas are not commenced on said land on or before one year from this date, this lease shall terminate as to both parties, unless the lessee shall, on or before one year from this date, pay or tender to the lessor or for the lessor's credit in

First National Bank at Cortez, Colorado 81321

bank and its successors are lessor's agents and which shall continue as the depository regardless of changes in the ownership of the land or in the oil or gas or the rentals to accrue hereunder, the sum of One Hundred Ninety-Seven and 65/100 (\$197.65) Dollars which

shall operate as a rental and cover the privilege of deferring the commencement of operations for the drilling of a well for a period of one year. In like manner and upon payments or tenders, the commencement of operations for the drilling of a well may be further deferred for like periods successively during the primary term of this lease. And it is understood and agreed that the consideration first recited herein, the down payment, covers not only the privileges granted to the date when said rental is payable as aforesaid, but also the lessee's option of extending that period as aforesaid, and any and all other rights conferred. All payments or tenders may be made by check, or draft, of lessee or any assignee thereof, mailed or delivered on or before the rental paying date. Lessee may at any time execute and deliver to lessor or place of record a release or releases covering any portion or portions of the above described premises and thereby surrender this lease as to such portion or portions and be relieved of all obligations as to the acreage surrendered and thereafter the rentals payable hereunder shall be reduced in the proportion that the acreage covered herein is reduced by said release or releases.

4. If prior to discovery of oil or gas on said premises Lessee should drill a dry hole or holes thereon, or if after discovery of oil or gas all wells thereon should become incapable of producing for any cause, this lease shall not terminate if Lessee commences operations for additional drilling or for reworking within sixty (60) days thereafter or (if it be within the primary term) commences or resumes the payment or tender of rentals on or before the rental paying date next ensuing after the expiration of sixty (60) days from date of completion of dry hole or cessation of production. If at the expiration of the primary term there is no well upon the leased premises capable of producing oil, gas, casinghead gas or other hydrocarbons, but Lessee has commenced operations for drilling or reworking thereon, the lease shall remain in force so long as operations are prosecuted with no cessation of more than sixty (60) days, whether such operations be on the same well or on a different or additional well or wells, and if they result in the production of oil, gas, casinghead gas or other hydrocarbons, so long thereafter as oil, gas, casinghead gas or other hydrocarbons or either or any of them is produced from the leased premises.

5. If said lessor owns a less interest in the above described land than the entire and undivided fee simple estate herein, then the royalties and rentals herein provided for shall be paid the lessor only in the proportion which his interest bears to the whole and undivided fee.

6. Lessee shall have the free use of oil, gas, casinghead gas and water (regardless of the source) from said land, except water from lessor's wells, for all operations hereunder, and the royalty on oil, gas and casinghead gas shall be computed after deducting any so used.

When requested by lessor, lessee shall bury his pipe lines below plow depth.

No well shall be drilled nearer than 200 feet to the house or barn now on said premises, without the written consent of the lessor.

Lessee shall pay for damages caused by its operations to growing crops on said land, AND ANY OTHER DAMAGE TO THE SURFACE. Lessee shall have the right at any time (but not the obligation) to remove all improvements, machinery, and fixtures placed or erected by lessee on said premises, including the right to pull and remove casings.

7. The rights of either party hereunder may be assigned in whole or in part, and the provisions hereof shall extend to the heirs, executors, administrators, successors and assigns of the parties hereto. Notwithstanding any actual or constructive knowledge of or notice to lessee, no change or division in the ownership of the lands, royalties, or rentals, however accomplished, shall be binding upon the lessee (except at lessee's option in any particular case), until sixty (60) days after Lessee shall have been furnished with the original, a copy certified by the official recorder of the county where the land or some part thereof is located, or a photostat of the recorded instrument or instruments evidencing the change or transfer, including any intermediate transfer from the lessor or his assigns not theretofore furnished to lessee, and such change or transfer shall not affect any payments made prior to said date whether or not due. In case of death of any person entitled to receive royalties or rentals, the evidence of change in ownership shall consist of letters of administration or final decree of distribution of the estate of the decedent issued by a court of competent jurisdiction of the decedent's estate including his interest in the lands above described. Lessee may until such date continue to pay such royalties and rentals as if such change or transfer had not been made, or may pay the same according to the interests of record as disclosed by the last certification of an abstract in lessee's possession subsequent to the date of the lease, or at lessee's option, may suspend the payment thereof until sixty (60) days after such evidence is received. No change or division in the ownership of the land, royalties, or rentals shall operate to enlarge the obligations or diminish the rights of the lessee. No division of royalties shall be made effective except at the end of a calendar month. If the ownership of royalties becomes changed into separate divided portions of said land and the owner of any such royalty desires separate gauges for production from such separate tracts, he shall request the lessee to set separate measuring and receiving tanks and pay to the lessee in advance the lessee's estimated cost of procuring and setting such tanks and making the connections therefore; and unless and until such is done, lessee may pay such royalties to the separate owners jointly or may suspend payment until such time as said separate owners shall agree in writing upon an apportionment of such royalties and furnish lessee with the original agreement. In event of assignment of this lease as to a segregated portion or portions of said land, all rentals payable hereunder shall be apportionable as between the several leasehold owners ratably according to the surface area of each, and default in rental payment by one shall not affect the rights of other leasehold owners hereunder. The acreage included in any assignment as recited therein in good faith shall be conclusive for the purpose of payment of rentals. Whether or not this lease be owned by one party or by two or more different parties, production under the terms of this lease, or drilling or reworking operations on any portion of the land above described, shall keep this lease in effect upon all the land herein leased. The lessee shall not be liable for the failure of any subsequent owner of this lease, in whole or in part, to perform the terms, conditions and obligations of this lease, express or implied. Offsetting shall never be required to protect one portion of the leased premises against drainage through a well or wells on another portion of the leased premises. If six or more parties become entitled to royalty hereunder, lessee may withhold payment thereof unless and until furnished with a recordable instrument executed by all such parties designating a trustee to receive payment for all.

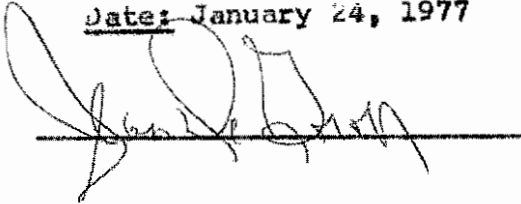
8. Lessee shall have the right to unitize, pool, or combine all or any part of the above described lands with other lands in the same general area by entering into a cooperative or unit plan of development or operation approved by any governmental authority and, from time to time, with like approval to modify, change or terminate any such plan or agreement and, in such event, the terms, conditions and provisions of this lease shall be deemed modified to conform to the terms, conditions, and provisions of such approved cooperative or unit plan of development or operation and, particularly, all drilling and development requirements of this lease, express or implied, shall be satisfied by compliance with the drilling and development requirements of such plan or agreement, and this lease shall not terminate or expire during the life of such plan or agreement. In the event that said above described lands or any part thereof, shall hereafter be operated under any such cooperative or unit plan of development or operation whereby the production therefrom is allocated to different portions of the land covered by said plan, then the production allocated to any particular tract of land shall, for the purpose of computing the royalties to be paid hereunder to lessor, be regarded as having been produced from the particular tract of land to which it is also allocated and not to any other tract of land; and the royalty payments to be made hereunder to lessor shall be based upon production only as so allocated. Lessor shall formally express lessor's consent to any cooperative or unit plan of development or operation adopted by lessee and approved by any governmental agency by executing the same upon request of lessee.

RIDER

Attached to and made a part of that certain Oil and Gas Lease dated January 24, 1977, by and between Montezuma County, a political subdivision of the State of Colorado, acting by and through its duly authorized Board of County Commissioners, Lessor, and Gerald O. Bailey, Lessee.

It is further understood and agreed that if Lessor purchases a supplemental abstract of title covering the lands herein described during the term of the said Oil and Gas Lease or within six (6) months after Lessee surrenders the said Oil and Gas Lease, Lessee will pay that portion of the abstract costs related to the said lease or any assignment thereof.

Date: January 24, 1977



County Clerk & Recorder

MONTEZUMA COUNTY, A POLITICAL SUB-DIVISION OF THE STATE OF COLORADO

By: Curtis Hernandez, Chairman

Signed by Lessor for identification.

RESOLUTION NO 1-77 1977 SERIES

A RESOLUTION BY THE COUNTY OF MONTEZUMA, COLORADO TO COOPERATE WITH OTHER COUNTIES AND/OR MUNICIPALITIES IN THE CREATION OF THE REGION 9 COMMISSION.

BE IT RESOLVED BY THE COUNTY COMMISSION OF THE COUNTY OF MONTEZUMA, COLORADO AS FOLLOWS:

Section 1. That it agrees to the dissolution of the San Juan Basin Regional Planning Commission, effective no later than March 31, 1977.


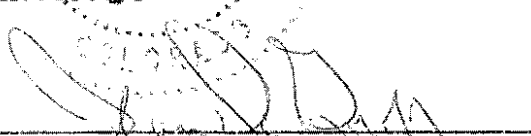
Section 2. That it hereby adopts a plan to cooperate with other political subdivisions in the creation of the Region 9 Commission, as provided for in the Colorado Revised Statutes (1973) 29-1-203, and further adopts the recommended rules, regulation, plan of organization and operation of the Region 9 Commission as set forth in the "Rules of Association" adopted in principle by the official representatives of the several counties, cities, and towns cooperating in the reorganization of the San Juan Basin Regional Planning Commission, dated December 15, 1976, which by reference thereto is hereby expressly made a part of this resolution.


Section 3. The Region 9 Commission, as reorganized, shall have the function, powers, and duties which are prescribed by law.

Section 4. The membership from the County of Montezuma, Colorado shall consist of 1 member and 2 alternates appointed by the County Commission Chairman from the membership of the County Commission.

Section 5. This resolution shall become of full force and effect upon adoption, being 1-3, 1977.

MONTEZUMA COUNTY, COLORADO

  
Attest: 

  
Clay Bader  
County Commission Chairman