

RESOLUTIONS, ORDINANCES AND ORDERS
1985

-85	1-85	MORTGAGE LOANS FOR LOW INCOME FAMILIES
1-85	3-85	QUIT CLAIM TO CITY OF CORTEZ
2-85	3-85	SUMMIT RIDGE WATER DISTRICT
-85	4-85	MORTGAGE LOANS FOR LOW INCOME FAMILIES
RDER	4-85	PETTY CASH FOR ASSESSOR \$100
-85	5-85	RETIREMENT - HELEN A DIFFENDAFFER
-85	5-85	SUMMIT RIDGE WATER DISTRICT
-85	5-85	RETIREMENT - MARJORIE F. KETCHEM
RDER	6-85	ORMISTON FUND - V. PERDUE
RDER	6-85	TRANSFER \$182.22 FROM ESCROW TO DISTRICT COURT
RDER	7-85	ORMISTON FUND - HAROLD LARIMORE
RDER	9-85	PUBLIC FACILITIES TRUST FUND
-85	NONE ISSUED	
-85	4-25 NONE ISSUED	<i>Order - to transfer escrow to General Fund</i>
0-85	NONE ISSUED	
1-85	12-85	DOLORES NORWOOD ROAD
2-85	12-85	SET MILL LEVIES
3-85	12-85	APPROPRIATE SUMS OF MONEY
4-85	12-85	ADOPT 1986 BUDGET
5-85	12-85	AMEND 85 BUDGET
6-85	12-85	AMEND 85 BUDGHET
7-85	12-85	AMEND 85 BUDGET
8-85	12-85	LOW-INCOME HOUSING

ADAMS COUNTY, COLORADO

(TIN NO. 84-6000-732)

See #18-85

POLICY REPORT UNDER SECTION 103A

Dated as of June 30, 1985

I. PRELIMINARY STATEMENT

Pursuant to the County and Municipality Development Revenue Bond Act, constituting Article 3, Title 29, Colorado Revised Statutes, Adams County, Colorado (the "County"), is authorized to finance more adequate residential housing facilities for low- and middle-income families and persons. The term "low- and middle-income families and persons" is defined by statute to mean those who "lack the financial ability to pay prices or rentals sufficient to induce private enterprise in such county or municipality to build a sufficient supply of adequate, safe and sanitary dwellings without the special assistance afforded by [the statute]." Consistent with this statutory authority, the Mortgage Subsidy Bond Tax Act of 1980 and the Tax Reform Act of 1984, the County intends to issue in 1986 its qualified mortgage bonds to further the policies and goals described herein.

II. HOUSING POLICIES AND GOALS

A. The primary goals of the County's 1986 qualified mortgage bond program (the "program") are (1) to assist in providing affordable housing for residents of the County and the other participating counties in accordance with expected demand and (2) to assist qualified low- and middle-income families and persons to obtain the benefits of home ownership through lower interest rates.

B. The proceeds of the qualified mortgage bonds which the County expects to issue in 1986 (the "bonds") are expected to be used to provide financing for the acquisition of residences, rather than to provide financing for home improvement loans or rehabilitation loans.

C. The proceeds of the bonds are expected to be used to acquire mortgage loans for both new and existing housing, and to be used to finance the acquisition of detached structures, condominiums and townhouses to be used as residential housing for one family units, and in each case to be used by the mortgagor as his or her sole place of residence. It is expected that a portion of the proceeds of the bonds will be committed to finance new residences to be sold or financed in part by corporations, partnerships or sole proprietorships which are in the business of constructing single family residences. The names and descriptions of any such "committed allocation" projects, the locations of any such projects and the amount to be reserved for any such projects will be determined by the County after applications to participate in the program have been received from interested mortgage lenders. It is expected, however, that no more than 10% of the lendable proceeds of the bonds will be used to finance residences to be sold by any such entity for whom one or more mortgage lenders have a committed allocation.

D. It is not expected that any particular portion of the proceeds of the bonds will be targeted to new, existing or any other particular class or type of housing. The County has determined that the best method of determining the need and demand for various types of housing is to accept applications for mortgage loans from prospective mortgagors on a first-come first-served basis, except as otherwise provided in Sections III(A) and III(B) below.

III. DEVELOPMENT POLICIES AND GOALS

A. It is expected that for the first 90 days after bond proceeds are first made available for the purchase of mortgage loans, a portion of the lendable proceeds of the bonds will be reserved for the purchase of mortgage loans to finance the purchase of residences located within each of the participating counties. The amount to be reserved for each such county is expected to be the amount of the lendable proceeds of the bonds multiplied by a fraction the numerator of which is the population of that county and the denominator of which is the population of all such counties and the County, provided that no amount is expected to be reserved or remain reserved for any participating county if the amount that would otherwise be reserved or remain reserved is not at least sufficient to purchase one mortgage loan to finance the purchase of a residence located in that county.

B. It is expected that 20% of the lendable proceeds of the bonds will be reserved for a period of one year after the date of issuance of the bonds for the purchase of single family residences located in areas designated as "targeted areas" on such date. If all of the counties which the County expects to participate in the program elect to participate in the program, such targeted areas will be as follows:

1. Alamosa County
2. Baca County
3. Chaffee County
4. Crowley County
5. Delta County
6. Gunnison County (except the Town of Crested Butte)
7. Huerfano County
8. Kit Carson County
9. Montezuma County
10. Otero County
11. Pueblo County
12. Rio Grande County
13. Saguache County
14. San Juan County
15. Yuma County
16. The City of Commerce City
17. Census Tract No. 86.02 in the City of Brighton

18. Census Tract No. 65.01 in Arapahoe County
19. Census Tracts Nos. 1 and 9 in Mesa County

C. It is believed that there is a shortage of adequate housing for low- and middle-income housing in all regions of the State of Colorado. This is evidenced by the fact that the proceeds of the qualified mortgage bond issues in which the County has participated, which involved counties throughout the State of Colorado, have been, for the most part, spent quickly. Consequently, the purpose of the 90-day reservation of proceeds for each participating county, as set forth in paragraph III(A) above, is to assure that each participating county is given a fair opportunity to have originated within their respective jurisdictions mortgage loans in amounts equal to their pro rata contributions to the program of the state volume cap, before all the proceeds are otherwise spent.

D. The targeted areas listed in paragraph III(B) above are (1) the qualified census tracts listed by the United States Department of the Treasury as such, constituting those census tracts within the County and the other expected participating counties in which 70% or more of the families have an income which is 80% or less of the median family income for the State of Colorado, and (2) the relevant areas of chronic economic distress which have been designated by the State of Colorado and approved as such by the Secretaries of the Department of the Treasury and the Department of Housing and Urban Development. Federal law requires the reservation of bond proceeds for use in the targeted areas set forth in paragraph III(B) above. This reservation of bond proceeds is consistent with the County's policies and goals of encouraging the use of bond proceeds in these areas, both because more people of relatively greater need reside in these areas and because of the social benefits which accrue as a result of increasing home ownership in such areas of relatively greater need.

IV. LOW-INCOME HOUSING ASSISTANCE POLICES AND GOALS

A. No particular portion of the proceeds of the bonds will be targeted to low-income (i.e. 80% of median income), moderate-income (i.e., 100% of median income), or any other class of borrower. State law, however, permits the financing of residences for use as the sole place of residence of only low- and middle-income families and persons, as determined by the County. No bond proceeds will be available to finance the purchase of residences by high income families and persons, i.e., families and persons with incomes above the limit to be established by the County.

B. Because of the extensive "targeted areas" located in the area within which bond proceeds may be spent and because a disproportionately large number of low- and moderate-income (as

defined above) families reside in such areas, it is expected that the reservation of bond proceeds for use in such areas as set forth in paragraph III(B) above will result in a greater availability and use of bond proceeds by such families than otherwise would be the case. The County plans to publish periodic advertisements in newspapers and other media in such targeted areas to the effect that funds are available for mortgage loans to finance the purchase of residences in such targeted areas.

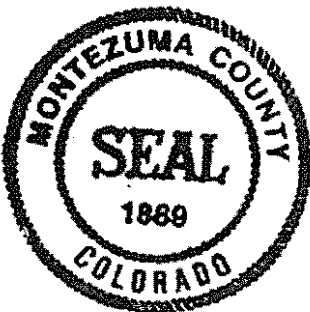
V. STATEMENT OF COMPLIANCE DURING PRECEDING 1-YEAR PERIOD

Each county executing a copy of this report participated in the qualified mortgage program financed with the County's Colorado Multi-County Single Family Mortgage Revenue Bonds (Adams County, Colorado, Issuer), Series 1985A, issued on June 11, 1985. Because no mortgage loans were processed and financed during the 19 day period between June 11, 1985 and June 30, 1985, there is no data on which to evaluate compliance during the one-year period preceding the date of this report (i.e., July 1, 1984 through June 30, 1985) with the statement of policy on qualified mortgage bonds set forth in the previous report of the County and with the intent of Congress that state and local governments are expected to use their authority to issue qualified mortgage bonds to the greatest extent feasible (taking into account prevailing interest rates and conditions in the housing market) to assist lower income families to afford home ownership before assisting higher income families. The contracts and other documents entered into in connection with such bonds, however, were in all respects consistent with such previous report of the County. It is expected that a significant amount of data will be available next year to make such evaluations for the one-year period commencing July 1, 1985.

ADAMS COUNTY, COLORADO

By _____
Chairman of the Board of
County Commissioners

(SEAL)



(SEAL)

Montezuma COUNTY, COLORADO

By *[Signature]*
Chairman of the Board of
County Commissioners

SUMMARY OF COMMENTS ON THE PROPOSED REPORT RECEIVED AT THE
PUBLIC HEARINGS

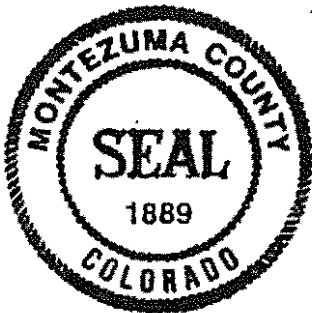
CERTIFICATION

I, the undersigned, hereby certify that I am the duly qualified and acting County Clerk of Montezuma County, Colorado (the "County") and that:

1. On Dec. 23, 1985, a hearing on the report to which this certificate is attached was held at which a reasonable opportunity for interested individuals to present their views on the report was provided. A notice of the hearing was published on Dec. 5, 1985, i.e., at least 14 days before the hearing, in a newspaper of general circulation available to residents of the County, as evidenced by the affidavit of publication attached hereto as Exhibit A, and the hearing was held in the county seat of the County.

2. Following the public hearing, copies of this report were made available for distribution to the public at the office of the County Clerk. Notice that copies of the report could be obtained at such office was included as part of the public notice given of the hearing.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this 23rd of Dec., 1985.



(SEAL)

Attest:

Dorothy Davis, Dep.
County Clerk

Montezuma COUNTY, COLORADO
By [Signature]
Chairman of the Board of
County Commissioners

Exhibit A

(Attach Affidavit of Publication of Notice of Hearing)

Initiation No. 384420

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 23rd day of December, 1985, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 17-85

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado did adopt the 1985 budget and did appropriate funds to the Road and Bridge Fund, and;

WHEREAS, due to unanticipated expenses and capital needs, and the face Mineral Leasing and P.I.L.T. revenues were more than anticipated at the time the 1985 budget was adopted, it now becomes necessary the appropriations for the Road and Bridge Fund be amended for the 1985 Budget.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado the 1985 Budget appropriations for the Road and Bridge Fund is hereby increased from \$1,526,996.00 to \$1,701,996.00.

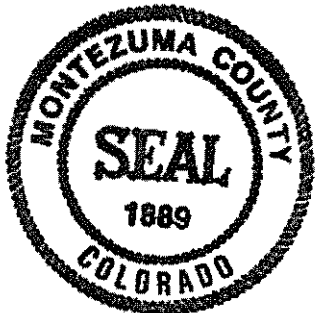
Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Robert L. Maynes, and Thomas K. Colbert
Dorothy Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Dated this 23rd day of Dec., 1985.

(SEAL)



Dorothy Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

MD

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 23rd day of December, 1985, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes
Commissioners absent:
County Clerk and Recorder: Jean DeGraff
County Attorney: Grace S. Merlo
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 16-85

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado did adopt the 1985 Budget and did appropriate funds to the General Fund, and;

WHEREAS, due to unanticipated capital needs and operating expenses and the fact that additional other revenues were not anticipated at the time the budget was adopted it now becomes necessary to amend the appropriations for 1985.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado 1985 Budget appropriation for the General Fund is hereby increased from \$2,665,573 to \$2,829,573.

Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Robert L. Maynes, and Thomas K. Colbert
Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Dated this 23rd day of Dec., 1985.

(SEAL)



Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

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 23rd day of December, 1985, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes
Commissioners absent:
County Clerk and Recorder: Jean DeGraff
County Attorney: Grace S. Merlo
County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 15-85

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado did adopt the 1985 budget and did not appropriate funds from the Contingency Fund, and;

WHEREAS, due to unanticipated expenses were more than anticipated at the time the 1985 budget was adopted, it now becomes necessary the appropriations for the Contingency Fund be amended for the 1985 Budget.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado the 1985 Budget appropriations for the Contingency Fund is hereby increased from \$0 to \$4,500.00.

Commissioners voting aye in favor of the Resolution were:

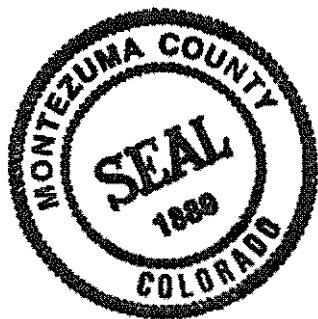
W.C. Bauer, Robert L. Maynes and Thomas K. Colbert
Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Dated this 23rd day of Dec., 1985.

(SEAL)

Jean DeGraff, Dep.
County Clerk and Recorder
Montezuma County, Colorado



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 23rd day of December, 1985, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION # 14-85

A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND, AND ADOPTING A BUDGET FOR MONTEZUMA COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 1986, AND ENDING ON THE LAST DAY OF DECEMBER, 1986.

WHEREAS, the Commissioners of Montezuma County, Colorado, have appointed Thomas J. Weaver to prepare and submit a proposed budget to said governing body at the proper time, and;

WHEREAS, Mr. Weaver has submitted a proposed budget to this governing body for its consideration, and;

WHEREAS, upon due to proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was on held on December 23, 1985, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increase was added to the revenues so that the budget remains in balance, as required by law.

NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado:

Section 1: That estimated expenditures for each fund are as follows:

<u>FUND</u>	<u>AMOUNT</u>
General	\$2,926,043
Road and Bridge	\$1,808,659
Airport	\$ 23,000
Contingency	-0-
Social Services	\$2,629,113
Capital Expenditures	\$ 92,138
Revenue Sharing	\$ 106,000

Section 2: That estimated revenues for each fund are as follows:

<u>FUND</u>	<u>CARRY-OVER</u>	<u>UNAPPROPRIATED SOURCES OTHER THAN PROP. TAX</u>	<u>GENERAL PROPERTY TAX LEVY</u>
General	\$348,694	\$ 962,400	\$1,796,223
Road & Bridge	\$200,000	\$1,246,300	\$ 424,866
Airport	\$ 10,119	-0-	\$ 23,950
Contingency	\$256,313	-0-	-0-
Soc. Services	\$123,214	\$2,280,645	\$ 348,000

Section 3: That the budget as submitted, amended, and herein above summarized by fund, be and the same hereby is approved and adopted as the budget of Montezuma County, Colorado, for the year stated above.

Section 4: That the budget hereby approved and adopted shall be signed by the Commissioners, Montezuma County, Colorado, and made a part of the public records of the County.

Commissioners voting aye in favor of the Resolution were:

W. C. Brown, Robert M. Maynes and Thomas K. Collier

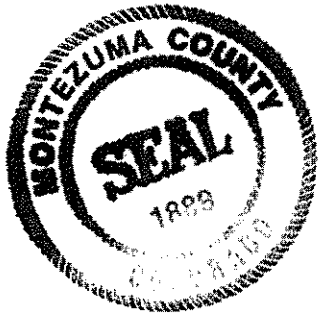
Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Dated this 23rd day of Dec., 1985.

(SEAL)

Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado



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 23rd day of December, 1985, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION TO APPROPRIATE SUMS OF MONEY #13-85

WHEREAS, the Commissioners have adopted the annual budget in accordance with the Local Government Budget Law, on December 23, 1985, and have adopted the annual budget for Revenue Sharing Funds on December 23, 1985, and;

WHEREAS, The Commissioners have made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget, and;

WHEREAS, it is not only required by law, but also necessary to appropriate the revenue provided in the budget to and for the purposes described below so as not to impair the operations of the County:

NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado, that the following sums are hereby appropriated from the revenue of each fund, to each fund, for current operating expenses:

<u>FUND</u>	<u>AMOUNT APPROPRIATED</u>
General	\$2,926,043.00
Road and Bridge	1,808,659.00
Airport	23,000.00
Contingency	-0-
Revenue Sharing	106,000.00
Social Services	2,629,113.00
Capital Expenditures	92,138.00
TOTAL	\$7,584,953.00

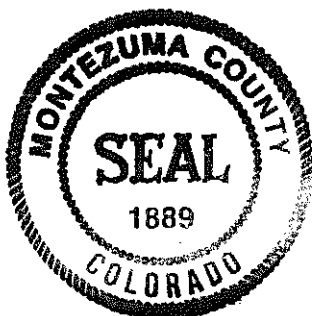
Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Robert L. Maynes and Thomas K. Colbert
Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Dated this 23rd day of Dec., 1985.

(SEAL)



Betty Davis, Dep.
County Clerk and Recorder
Montezuma County, Colorado

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 23rd day of December, 1985, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION TO SET MILL LEVIES #12-85

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 1985 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR MONTEZUMA COUNTY, COLORADO, FOR THE 1986 BUDGET.

WHEREAS, the Commissioners of Montezuma County, Colorado, have adopted the annual budget in accordance with the Local Government Budget Law, on the 23rd day of December, 1985, and;

WHEREAS, the amount of money necessary to balance the budget for general operating expenses is \$2,593,507.00, and;

WHEREAS, the amount of money necessary to balance the budget for debt retirement is none, and;

WHEREAS, the 1985 valuation for assessment for Montezuma County, as certified by the County Assessor is \$119,748,240.00:

NOW THEREFORE BE IT RESOLVED by the Commissioners of Montezuma County, Colorado:

Section 1: That for the purpose of meeting all general operating expenses of Montezuma County during the 1986 budget year, there is hereby levied a tax of ~~24.303~~ ^{21.658} mills as stated below upon each dollar of the total valuation for assessment of all taxable property within the County for the year of ~~1985~~.

Section 2: That for the purpose of meeting all debt retirement expenses of Montezuma County during the 1986 budget year, there is hereby levied a tax of No mills upon each dollar of the total valuation for assessment of all taxable property within the County for the year ~~1985~~.

<u>FUND</u>	<u>MILL LEVY</u>
General	15.000
Road and Bridge	3.548
Social Services	2.910
Contingency	-0-
Airport	.200
Capital Expenditures	-0-
TOTAL	21.658

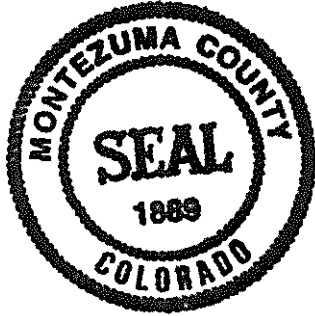
Commissioners voting aye in favor of the Resolution were:

W.C. Bauer, Robert L. Maynes and Thomas K. Colbert
Jean DeGraff, Dep.
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Dated this 23rd day of Dec., 1985.

(SEAL)



Betty Davis Dep.
County Clerk and Recorder
Montezuma County, Colorado

JOINT RESOLUTION
between
DOLORES COUNTY, COLORADO
and
MONTEZUMA COUNTY, COLORADO
and
SAN MIGUEL COUNTY, COLORADO

Resol. # 11-85

Pursuant to the C.R.S., 1973, 42-4-410, which provides counties with the authority to close roads due to adverse conditions:

WHEREAS, drifting and blowing snow can make snow removal both difficult and costly; and

WHEREAS, the Dolores-Norwood Road is infrequently traveled compared to other County Roads; and

WHEREAS, Highway Use Tax Fund monies have not kept up to cost of maintaining existing County Roads;

THEREFORE BE IT RESOLVED that from December 15 to March 15, with extensions as weather requires, from: the intersection with Miramonte Road to the San Miguel County line within San Miguel County; and from Dolores County line South to the Forest Service boundary, within Montezuma County; and from the North Dolores County Line and continuing to the South Dolores County Line, but to exclude those minimal areas to remain open by action of Dolores County for local purposes, within Dolores County.

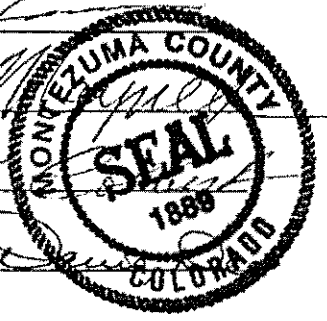
Passed this 16th day of December, 1985 Passed this 23 day of Dec., 1985

DOLORES COUNTY
BOARD OF COMMISSIONERS

MONTEZUMA COUNTY
BOARD OF COMMISSIONERS

Robert T. Truys
Kenneth Neely
Harmon Beckford
ATTEST: *Cara M. Sanders*

W.C. Truys
Robert T. Truys
Thomas H. Truys
ATTEST: *Betty Davis*



Passed this 23 day of Dec., 1985

SAN MIGUEL COUNTY
BOARD OF COMMISSIONERS

ATTEST: _____

STATE OF COLORADO

County of Montezuma

ss.

At a regular

meeting of the Board of County Commissioners for Montezuma County, Colorado, held at the Court House in Cortez, Colorado, on Monday, the 3rd day of June, A. D. 19 85 there were present:

W. C. Bauer

Chairman,

Thomas K. Colbert

Commissioner,

Robert L. Maynes

Commissioner,

Grace S. Merlo

County Attorney,

Jean DeGraff

Clerk,

when the following proceedings, among others, were had and done, to-wit:

8 - 85

It was the decision of the Board, made at the last regular meeting during Board of Social Service, that based on the recommendation of the Director of Social Service, \$500.00 would be paid to Southwest Memorial Hospital and \$500.00 would be paid to Dr. Gerald Howe on bills incurred by V. Perdue, a cancer patient, out of the Clara M. Ormiston Cancer Trust Fund. The Clerk was directed to issue an order to the Treasurer.

STATE OF COLORADO

County of Montezuma

ss.

I,

Jean DeGraff

County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the annexed and foregoing order is truly copied from the records of the proceedings of the Board of County Commissioners for said Montezuma County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal

of said County, at Cortez, Colorado, this 3rd day of June

A. D. 19 85

County Clerk.

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 20th day of May, 1985, with the following persons in attendance:

COMMISSIONERS: W. C. Bauer, Robert L. Maynes and Thomas K. Colbert

COMMISSIONERS ABSENT: _____

COUNTY CLERK AND RECORDER: Jean DeGraff

COUNTY ATTORNEY: Grace S. Merlo

the following proceedings, among others were taken:

RESOLUTION # 17-85

WHEREAS, MARJORIE F. KETCHEM has been employed by Montezuma County for 31 years, and

WHEREAS, such long dedicated service to Montezuma County should be recognized officially by the County, and

WHEREAS, the Montezuma County Board of Commissioners desires to express on behalf of Montezuma County its appreciation for such loyal service.

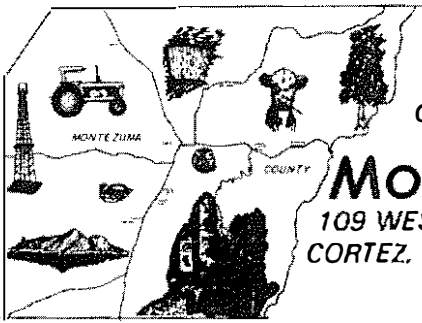
NOW THEREFORE, BE IT RESOLVED that the Montezuma County Board of Commissioners hereby congratulates and expresses appreciation to MARJORIE F. KETCHEM for her 31 years of valuable service to the citizens of Montezuma County.

MONTEZUMA COUNTY COMMISSIONERS

W. C. Bauer Robert L. Maynes Thomas K. Colbert
Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado



Office Of

MONTEZUMA COUNTY CLERK AND RECORDER
109 WEST MAIN STREET
CORTEZ, COLORADO 81321-3189

Telephone (303) 565-3728

April 4, 1985

PROPOSED SUMMIT RIDGE WATER DISTRICT

CERTIFIED NOTICES OF PUBLIC HEARING WERE SENT TO THE
FOLLOWING DISTRICTS:

Colo.Dept of Local Affairs, 1313 Sherman, Denver, Co. 80203
Mosquito Control Dist., % Cal Beaber, Box 999, Cortez, 81321
Lewis Arriola Fire Dist., % R. Brubaker, 12661 Hwy 666, Cortez
Mancos Cemetary Dist., % Serena Everett, Mancos, 81328
Lebanon Cemetary Dist., % Fritz Murray, 24306 Rd T, Dolores 81323
Dolores Cemetery Dist., % Juanita Fredrickson, Bx 67, Dolores
Arriola Cemetary Dist., % Lee Searcy, Rt 1 Bx 142, Dolores
Town of Mancos, Mancos
Town of Dolores, Box 621, Dolores
Southwest Water Cons Dist, % Archie Toner, Bx 475, Durango 81301
Mancos Water Cons Dist, % Lloyd Doerfer, Mancos
Dolores Water Cons. Dist, % Edgar Gilliland, Bx 1117, Cortez
Dolores Fire Dist, Box 599, Dolores
~~Mancos Fire Dist, % Grace McWhirt, Mancos~~
Summit Ridge Water Users, Bx 177, Dolores, Co.
Montezuma Co Hospital Dist, 1311 N Mildred Rd, Cortez

STATE OF COLORADO)	
)	
COUNTY OF MONTEZUMA)	
IN RE THE ORGANIZATION OF)	<u>CERTIFICATE OF MAILING</u>
SUMMIT RIDGE WATER DISTRICT)	<u>OF</u>
MONTEZUMA COUNTY, COLORADO)	<u>NOTICE OF HEARING</u>

IT IS HEREBY CERTIFIED by the undersigned, Jean DeGraff, County Clerk and Recorder of Montezuma County, Colorado, as follows:

Section 1. That on the 1st day of April, 1985, the Board of County Commissioners of Montezuma County, Colorado, did act to call and set a Hearing for Monday, the 6th day of May, 1985, at 11:00 A.M., in the Commissioners Hearing Room, Montezuma County Courthouse, in Cortez, Colorado, concerning the Service Plan and related documents for the proposed Summit Ridge Water District.

Section 2. That, as a part of said action, directions were given that copies of the Notice of Hearing be given or sent to the Petitioners for the District, to the Division of Local Government, and to the governing body of any existing municipality or special district which has levied an ad valorem tax within the next preceding tax year and which has boundaries within a radius of three (3) miles of the proposed District.

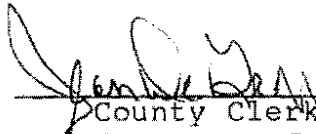
Section 3. That in compliance with said directions, a copy of the Notice was delivered to the Petitioners, and additional copies were deposited in the United States mail, postage prepaid, to the Division of Local Government and to the governing body of the following municipalities and special districts, which municipalities and special districts constitute all such municipalities or special districts within the class required by law to be given such Notice:

(Attach List of Municipalities and Special Districts to
whom Notice of Hearing was mailed)

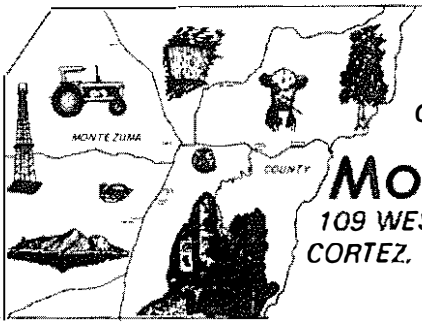
Section 4. That the Notice of Hearing was also published in the The Dolores Star, a newspaper of general circulation within the proposed District, in the editions dated April 4th, 11th & 18th, 1985, as required by law and by the direction of the County Commissioners, and an Affidavit of Publication is attached hereto.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said County, at Cortez, Colorado, this 20th day of May, 1985.

(S E A L)



County Clerk and Recorder
Montezuma County, Colorado



Office Of

MONTEZUMA COUNTY CLERK AND RECORDER
109 WEST MAIN STREET
CORTEZ, COLORADO 81321-3189

Telephone (303) 565-3728

April 4, 1985

PROPOSED SUMMIT RIDGE WATER DISTRICT

CERTIFIED NOTICES OF PUBLIC HEARING WERE SENT TO THE
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Montezuma Co Hospital Dist, 1311 N Mildred Rd, Cortez

STATE OF COLORADO)	
)	
COUNTY OF MONTEZUMA)	
IN RE THE ORGANIZATION OF)	<u>CERTIFICATE OF MAILING</u>
SUMMIT RIDGE WATER DISTRICT)	<u>OF</u>
MONTEZUMA COUNTY, COLORADO)	<u>NOTICE OF HEARING</u>

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Section 2. That, as a part of said action, directions were given that copies of the Notice of Hearing be given or sent to the Petitioners for the District, to the Division of Local Government, and to the governing body of any existing municipality or special district which has levied an ad valorem tax within the next preceding tax year and which has boundaries within a radius of three (3) miles of the proposed District.

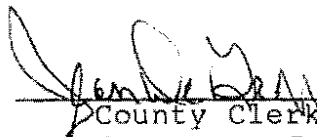
Section 3. That in compliance with said directions, a copy of the Notice was delivered to the Petitioners, and additional copies were deposited in the United States mail, postage prepaid, to the Division of Local Government and to the governing body of the following municipalities and special districts, which municipalities and special districts constitute all such municipalities or special districts within the class required by law to be given such Notice:

(Attach List of Municipalities and Special Districts to
whom Notice of Hearing was mailed)

Section 4. That the Notice of Hearing was also published in the The Dolores Star, a newspaper of general circulation within the proposed District, in the editions dated April 4th, 11th & 18th, 1985, as required by law and by the direction of the County Commissioners, and an Affidavit of Publication is attached hereto.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said County, at Cortez, Colorado, this 20th day of May, 1985.

(S E A L)



County Clerk and Recorder
Montezuma County, Colorado

Proof of Publication

THE DOLORES STAR

P.O. Box 660 882-4486
DOLORES, MONTEZUMA COUNTY, COLORADO 81323

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)

I, Melinda H. Green,
do solemnly swear that I am editor, publisher,
business manager or other officer of THE
DOLORES STAR; that the same is a weekly
newspaper printed, in whole or in part, and
published in the COUNTY OF MONTEZUMA,
State of Colorado, and has a general circulation
therein; that said newspaper has been pub-
lished continuously and uninterruptedly in said
County of Montezuma for a period of more
than fifty-two consecutive weeks next prior to
the first publication of the annexed legal notice
or advertisement; that said newspaper has
been admitted to the United States mails as
second-class matter under the provisions of the

Act of March 3, 1879, or any amendments
thereof, and that said newspaper is a weekly
newspaper duly qualified for publishing legal
notices and advertisements within the mean-
ing of the laws of the State of Colorado.
That the annexed legal notice or advertise-
ment was published in the regular and entire
issue of every number of said weekly news-
paper for the period of three (3)
consecutive insertions; and that the first
publication of said notice was in the issue of
said newspaper dated April 4, 1985
A.D., and that the last publication of said
notice was in the issue of said newspaper dated
April 18, 1985 A.D.

In witness whereof, I have hereunto set my
hand this day, 4-22-85
A.D.

Melinda H. Green
Publisher

Subscribed and sworn to before me, a notary
public in and for the County of Montezuma,
State of Colorado, this day, April 22, 1985
A.D.
Shirley A. McManis
Notary Public

My Commission Expires Feb. 10, 1988

East, along the south line of said NW1/4NW1/4
of Section 11 to the southeast corner of said
NW1/4NW1/4 Section 11;
South, along the west line of the SE1/4SW1/4 of
said Section 11 to the southwest corner of the
SE1/4SW1/4 of said Section 11;
East, along the south line of said Section 11 to the
southeast corner of said SE1/4SW1/4 Section 11;
North, along the east line of said SE1/4SW1/4 to the
northeast corner of said SE1/4SW1/4 Section 11;
East, along the south line of the NW1/4SE1/4
Section 11 to the southeast corner of said
NW1/4SE1/4;
South, along the west line of the SE1/4SE1/4
of said Section 11 to the south line of said
Section 11, also being the north line of Section 14
T36N, R15W, NMPM;
South, along the west line of the E1/4NE1/4 of said
Section 14 to the south line of said NE1/4;
East, along the south line of said NE1/4 to the
east line of said Section 14, also being the west
line of Section 15, T36N, R15W, NMPM;
East, along the south line of the NW1/4 of said
Section 13 to the southeast corner of the
SW1/4NW1/4 of said Section 13;
South, along the west line of the E1/4SW1/4 of said
Section 13 to the south line of said Section 13;
East, along the south line of said Section 13 to the
southeast corner of said Section 13, T36N,
R15W, NMPM, also being the southwest corner of
Section 18, T36N, R14W, NMPM;
East, along the south line of said Section 18 to the
southeast corner of said Section 18, also being the
southwest corner of Section 20, T36N, R14W,
NMPM;
South, along the west line of the NW1/4 of said
Section 20 to the southwest corner of said NW1/4;
East, along the south line of said NW1/4 Section
20 to the southeast corner of the SW1/4NW1/4 of
said Section 20;
North, along the east line of said SW1/4NW1/4 to
the southwest corner of the NE1/4NW1/4 of said
Section 20;
East, along the south line of said NE1/4NW1/4 to
the east line of said NW1/4 Section 20;
North, along the east line of said NW1/4 to the
north line of said Section 20, also being the south
line of Section 17, T36N, R14W, NMPM;
North, along the east line of the SE1/4SW1/4 of
said Section 17 to the southwest corner of the
NW1/4SE1/4 of said Section 17;
East, along the south line of said NW1/4SE1/4 of
Section 17 to the southeast corner of said
NW1/4SE1/4;
North, along the east line of said NW1/4SE1/4 and
along the east line of the SW1/4NE1/4 of said
Section 17 to the northeast corner of said
SW1/4NE1/4 of Section 17;
West, along the north line of said SW1/4NE1/4
of Section 17 to the southeast corner of the
NE1/4NW1/4 of said Section 17;
North, along the east line of said NE1/4NW1/4 of
Section 17 to the southeast corner of said
NE1/4NW1/4;
East, along the south line of said NE1/4NW1/4 of
Section 17 to the southeast corner of said
NE1/4NW1/4;
South, along the west line of said NE1/4NW1/4 to
the northeast corner of the NW1/4SE1/4 of said
Section 2;
West, along the north line of said NW1/4SE1/4
to the southeast corner of the SE1/4NW1/4 of said
Section 2;
North, along the east line of said SE1/4NW1/4 of
Section 2 to the northeast corner of said
SE1/4NW1/4;
West, along the north line of said SE1/4NW1/4 of
Section 2 to the east right of way of Colorado
Highway 184;
Northwesterly, along said east right of way
of Highway 184 to a point where said Highway
makes a curve to the west and intersects the east
line of the SW1/4NW1/4 of Section 25, T37N,
R14W, NMPM.

Public Notice

STATE OF COLORADO)
) ss.
COUNTY OF MONTEZUMA)
NOTICE OF HEARING
PUBLIC NOTICE IS HEREBY GIVEN That there
were filed with the County Clerk and Recorder of
Montezuma County, Colorado, a Service Plan and
related documents for the proposed Summit Ridge
Water District. The 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, Colo-
rado, a public Hearing on said Service Plan and related
documents will be held at the Commissioners Hearing
Room in the Montezuma County Courthouse, in
Cortez, Colorado, at 11:00 A.M. on Monday, the 8th of
May, 1985.

April 18, 1985
P. H. Summit Ridge Water

23, also being the northwest corner of NE 1/4 NW 1/4 of Section 35; South, along the west line of the E 1/2 NW 1/4 of said Section 35 to the southwest corner of said E 1/2 NW 1/4; West, along the north line of the NW 1/4 SW 1/4 of said Section 35 to the west line of said Section 35; South, along the west line of said Section 35 to the southwest corner of said Section 35, also being the Township Line between Townships 37N and 38N; East, along said Township Line to the northwest corner of Section 2, T36N, R15W, NMPM; South, along the west line of said Section 2 to the southwest corner of said Section 2, also being the northwest corner of Section 11, T36N, R15W, NMPM; South, along the west line of said Section 11 to the southwest corner of the NW 1/4 NW 1/4 of said

East, along the south line of the NW 1/4 NW 1/4 of said Section 10 to the southeast corner of said NW 1/4 NE 1/4 Section 10; North, along the east line of said NW 1/4 NE 1/4 to the north line of said Section 10; East, along the north line of said Section 10 to the northeast corner of said Section 10, also being the southwest corner of Section 2, T36N, R14W, NMPM; East, along the south line of the SW 1/4 SW 1/4 of said Section 2 to the southeast corner of said SW 1/4 SW 1/4, also being the northwest corner of the NE 1/4 NW 1/4 of Section 11, T36N, R14W, NMPM; South, along the west line of said NE 1/4 NW 1/4 to the southwest corner of said NE 1/4 NW 1/4 of Section 11;

petition with the District Court in and for Montezuma County, requesting that such real property be excluded from the proposed District. Such petition may be filed anytime after the petition for the organization of the District is filed with the District Court, but not later than ten (10) days before the day fixed for the hearing of the organizational petition.

THIS NOTICE GIVEN BY ORDER OF THE Board of County Commissioners of Montezuma County, Colorado, this 1st day of April, 1985.

(REAL) /s/ Jean DeGraft
County Clerk and Recorder
Montezuma County, Colorado
Published in the Colores Star Thursday, April 11, 1985 and 18, 1985.

70,181

(Attach Affidavit of Publication of Notice of Hearing)

STATE OF COLORADO)
)
COUNTY OF MONTEZUMA)

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at the Commissioners Hearing Room, Montezuma County Courthouse, in Cortez, Colorado, at 9:30 A.M., on Monday, the 20th day of May, 1985.

Present:

Chairman:	William C. Bauer
Commissioners:	Thomas Colbert
	Robert Maynes
County Clerk and Recorder:	Jean DeGraff
County Attorney:	Grace S. Merlo

Absent: _____

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

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

R E S O L U T I O N

6-85

WHEREAS, pursuant to the provisions of Title 32, Article 1, Part 2, Colorado Revised Statutes, as amended, the Board of County Commissioners of Montezuma County, Colorado, held a public hearing on the Service Plan of the proposed Summit Ridge Water District on the 6th day of May, 1985, and which hearing was continued on May 13, 1985; and

WHEREAS, Notice of the Hearing was duly published in the La Dolores Star, on April 4th, 11th, & 18th, 1985, as required by law, and Notice was forwarded to the Petitioners, to the Division of Local Government and to the governing body of each municipality and special district which has levied an ad valorem tax within the next preceding tax year and which has boundaries within a radius of three miles of the proposed District; 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 ~~without condition or modification;~~ AS AMENDED

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

Section 1. That the Board of County Commissioners of Montezuma County, Colorado, does hereby determine that all of the requirements of Title 32, Article 1, Part 2, Colorado Revised Statutes, relating to the filing of a Service Plan for the proposed Summit Ridge Water District have been fulfilled and that Notice of the Hearing was given in the time and manner required by law.

Section 2. That the Board of County Commissioners of Montezuma County, Colorado, does hereby find and determine that:

- (a) There is sufficient existing and projected need for organized service in the area to be served by the proposed District;
- (b) The existing service in the area to be served by the proposed District is not adequate for present and projected needs;

- (c) Adequate service is not, and will not be, available to the area through other existing municipal or quasi-municipal corporations within a reasonable time or on a comparable basis;
- (d) The proposed special District is capable of providing economic and sufficient service to the area within its proposed boundaries;
- (e) The area to be included in the proposed District has and will have the financial ability to discharge the proposed indebtedness on a reasonable basis;
- (f) The facility and service standards of the proposed District are compatible with the facility and service standards of adjacent municipalities and special districts;
- ~~(g) The proposal is in substantial compliance with a master plan adopted pursuant to Section 30-28-108, C.R.S.; and~~
- ~~(h) The proposal is in compliance with any duly adopted county, regional, or state long range water quality management plan for the area.~~

Section 3. That the Service Plan of the proposed Summit Ridge Water District is hereby approved ~~without condition or modification.~~ ^{AS AMENDED}

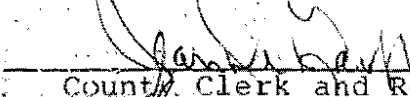
Section 4. That a certified copy of this Resolution be filed in the records of Montezuma County and submitted to the Petitioners for the purpose of filing in the District Court of Montezuma County.

ADOPTED AND APPROVED This 20th day of May, 1985.

(S E A L)


Chairman
Board of County Commissioners

ATTESTED:


County Clerk and Recorder

Commissioner Colbert then moved that said Resolution be passed and adopted as read. Commissioner Maynes seconded the motion.

The question being upon the passage and adoption of said Resolution, the roll was called with the following result:

Those voting YES:

Commissioners: William C. Bauer
Thomas Colbert
Robert Maynes


Absent: None

Those voting NO: None

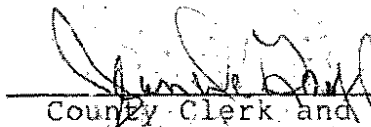
The presiding officer thereupon declared that, a majority of all the Commissioners elected having voted in favor thereof, the motion was carried and the Resolution duly passed and adopted.

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

(S E A L)


Chairman
Board of County Commissioners

ATTESTED:


County Clerk and Recorder

STATE OF COLORADO
COUNTY OF MONTEZUMA

)
)
)

I, Jean DeGraff, County Clerk and Recorder of the County of Montezuma, State of Colorado, do hereby certify that the foregoing pages numbered 15 to 19, inclusive, constitute a full 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 20th day of May, 1985, insofar as said minutes relate to a Resolution relating to the Service Plan of the proposed Summit Ridge Water District, a copy of which is therein set forth; that the copy of the Resolution contained in said 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, and sealed with the corporate seal of said County, and recorded in the Book of Resolutions of the County kept for that purpose in my office.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said County at Cortez, Colorado, this 20th day of May, 1985.

(S E A L)

Jean DeGraff
County Clerk and Recorder

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 6th day of May, 1985, with the following persons in attendance:

COMMISSIONERS: W. C. Bauer, Robert L. Maynes & Thomas K. Colbert

COMMISSIONERS ABSENT: None

COUNTY CLERK AND RECORDER: Jean DeGraff

COUNTY ATTORNEY: Grace S. Merlo, Absent

the following proceedings, among others were taken:

RESOLUTION #5-85

WHEREAS, HELEN A. DIFFENDAFFER has been employed by Montezuma County for 22 years, and

WHEREAS, such long dedicated service to Montezuma County should be recognized officially by the County, and

WHEREAS, the Montezuma County Board of Commissioners desires to express on behalf of Montezuma County its appreciation for such loyal service.

NOW THEREFORE, BE IT RESOLVED that the Montezuma County Board of Commissioners hereby congratulates and expresses appreciation to HELEN A. DIFFENDAFFER for her 22 years of valuable service to the citizens of Montezuma County.

MONTEZUMA COUNTY COMMISSIONERS

W. C. Bauer and Robert L. Maynes

Thomas K. Colbert

County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Jean DeGraff
County Clerk and Recorder
Montezuma County, Colorado

STATE OF COLORADO)
) SS.
COUNTY OF MONTEZUMA)

The Board of County Commissioners of Montezuma County, Colorado, met in Regular session on April 9, 1985, at 9:00 A.M., at Montezuma County Courthouse, in Montezuma, Colorado, in full conformity with the law and the resolutions and rules of the County. Upon roll call, the following were found to be present, constituting a quorum:

Present:

Chairman of the Board of
County Commissioners:
Other Commissioners:

W.C. Bauer
Thomas K. Gilbert
Robert L. Mayfield

Absent:

constituting all the members of the Board.

There were also present:

County Clerk:
County Attorney:

Jean DeGeoff
George S. Mehl

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

Commissioner A. Bauer introduced a resolution, the text of which is as follows:

RESOLUTION TRANSFERRING TO ADAMS COUNTY, COLORADO THE ALLOCATION OF MONTEZUMA COUNTY, COLORADO UNDER SECTIONS 29-4-803 AND 29-4-805 OF COLORADO REVISED STATUTES, TO FINANCE MORTGAGE LOANS TO PROVIDE MORE ADEQUATE RESIDENTIAL HOUSING FACILITIES FOR LOW- AND MIDDLE-INCOME FAMILIES AND PERSONS WITHIN ADAMS COUNTY AND WITHIN MONTEZUMA COUNTY AND ELSEWHERE IN THE STATE OF COLORADO; DELEGATING THE AUTHORITY TO ISSUE REVENUE BONDS TO FINANCE SAID MORTGAGE LOANS WITHIN MONTEZUMA COUNTY; AND AUTHORIZING THE EXECUTION AND DELIVERY BY MONTEZUMA COUNTY OF AN ALLOCATION TRANSFER AGREEMENT AND A DELEGATION AGREEMENT.

WHEREAS, Montezuma County, Colorado ("Montezuma County") and Adams County, Colorado ("Adams County") are each authorized by the County and Municipality Development Revenue Bond Act, constituting Article 3 of Title 29, Colorado Revised Statutes (the "Project Act"), to finance properties to the end that more adequate residential housing facilities for low- and middle-income families and persons may be provided; and

WHEREAS, federal law restricts the amount of tax exempt obligations which may be issued by the Colorado Housing Finance Authority and local governmental units in the State of Colorado (the "State") to finance single-family mortgages to an amount not exceeding the State ceiling; and

WHEREAS, pursuant to federal law the State has provided for a formula for allocation in of the State ceiling among the governmental units in the State in a manner different from the federal allocation formula, in Part 8 of Article 4 of Title 29 of Colorado Revised Statutes (the "Allocation Act"); and

WHEREAS, the Allocation Act authorizes governmental units in the State to transfer all or a part of their allocations provided for in the Allocation Act to any other entity otherwise authorized to issue bonds to finance single-family mortgages and to accept transfers of such allocations; and

WHEREAS, the Project Act and Part 2 of Article 1 of Title 29, Colorado Revised Statutes, provide, in effect, that any county or municipality may by resolution or ordinance delegate to any other county or municipality its authority under the Project Act to finance projects under the Project Act; and

WHEREAS, Montezuma County desires to transfer to Adams County its allocation under Sections 29-4-803 and 29-4-805 of the Allocation Act for the year 1985 to finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Adams County and Montezuma County and elsewhere within the State; and to delegate to Adams County the

authority to act on its behalf in the issuance of qualified mortgage bonds during 1985 pursuant to the allocation granted under Section 29-4-805 of the Allocation Act; and

WHEREAS, Montezuma County desires to delegate to Adams County its power under the Project Act to issue revenue bonds to finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Montezuma County; and

WHEREAS, it is necessary to evidence such transfers and the acceptance of such transfers by the Allocation Transfer Agreement presented to the Board at this meeting (the "Allocation Transfer Agreement") which will be executed and delivered by Montezuma County and Adams County; and

WHEREAS, it is necessary to evidence such delegation and the acceptance of such delegation by the Delegation Agreement presented to the Board at this meeting (the "Delegation Agreement") which will be executed and delivered by Montezuma County and Adams County.

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

Section 1. The forms, terms and provisions of the Allocation Transfer Agreement and the Delegation Agreement hereby are approved and the Chairman of the Board of County Commissioners of Montezuma County and the County Clerk hereby are authorized and directed to execute and deliver the Allocation Transfer Agreement and the Delegation Agreement.

Section 2. The Chairman of the Board of County Commissioners and the County Clerk hereby are authorized and directed to take such other steps or actions as may be required to carry out the terms and intent of this resolution, the Allocation Transfer Agreement and the Delegation Agreement.

Section 3. Nothing contained in this resolution, in the Allocation Transfer Agreement or in the Delegation Agreement shall obligate Montezuma County, except to the extent described in the Allocation Transfer Agreement and in the Delegation Agreement, nor constitute the debt or indebtedness of Montezuma County within the meaning of the Constitution or statutes of the State or the home rule charter of any political subdivision thereof, nor give rise to a pecuniary liability of Montezuma County or a charge against its general credit or taxing powers.

Section 4. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or

unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 5. All action (not inconsistent with the provisions of this resolution) heretofore taken by the Board of County Commissioners and the officers of Montezuma County directed toward the authorization of the Allocation Transfer Agreement and the Delegation Agreement hereby is ratified, approved and confirmed.

Section 6. This resolution shall be in full force and effect upon its passage and approval.

PASSED, ADOPTED AND APPROVED this 6th day of April, 1985.


Chairman of the Board of County
Commissioners

(SEAL)

Attest:


County Clerk

A motion to adopt the foregoing resolution was then duly made by Commissioner Maynes and duly seconded by Commissioner Colbert.

The question being upon the passage and adoption of the resolution, the roll was called with the following result:

Those Voting Aye:

W. C. Davis
Thomas H. Colbert
Robert H. Maynes

Those Voting Nay:

Those Absent:

Thereupon, the presiding officer declared the motion carried and the resolution duly passed and adopted.

After other action or business not related to the foregoing resolution, on motion duly made, seconded and adopted, the meeting thereupon adjourned.

STATE OF COLORADO
COUNTY OF MONTEZUMA

)
) SS.
)

I, Jean DeLoera, the duly qualified and acting County Clerk of Montezuma County, Colorado (the "County"), in the State of Colorado, do hereby certify:

1. The foregoing pages numbered -1- to -5-, inclusive, are a true, perfect and complete copy of the record of proceedings of the Board of County Commissioners of the County had and taken at a lawful meeting of the Board held at Montezuma County, Montezuma, in April, Colorado on April 8th, 1985 at 9:00 a.m., as recorded in the regular official book of the proceedings of the County kept in my office so far as the proceedings relate to the resolution therein set forth, the proceedings were duly had and taken as therein shown, the meeting therein shown was duly held, and the persons therein named were present at the meeting as therein shown.

2. All members of the Board were duly notified of the meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this 8th day of April, 1985.

(SEAL)

Jean DeLoera
County Clerk


Res. #3-85

C E R T I F I E D R E C O R D
OF PROCEEDINGS
RELATING TO THE ORGANIZATION
OF SUMMIT RIDGE WATER DISTRICT
MONTEZUMA COUNTY, COLORADO

the name and the type of special district for which the Service Plan had been filed. Further Petitioners pray that this Honorable Board will enter such orders as may be necessary or proper preliminary to and in connection with a Resolution of Approval of the Service Plan of the proposed District.

It is further respectively requested that the provision of the "Control Act" which requires that the Service Plan be filed at least ten days prior to a regular meeting date of the Board of County Commissioners be waived.

By


George H. Baumgardner.

STATE OF COLORADO }
 }
COUNTY OF MONTEZUMA }

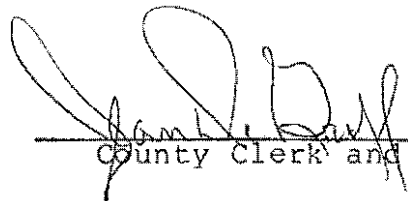
IN RE THE ORGANIZATION OF }
SUMMIT RIDGE WATER DISTRICT }
MONTEZUMA COUNTY, COLORADO }

CERTIFICATE OF REPORTING
TO
DIVISION OF LOCAL GOVERNMENT

I, Jean DeGraff, County Clerk and Recorder of the County of Montezuma, State of Colorado, do hereby certify that within five (5) days of the filing of the Service Plan for the proposed Summit Ridge Water District, I reported, on behalf of the Board of County Commissioners of Montezuma County, to the Division of Local Government in the Department of Local Affairs, the name and type of the proposed special district for which the Service Plan had been filed, pursuant to the provisions of Section 32-1-202, C.R.S.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said County at Cortez, Colorado, this 1st day of April, 1985.

(S E A L)



County Clerk and Recorder

STATE OF COLORADO)
)
COUNTY OF MONTEZUMA)

The Board of County Commissioners of Montezuma County, Colorado, met in regular session at the Commissioners Hearing Room, in the Montezuma County Courthouse, in Cortez, Colorado, being the regular meeting place of the Board, at 9:00 A.M., on Monday, the ^{1st}~~25th~~ day of ~~March~~^{April}, 1985.

There were present:

Chairman:	William C. Bauer
Commissioners:	Thomas Colbert
	Robert Maynes
County Clerk and Recorder:	Jean DeGraff
County Attorney:	Grace S. Merlo

Absent: _____

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

The County Clerk and Recorder informed the Board that a Service Plan, supplemental documents, and the required processing fee had been filed for the proposed Summit Ridge Water District, and a request was made that a Hearing on said Service Plan be called and held.

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

R E S O L U T I O N

3-85

WHEREAS, a Service Plan, supplemental documents and a processing fee have been filed relating to the proposed Summit Ridge Water District, in Montezuma County, Colorado; and

WHEREAS, the law requires that a Hearing be called and held within thirty (30) days concerning the adequacy of said 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 Summit Ridge Water District, be called and the same is hereby set for 11:00 A.M., at the Commissioners Hearing Room, in the Montezuma County Courthouse, in Cortez, Colorado, the regular meeting place of the Board of County Commissioners, on Monday, the ~~24th~~ ^{6th} day of ~~April~~ ^{May}, 1985.

Section 2. That the Clerk of this Board is hereby directed to cause the Notice of Hearing to be published in the Dolores Star, a newspaper of general circulation within the proposed District, once each week for a period of three successive weeks, by three publications, the first of which shall be at least twenty (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, to the Division of Local Government, and to the governing body of any existing municipality or special district which has levied an ad valorem tax within the next preceding tax year and which has boundaries within a radius of three (3) miles of the proposed district.

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

STATE OF COLORADO
COUNTY OF MONTEZUMA

)
)
)

NOTICE OF HEARING

PUBLIC NOTICE IS HEREBY GIVEN That there were filed with the County Clerk and Recorder of Montezuma County, Colorado, a Service Plan and related documents for the proposed Summit Ridge Water District. The 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 Commissioners Hearing Room, in the Montezuma County Courthouse, in Cortez, Colorado, at 11:00 A.M., on Monday, the ~~22nd~~ day of ~~April~~, 1985. *6th May*

The purpose of the Hearing shall be to consider the adequacy of the Service Plan of the proposed Summit Ridge Water District and to form a basis for adopting a Resolution approving, conditionally approving, or disapproving the Service Plan.

The proposed District is located entirely within Montezuma County, Colorado, and is described as follows:

(Attach Legal Description)

The legal description of the District as I have it laid out is:

Beginning at the northeast corner of Section 25, T37N, R15W, NMPM (also being the northwest corner of Section 30, T37N, R14W, NMPM); Thence the following:

West, along the north line of said Section 25 to the northwest corner of said Section;

West, along the south line of Section 23 to the southwest corner of the SE1/4SE1/4 of said Section 23;

West along the north line of the S1/2S1/2 of said Section 23 to the west line of said Section 23;

South along the SW1/4SW1/4 to the southwest corner of said Section 23; also being the northwest corner of Section 26;

East, along the north line of Section 26 to the northeast corner of the NW1/4NW1/4 of said Section 23;

South, along the west line of the E1/2 of W1/2 of Section 23 to the south line of said Section 23, also being the northwest corner of NE1/4NW1/4 of Section 35;

South along the west line of the E1/2NW1/4 of said Section 35 to the southwest corner of said E1/2NW1/4; West, along the north line of the NW1/4SW1/4 of said Section 35 to the west line of said Section 35;

South, along the west line of said Section 35 to the southwest corner of said Section 35, also being the Township Line between Townships 37N and 36N;

East, along said Township Line to the northwest corner of Section 2, T36N, R15W, NMPM;

South, along the west line of said Section 2 to the southwest corner of said Section 2, also being the northwest corner of Section 11, T36N, R15W, NMPM;

South, along the west line of said Section 11 to the southwest corner of the NW1/4NW1/4 of said Section 11;

East, along the south line of said NW1/4NW1/4 of Section 11 to the southeast corner of said NW1/4NW1/4 Section 11;

South, along the west line of the E1/2W1/2 of said Section 11 to the southwest corner of the SE1/4SW1/4 of said Section 11;

East, along the south line of said Section 11 to the southeast corner of said SE1/4SW1/4, Section 11;

North, along the east line of said SE1/4SW1/4 to the northeast corner of said SE1/4SW1/4, Section 11;

East, along the south line of the NW1/4SE1/4, Section 11 to the southeast corner of said NW1/4SE1/4;

South, along the west line of the SE1/4SE1/4 of said Section 11 to the south line of said Section 11, also being the north line of Section 14, T36N, R15W, NMPM;

South, along the west line of the E1/2NE1/4 of said Section 14 to the south line of said NE1/4;

East, along the south line of said NE1/4 to the east line of said Section 14, also being the west line of Section 13, T36N, R15W, NMPM;

East, along the south line of the NW1/4 of said Section 13 to the southeast corner of the SW1/4NW1/4 of said Section 13;

South, along the west line of the E1/2SW1/4 of said Section 13 to the south line of said Section 13;

East, along the south line of said Section 13 to the

southeast corner of said Section 13, T36N, R15W, NMPM, also being the southwest corner of Section 18, T36N, R14W, NMPM;
 East, along the south line of said Section 18 to the southeast corner of said Section 18, also being the northwest corner of Section 20, T36N, R14W, NMPM;
 South, along the west line of the NW1/4 of said section 20 to the southwest corner of said NW1/4;
 East, along the south line of said NW1/4, Section 20 to the southeast corner of the SW1/4NW1/4 of said Section 20;
 North, along the east line of said SW1/4NW1/4 to the southwest corner of the NE1/4NW1/4 of said Section 20;
 East, along the south line of said NE1/4NW1/4 to the east line of said NW1/4 Section 20;
 North, along the east line of said NW1/4 to the north line of said Section 20, also being the south line of Section 17, T36N, R14W, NMPM;
 North, along the east line of the SE1/4SW1/4 of said Section 17 to the southwest corner of the NW1/4SE1/4 of said Section 17;
 East, along the south line of said NW1/4SE1/4 of Section 17 to the southeast corner of said NW1/4SE1/4;
 North, along the east line of said NW1/4SE1/4 and along the east line of the SW1/4NE1/4 of said Section 17 to the northeast corner of said SW1/4NE1/4 of Section 17;
 West, along the north line of said SW1/4 NE1/4 of Section 17 to the southeast corner of the NE1/4NW1/4 of said Section 17;
 North along the east line of said NE1/4NW1/4 of Section 17 to the north line of said Section 17, also being the south line of Section 8, T36N, R14W, NMPM;
 North, along the east lines of the SW1/4 and the SE1/4NW1/4 of said Section 8 to the northeast corner of said SE1/4NW1/4;
 West, along the north line of said SE1/4NW1/4 of Section 8 to the southeast corner of the NW1/4NW1/4 of said section 8;
 North, along the east line of said NW1/4NW1/4 to the north line of said Section 8;
 West, along the north line of said Section 8 to the northwest corner of said Section 8, also being the Southeast corner of Section 6, T36N, R14W, NMPM;
 North, along the east line of said Section 6 to the northeast corner of said Section 6, also being the Township Line between Townships 36N and 37N;
 East, along said Township Line to the north 1/4 Corner of Section 4, T36N, R14W, NMPM;
 South, along the west line of the East 1/2 of said Section 4 to the south 1/4 Corner of said Section 4;
 East, along the south line of said Section 4 to the Southeast corner of the SW1/4SE1/4 of said Section 4, also being the northwest corner of the NE1/4NE1/4 of Section 9, T36N, R14W, NMPM;
 South, along the west line of said NE1/4NE1/4, Section 9 to the southwest corner of said NE1/4NE1/4;
 East, along the south line of said NE1/4NE1/4, Section 9 to the east line of Section 9, also being the west line of Section 10, T36N, R14W, NMPM;
 East, along the south lines of the North 1/2 of NW1/4 and

the NW1/4NE1/4 of said Section 10 to the southeast corner of said NW1/4NE1/4 Section 10;
 North, along the east line of said NW1/4NE1/4 to the north line of said Section 10;
 East, along the north line of said Section 10 to the northeast corner of said Section 10, also being the southwest corner of Section 2, T36N, R14W, NMPM;
 East, along the south line of the SW1/4SW1/4 of said Section 2 to the southeast corner of said SW1/4SW1/4, also being the northwest corner of the NE1/4NW1/4 of Section 11, T36N, R14W, NMPM;
 South, along the west line of said NE1/4NW1/4 to the southwest corner of said NE1/4NW1/4 of Section 11;
 East, along the south line of said NE1/4NW1/4 of Section 11 to the southeast corner of said NE1/4NW1/4;
 South, along the west line of the SW1/4NE1/4 to the center of said Section 11;
 West, along the north line of the SW1/4 of said Section 11 to the west line of said Section 11;
 South, along the west line of said Section 11 to the southwest corner of Section 11, also being the northeast corner of Section 15, T36N R14W, NMPM;
 West, along the north line of said Section 15 to the North 1/4 Corner of said section 15;
 South, along the west line of the NW1/4NE1/4 of said Section 15 to the southwest corner of said NW1/4NE1/4;
 East, along the southline of said NW1/4NE1/4 to the northwest corner of the SE1/4NE1/4 of said Section 15;
 South, along the west lines of the SE1/4NE1/4 and the NE1/4SE1/4 of said Section 15 to the southwest corner of said NE1/4SE1/4;
 East, along the south line of said NE1/4SE1/4 to the east line of said Section 15, also being the west line of Section 14, T36N, R14W, NMPM;
 East, along the south line of the NW1/4SW1/4 of said Section 14 to the northwest corner of the SE1/4SW1/4 of said Section 14;
 South, along the west line of said SE1/4SW1/4 to the South line of said Section 14;
 East along the south lines of Sections 14 and 13, to the southeast corner of Section 13, also being on the Range line between Ranges 14W and 13W;
 North, along the east lines of section 13, 12 and 1 to the northeast corner of said Section 1, T36N, R14W, NMPM, Also being the Township Line between Townships 36N and 37N;
 West, along the north line of said Section 1 to the northwest corner of said Section 1;
 South along the west line of said Section 1 to the northeast corner of the SE1/4NE1/4 of Section 2, T36N, R14W, NMPM;
 West, along the north line of said SE1/4NE1/4 to the northwest corner of said SE1/4NE1/4 of Section 2;
 South, along the west line of said SE1/4NE1/4 to the northeast corner of the NW1/4SE1/4 of said Section 2;
 West, along the north line of said NW1/4SE1/4 to the southeast corner of the SE1/4 NW1/4 of said Section 2;

North, along the east line of said SE1/4NW1/4 of Section 2 to the northeast corner of said SE1/4NW1/4;
 West, along the north line of said SE1/4NW1/4 of Section 2 to the east right of way of Colorado Highway 184;
 Northwesterly, along said east right of way of Highway 184 to a point where said Highway makes a curve to the west and intersects the east line of the W1/2NW1/4 of Section 35, T37N, R14W, NMPM;
 North, along said east line of the W1/2NW1/4 to the northeast corner of the NW1/4NW1/4 of said Section 35;
 West, along the north line of said NW1/4NW1/4 to the northwest corner of said Section 35, also being the southeast corner of Section 27, T37N, R14W, NMPM;
 North, along the east line of said Section 27 to the southwest corner of the N1/2NW1/4 Section 26, T37N, R14W, NMPM;
 East, along the south line of said N1/2NW1/4 of Section 26 to the southeast corner of said N1/2NW1/4;
 North, along the east line of said N1/2NW1/2 to the north 1/4 Corner of said Section 26, also being the South 1/4 Corner of Section 23, T37N, R14W, NMPM;
 North along the east line of the S1/2SW1/4 of said Section 23 to the northeast corner of said S1/2SW1/4;
 West, along the north line of said S1/2SW1/4 to the west line of said Section 23;
 South, along the west line of said Section 23 to the southwest corner of said Section 23, also being the northeast corner of Section 27, T37N, R14W, NMPM;
 West, along the north lines of Sections 27, 28, 29 and 30, all in T37N, R14W, NMPM, to the point of beginning.

Pursuant to Section 32-1-305(3), C.R.S., the owner of real property within the proposed District may file a petition with the District Court in and for Montezuma County, requesting that such real property be excluded from the proposed District. Such petition may be filed anytime after the petition for the organization of the District is filed with the District Court, but not later than ten (10) days before the day fixed for the hearing on the organizational petition.

THIS NOTICE GIVEN BY ORDER OF THE Board of County Commissioners of Montezuma County, Colorado, this ~~25th~~ day of ~~March~~, 1985.

(S E A L)

/s/ Jean DeGraff

County Clerk and Recorder
Montezuma County, Colorado

Section 5. That the Clerk is hereby further directed to deliver a copy of the Service Plan to the County Planning Commission, with the direction that the Commission shall study the Service Plan and that a representative thereof shall present its recommendations to the Board of County Commissioners at the Hearing described in Section 1 above.

~~Section 6. The Board of County Commissioners of Montezuma County, Colorado, does hereby waive the requirement of the Special District Control Act providing that the Service Plan be filed at least ten (10) days prior to a regular meeting date of the Board of County Commissioners.~~ *Not*

Section 7. That all resolutions, or parts thereof, in conflict with the provisions hereof, be and the same are hereby repealed.

Section 8. That this Resolution, immediately upon its passage, shall be recorded in the Book of Resolutions of the County kept for that purpose and shall be authenticated by the signatures of the Chairman of the Board of County Commissioners and the County Clerk and Recorder.

ADOPTED AND APPROVED This ~~25th~~ day of ~~March~~, 1985.

146

April

(S E A L)

ATTESTED:

[Signature]
County Clerk and Recorder

[Signature]
Chairman

Board of County Commissioners

Commissioner Colbert then moved that said Resolution be passed and adopted as read. Commissioner Maynes seconded the motion.

The question being upon the passage and adoption of said Resolution, the roll was called with the following result:

Those voting YES:

Commissioners: William C. Bauer
Thomas Colbert
Robert Maynes

Those voting NO: _____

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.

(S E A L)

W.C. Bauer
Chairman
Board of County Commissioners

ATTESTED:

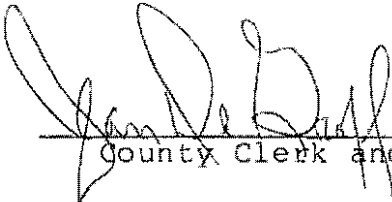
James DeBault
County Clerk and Recorder

STATE OF COLORADO)
)
COUNTY OF MONTEZUMA)

I, Jean DeGraff, County Clerk and Recorder of the County of Montezuma, State of Colorado, do hereby certify; that the foregoing pages numbered 4 to 10, 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 Monday, the ^{19th}~~25th~~ day of ^{March}~~March~~, 1985, at the Commissioners Hearing, in the Montezuma County Courthouse, in Cortez, Colorado, insofar as said minutes relate to a Resolution setting a Hearing on the Service Plan for the proposed Summit Ridge Water District, 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.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said County at Cortez, Colorado, this ^{19th}~~25th~~ day of ~~March~~, 1985.

(S E A L)



County Clerk and Recorder

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 18th day of March, 1985, with the following persons in attendance:

Commissioners: W.C. Bauer, Thomas K. Colbert, and
Robert L. Maynes

Commissioners absent:

County Clerk and Recorder: Jean DeGraff

County Attorney: Grace S. Merlo

County Administrator: Thomas J. Weaver

the following proceedings, among others, were taken:

RESOLUTION 2-85

WHEREAS: The City of Cortez has passed a Bond Issue for Special Improvement District No. 7, and

WHEREAS: A strip of land 16.5 feet x 49.7 feet lies within this Special Improvement District was reserved in the county in a Deed recorded November 28, 1942 in Book 114 at Page 128, and

WHEREAS: Montezuma County has no interest in continuing ownership of this property,

NOW THEREFORE BE IT RESOLVED: That the Board of County Commissioners for Montezuma County does here by Quit Claim to the City of Cortez a tract of land with the following legal description:

Commencing at the southeast corner of the west half of the southwest quarter of Section 24, Township 36 North, Range 16 West, N.M.P.M., County of Montezuma, State of Colorado, said point of commencement being also known as the point of beginning of a 16.5 foot wide strip of land reserved by the County of Montezuma in deed recorded on November 28, 1942 in Book 114 at Page 128 of official County records;

thence, north a distance of 1290.3 feet along the east line of said 16.5 foot reserved strip to the south right-of-way line of Jackson Street and the true point of beginning of this description;

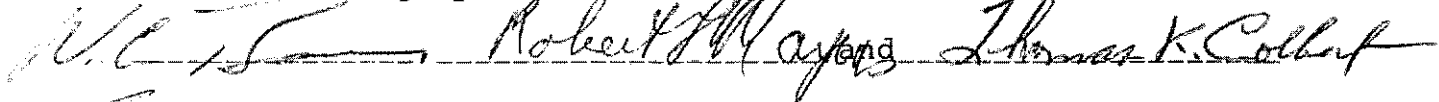
thence, continuing north a distance of 49.7 feet to the northeast corner of said strip;

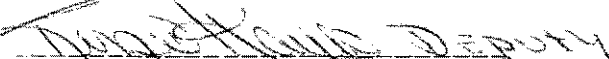
thence, west a distance of 16.5 feet to the northwest corner of said strip;

thence, south a distance of 49.7 feet along the west line of said strip to the south right-of-way line of Jackson Street;

thence, east along the south right-of-way line of Jackson Street, a distance of 16.5 feet to the point of beginning.

Commissioners voting aye in favor of the Resolution were:

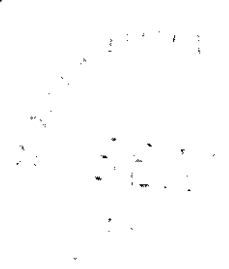



County Clerk and Recorder
Montezuma County, Colorado

I certify that the above 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.

Dated this 17th day of March, 1985

(SEAL)


Deputy County Clerk
County Clerk and Recorder
Montezuma County, Colorado

DILTS, DYER, FOSSUM & HATTER, P. C.

ATTORNEYS AT LAW

140 WEST FIRST STREET

P. O. DRAWER 1717

CORTEZ, COLORADO 81321

(303) 585-8581

GEORGE E. DILTS
GUY B. DYER, JR.
CLIFFORD C. FOSSUM
JAMES HATTER

IN REPLY PLEASE REFER TO FILE NO:

RE:

February 28, 1985

3519

Grace Merlo
Merlo & Merlo, P.C.
Attorneys at Law
P.O. Box 1776
Cortez, CO 81321

Dear Grace:

As you know, the City of Cortez passed a Bond Issue last Fall for Special Improvement District No. 7 which encompasses Henry, Sligo and Jackson Streets just North of the Bell Creek Rig. We are presently getting ready to do construction and an examination of titles indicates several encroachments and other problems with our right of way as it relates to the interest of other parties, one of which is the County of Montezuma.

I am enclosing with this letter, a deed recorded at Book 114 Page 128 dated November 28, 1942, where the County of Montezuma divested itself of certain property by Treasurer's Deed. However, my research indicates there was a small tract of land $16\frac{1}{2}$ feet wide by 1340 feet long which was somehow reserved by the County.

{ At the North end of that tract, there is a 49.7 ft. by 16.5 ft. }
{ tract that will be in our public right of way for Jackson Street. }

The City would like the County to give them a Quit Claim Deed to the aforereferenced tract so we don't have any problem with our right of way.

Please note on the diagram on the far right shows the entire tract owned by the County and the exploded 16.5 by 49.7 ft. tract shows what we need at the North end at point A.

Would you take this up with the County Commissioners next week and see if they will pass the necessary resolution to give us a Quit Claim Deed in this area.


E3/CCF7

Page 2
February 28, 1985
Grace Merlo

Regards.

Very truly yours,

DILTS, DYER, FOSSUM & HATTER, P.C.



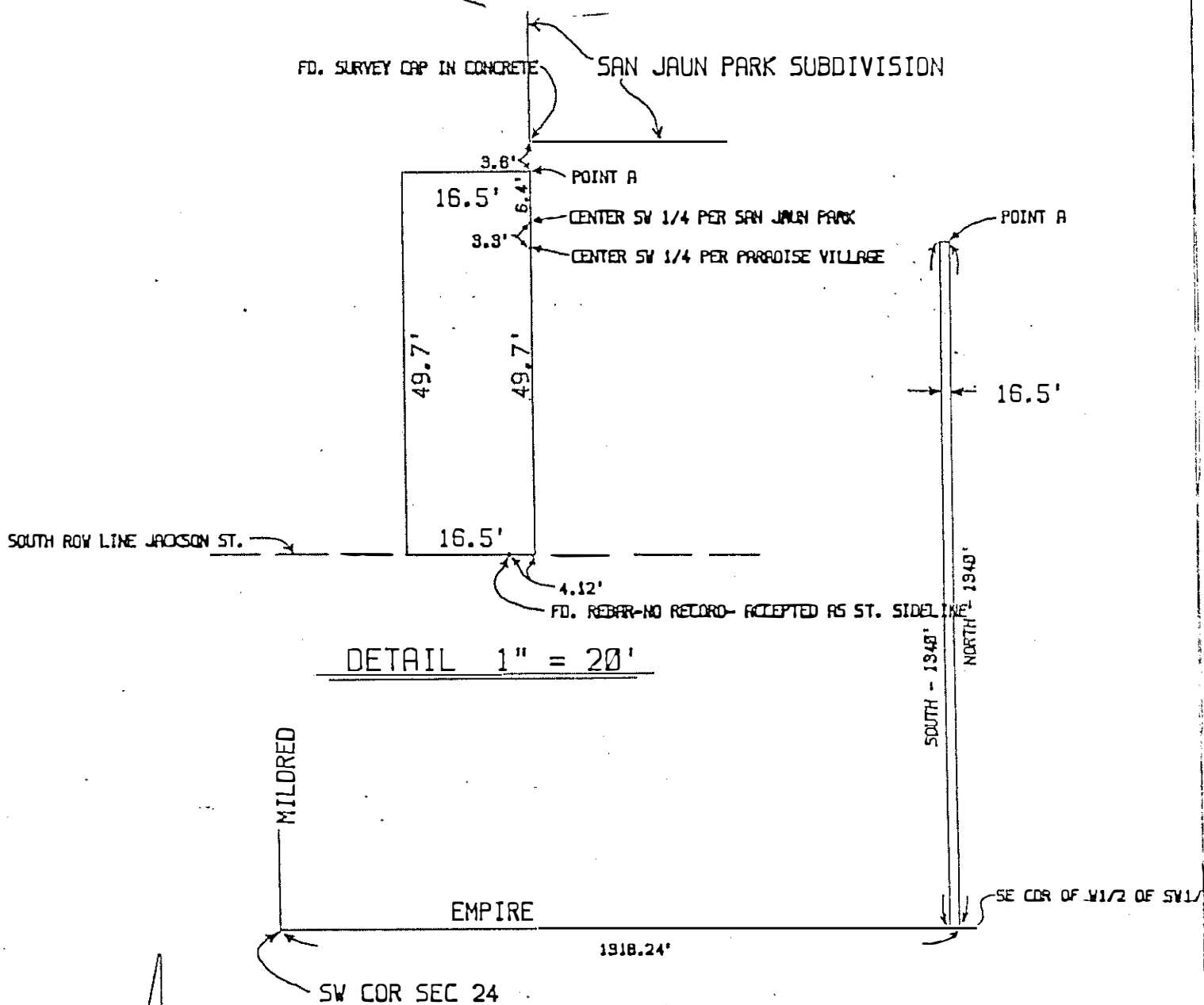
Clifford C. Fossum

/g

cc: Susan Sanfilippo
Bruce Smart
City Manager
210 E Main
Cortez, CO 81321

B3/CCF7

SKETCH FOR LEGAL



SCALE: 1" = 300'



FOUR CORNERS SURVEYING

21283 COUNTY ROAD P, CORTEZ, COLORADO 81321
(303) 565-4894

SKETCH FOR 16.5' LEGAL - COUNTY STRIP

DRAWN V. LEE	DATE 2-22-85	CITY OF CORTEZ JACKSON STREET CORTEZ, COLORADO	
APPROVED BY VEL	DATE		
SCALE 1 INCH = 300 FEET	SHEET 1 OF 1	SHEET 1	PROJECT NO. SID 7

128

BK 114-128

11-28-42

No. 197710

No. 2214-0-Standard 1939

NOTE: WHERE COPIES OF THIS AND THE BOOKS HEREIN ARE FOR SALE, SEE THE NOTICE IN THE COUNTY CLERK'S OFFICE, MONTESUMA, COLORADO.

Know all Men by these Presents, That Whereas, a Treasurer's Deed was executed on the 24th day of November, 1942, conveying the hereinafter described property to the County of Montezuma, a lawfully constituted county of the State of Colorado, and said Treasurer's Deed was duly recorded in Book 112 at Page 181 in the records of the County Clerk and Recorder of the County of Montezuma, State of Colorado; And whereas John B. Shaw made application for sale of the heretofore described property; And Whereas the County Commissioners of the County of Montezuma did, within ninety days after the said Treasurer's Deed was recorded, cause a notice of sale of said real estate to be advertised in the Montezuma Daily Citizen and posted in the manner and for the time required by law and did offer such real estate for sale at public auction on the 5th day of February, 1942, at the time and place as stated in said advertised notice;

And Whereas, John B. Shaw of the County of Montezuma, State of Colorado, bid for said property the sum of One thousand Dollars and no Cents, which bid being the highest and best bid for cash and being received and accepted by the Board of County Commissioners of the County of Montezuma;

And Whereas, the said John B. Shaw has paid the sum of One thousand Dollars and no Cents in full payment of said bid for said property;

Now Therefore, the County of Montezuma by and through the Board of County Commissioners of said county, for and in consideration of the sum of One thousand Dollars and no Cents paid as aforesaid, and by virtue of the statutes in such case made and provided, by these presents does grant, bargain and sell the following described real estate, to-wit: West Half of the Southwest Quarter (W 1/2 SW 1/4) & Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) in Section Twenty-four & South ten acres of the Northwest Quarter of the Northwest Quarter (S 10 A. of NW 1/4 NW 1/4) in Section Twenty-four (24), Township Thirty-six (36) North, Range Sixteen (16) West of the New Mexico Principal Meridian, reserving, however, to Montezuma County all road rights-of-way as now constructed or that may be hereafter constructed by Montezuma County, also all minerals, oil and gas rights with the right of ingress and egress for the purpose of removing same,

And also excepting and reserving rights of way for ditches as now constructed, with the right to run water in same, and also right of way for road as now used across said land to, the E 1/4 & NE 1/4 of Section 24, Township 36 North, Range 16 West N.M.P.M.

And also reserving a strip of land, beg at South East Corner of E 1/4 SW 1/4 Section 24, Twp 36 Range 16 West N.M.P.M. and running North 1340 Feet, thence west 16.5 Feet, thence South 1340 Feet, thence East 16.5 Feet to beginning.

STATE OF COLORADO
COUNTY OF MONTEZUMA

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) SS.
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1-85

The Board of County Commissioners of Montezuma County, Colorado, met in Regular session on February 4, 1985, at 9:00 A.M. at Court House, Montezuma, in Montezuma County, Colorado, in full conformity with the law and the resolutions and rules of the County. Upon roll call, the following were found to be present, constituting a quorum:

Present:

Chairman of the Board of
County Commissioners:
Other Commissioners:

W. C. Bauer
Thomas H. Calbert
Robert H. Mayers

Absent:

constituting all the members of the Board.

There were also present:

County Clerk:
County Attorney:

Jean DeShall
Grace S. Meola

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

Commissioner Calbert introduced a resolution, the text of which is as follows:

RESOLUTION TRANSFERRING TO ADAMS COUNTY, COLORADO THE ALLOCATION OF MONTEZUMA COUNTY, COLORADO UNDER SECTIONS 29-4-803 AND 29-4-805 OF COLORADO REVISED STATUTES, TO FINANCE MORTGAGE LOANS TO PROVIDE MORE ADEQUATE RESIDENTIAL HOUSING FACILITIES FOR LOW- AND MIDDLE-INCOME FAMILIES AND PERSONS WITHIN ADAMS COUNTY AND WITHIN MONTEZUMA COUNTY AND ELSEWHERE IN THE STATE OF COLORADO; DELEGATING THE AUTHORITY TO ISSUE REVENUE BONDS TO FINANCE SAID MORTGAGE LOANS WITHIN MONTEZUMA COUNTY; AND AUTHORIZING THE EXECUTION AND DELIVERY BY MONTEZUMA COUNTY OF AN ALLOCATION TRANSFER AGREEMENT AND A DELEGATION AGREEMENT.

WHEREAS, Montezuma County, Colorado ("Montezuma County") and Adams County, Colorado ("Adams County") are each authorized by the County and Municipality Development Revenue Bond Act, constituting Article 3 of Title 29, Colorado Revised Statutes (the "Project Act"), to finance properties to the end that more adequate residential housing facilities for low- and middle-income families and persons may be provided; and

WHEREAS, federal law restricts the amount of tax exempt obligations which may be issued by the Colorado Housing Finance Authority and local governmental units in the State of Colorado (the "State") to finance single-family mortgages to an amount not exceeding the State ceiling; and

WHEREAS, pursuant to federal law the State has provided for a formula for allocation in of the State ceiling among the governmental units in the State in a manner different from the federal allocation formula, in Part 8 of Article 4 of Title 29 of Colorado Revised Statutes (the "Allocation Act"); and

WHEREAS, the Allocation Act authorizes governmental units in the State to transfer all or a part of their allocations provided for in the Allocation Act to any other entity otherwise authorized to issue bonds to finance single-family mortgages and to accept transfers of such allocations; and

WHEREAS, the Project Act and Part 2 of Article 1 of Title 29, Colorado Revised Statutes, provide, in effect, that any county or municipality may by resolution or ordinance delegate to any other county or municipality its authority under the Project Act to finance projects under the Project Act; and

WHEREAS, Montezuma County desires to transfer to Adams County its allocation under Sections 29-4-803 and 29-4-805 of the Allocation Act for the year 1985 to finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Adams County and Montezuma County and elsewhere within the State; and to delegate to Adams County the

authority to act on its behalf in the issuance of qualified mortgage bonds during 1985 pursuant to the allocation granted under Section 29-4-805 of the Allocation Act; and

WHEREAS, Montezuma County desires to delegate to Adams County its power under the Project Act to issue revenue bonds to finance mortgage loans to provide more adequate residential housing facilities for low- and middle-income families and persons within Montezuma County; and

WHEREAS, it is necessary to evidence such transfers and the acceptance of such transfers by the Allocation Transfer Agreement presented to the Board at this meeting (the "Allocation Transfer Agreement") which will be executed and delivered by Montezuma County and Adams County; and

WHEREAS, it is necessary to evidence such delegation and the acceptance of such delegation by the Delegation Agreement presented to the Board at this meeting (the "Delegation Agreement") which will be executed and delivered by Montezuma County and Adams County.

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

Section 1. The forms, terms and provisions of the Allocation Transfer Agreement and the Delegation Agreement hereby are approved and the Chairman of the Board of County Commissioners of Montezuma County and the County Clerk hereby are authorized and directed to execute and deliver the Allocation Transfer Agreement and the Delegation Agreement.

Section 2. The Chairman of the Board of County Commissioners and the County Clerk hereby are authorized and directed to take such other steps or actions as may be required to carry out the terms and intent of this resolution, the Allocation Transfer Agreement and the Delegation Agreement.

Section 3. Nothing contained in this resolution, in the Allocation Transfer Agreement or in the Delegation Agreement shall obligate Montezuma County, except to the extent described in the Allocation Transfer Agreement and in the Delegation Agreement, nor constitute the debt or indebtedness of Montezuma County within the meaning of the Constitution or statutes of the State or the home rule charter of any political subdivision thereof, nor give rise to a pecuniary liability of Montezuma County or a charge against its general credit or taxing powers.

Section 4. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or

unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 5. All action (not inconsistent with the provisions of this resolution) heretofore taken by the Board of County Commissioners and the officers of Montezuma County directed toward the authorization of the Allocation Transfer Agreement and the Delegation Agreement hereby is ratified, approved and confirmed.

Section 6. This resolution shall be in full force and effect upon its passage and approval.

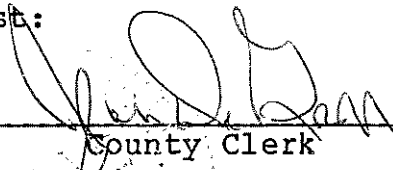
PASSED, ADOPTED AND APPROVED this 4th day of February, 1985.



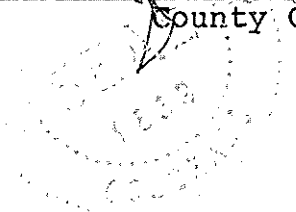
Chairman of the Board of County
Commissioners

(SEAL)

Attest:



County Clerk



A motion to adopt the foregoing resolution was then duly made by Commissioner Calbee and duly seconded by Commissioner Mayes.

The question being upon the passage and adoption of the resolution, the roll was called with the following result:

Those Voting Aye:

W. C. Bawle
Thomas R. Calbee
Robert L. Mayes

Those Voting Nay:

Those Absent:

Thereupon, the presiding officer declared the motion carried and the resolution duly passed and adopted.

After other action or business not related to the foregoing resolution, on motion duly made, seconded and adopted, the meeting thereupon adjourned.

STATE OF COLORADO
COUNTY OF MONTEZUMA

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) SS.
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I, Jean DeCazell, the duly qualified and acting County Clerk of Montezuma County, Colorado (the "County"), in the State of Colorado, do hereby certify:

1. The foregoing pages numbered -1- to -5-, inclusive, are a true, perfect and complete copy of the record of proceedings of the Board of County Commissioners of the County had and taken at a lawful meeting of the Board held at Courthouse, Montezuma County, Colorado on Feb. 4, 1985 at 9:00 A.M., as recorded in the regular official book of the proceedings of the County kept in my office so far as the proceedings relate to the resolution therein set forth, the proceedings were duly had and taken as therein shown, the meeting therein shown was duly held, and the persons therein named were present at the meeting as therein shown.

2. All members of the Board were duly notified of the meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County this 4th day of February, 1985.

(SEAL)

Jean DeCazell
County Clerk