

RESOLUTIONS -- 2012

Resolution Number	Date Signed	Name
2012-1	02/06/2012	GOCO grant appl. Grandstands/Fairgrounds
2012-2	02/13/2012	Conduct 2012 Primary Election as mail ballot
2012-3	3/19/2012	Issuance of Credit Cards authorization
2012-4	4/23/2012	Change agenda locations
2012-5	4/30/2012	Rd 18 Local Improvement Dist. No. 1
2012-06	5/7/2012	Amendments to Land Use Code
2012-07	5/14/2012	PLCC amendment
2012-08	6/11/2012	Fire Ban
2012-09	6/18/2012	Preserve Habeas Corpus & civil liberties
2012-10	7/25/2012	Weber Canyon Fire as Local Disaster Emergency
2012-11	8/06/2012	Suspend Fire Ban
2012-12	09/24/2012	Opposing Ballot amendment 64
2012-13	12/03/2012	Budget Adoption
2012-14	12/03/2012	General property tax levy
2012-15	12/03/2012	Law Enforcement Levy
2012-16	12/03/2012	Appropriate sums of money
2012-17	12/03/2012	Amendment Resolution 2010-1
2012-18	12/17/2012	Amending the 2012 budget

LAW ENFORCEMENT AUTHORITY RESOLUTIONS 2011

Resolution Number	Date Signed	Name
Agreement 2012-1	01/30/2012	Agreement between BOCC and LEA

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

Resolution #2012-18
A Resolution Amending the 2012 Budget

WHEREAS, Montezuma County adopted operating and capital budgets for the General Fund, Road & Bridge Fund, Conservation Trust Fund, Clara Ormiston Fund, Emergency Telephone Service Fund, Sheriff's Forfeiture Fund, Revolving Loan Fund, Lodgers Tax Fund, Jail Bond Fund, Law Enforcement Authority Fund, Capital Fund, Landfill Enterprise Fund, TABOR Emergency Reserve Fund, and Contingency Fund on December 12, 2011, for the ensuing budget year 2012; and

WHEREAS, Montezuma County, after adoption of the 2012 budget, received unanticipated revenues or revenues not assured at the time of the adoption of the budget other than the local government's property tax mill levy.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Montezuma County, Colorado, the governing board, authorizes the expenditure of such funds by enacting a supplemental budget and appropriation as follows:

General Fund

Total Additional Appropriations and Expenditures	\$913,088
Total Additional Transfers Out	\$501,063
Beginning Fund Balance as of 1/1/2012	\$9,520,563

Road & Bridge Fund

Beginning Fund Balance as of 1/1/2012	\$4,056,064
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Conservation Trust Fund

Total Additional Transfers Out	\$45,125
Beginning Fund Balance as of 1/1/2012	\$147,734

Clara Ormiston Fund

Total Additional Transfers Out	\$443
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Emergency Telephone Service Fund

Total Additional Transfers Out	\$707
Beginning Fund Balance as of 1/1/2012	\$555,521

Revolving Loan Fund

Beginning Fund Balance as if 1/1/2012	\$142,618
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Lodgers Tax Fund

Beginning Fund Balance as of 1/1/2012	\$101,267
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RESOLUTION NO.2012 - 17

A RESOLUTION AMENDING RESOLUTION NO. 1-2010 DECLARING IT TO BE UNLAWFUL FOR ANY PERSON TO OWN, KEEP, HARBOR OR POSSESS A DOG THAT IS NOT UNDER CONTROL AND PROVIDING FOR IMPOUNDMENT OF SUCH DOGS AND CRIMINAL PENALTIES.

WHEREAS the Board of County Commissioners of Montezuma County, State of Colorado, finds that dogs not under control present a danger to the safety and peace and tranquility of persons and property and that persons and property must be protected from such dogs;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County pursuant to C.R.S. 30-15-101 and 102, except as provided in C.R.S. 30-15-101(1)(b), that Resolution 1-2010 is amended as follows:

1. It shall be unlawful for any person to own, keep, harbor or possess a dog that is not under control.
2. (a) "Control" means as to a "vicious dog" as defined in paragraph 3 herein that said vicious dog (I) is physically restrained to the premises of its custodian, or (II) is in the immediate presence of said dog's custodian who is enforcing said dog's obedience to said custodian's commands.
(b) "Control" means as to any dog that is not "vicious" as defined in paragraph 3 herein that when said dog is away from and off the premises of its custodian that said dog (I) is physically restrained to prevent freedom of action, or (II) is in the immediate presence of said dog's custodian who is enforcing said dog's obedience to said custodian's commands.
(c) "Control" as to any dog or dogs also means that said dog or dogs shall not make unreasonable noise.
(d) Paragraphs (a), (b) and (c) are each separate and distinct control requirements, and the violation of either paragraph is a separate violation of paragraph 1 of this Resolution.
3. "Vicious dog" means a dog that is a clear and present danger to the safety of persons or property.
4. "Custodian" means any person owning, keeping, harboring or possessing a dog.
5. "Premises" means said custodian's vehicle or real property, except that "premises" does not include any public or county road right of way on said custodian's real property.
6. (a) Any violation hereof not involving bodily injury to any person shall be a class 2 petty offense, punishable, upon conviction, by a fine of not more than one thousand (\$ 1,000.00) dollars or by imprisonment in the county jail for not more than ninety (90) days, or by both such fine and imprisonment for each separate offense. The penalty assessment procedure provided in C.R.S. 16-2-201 may be followed for violations not involving bodily injury to any person as follows: the penalty assessment fine shall be fifty (\$50.00) dollars for the first violation, and one hundred (\$100.00) dollars for the second violation by the same person.

(b) Any violation hereof involving bodily injury to any person by a dog shall be a class 2 misdemeanor and punishable as provided in C.R.S. 18-1.3-501 for each separate offense.

7. The Sheriff of Montezuma County and his deputies shall enforce this resolution and may impound any dog not under control, and further, whenever said officer has probable cause to believe that a violation has been committed, he may issue a citation or summons and complaint to the violator stating the nature of the violation with sufficient particularity to give notice of said charge to the violator.

8. Said citation or summons and complaint shall be filed in the County Court in and for Montezuma County, Colorado. The District Attorney shall be the prosecuting attorney. All fines, forfeitures and other moneys collected shall be paid to the Montezuma County treasurer at once.

9. This resolution is necessary for the immediate preservation of the public health and safety from dogs not under control.

10. This resolution shall be effective immediately upon adoption.

NOW THEREFORE, BE IT RESOLVED THAT THIS RESOLUTION IS HEREBY ADOPTED.

Adopted this 3rd day of Dec, 2012, at 12:40 o'clock p.m.

BOARD OF COUNTY COMMISSIONERS
OF MONTEZUMA COUNTY, COLORADO

Steve R. Chappell

Heidi Bergquist



Commissioners voting aye in favor of this Resolution were
Chappell, Koppenhaffer, and

Commissioners voting nay against this Resolution were
_____, _____, and

Kim Perrell Chief Deputy Clerk
Clerk and Recorder of Montezuma County

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

Resolution #2012-16

A RESOLUTION TO APPROPRIATE SUMS OF MONEY

WHEREAS, the Commissioners have adopted the annual budget in accordance with Local Government Budget Law on December 3, 2012, 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 purposed described below so as not to impair the operations of the County.

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

1) General Fund	\$13,444,341
2) Road & Bridge Fund	\$5,090,075
3) Social Services Fund	\$14,102,847
4) Public Health Fund	\$1,986,310
5) Landfill Enterprise Fund	\$1,370,281
6) Capital Fund	\$0
7) Law Enforcement Authority Fund	\$913,812
8) Conservation Trust Fund	\$100,000
9) Emergency Telephone Service Fund	\$273,488
10) Clara Ormiston Trust Fund	\$10,000
11) Lodgers Tax Fund	\$120,000
12) Sheriff Forfeiture Fund	\$0
13) TABOR Emergency Reserve Fund	\$0
14) Contingent Fund	\$0
15) Jail Bond Fund	\$346,923

16) Revolving Loan Fund

\$0

TOTAL \$37,758,077

Commissioners voting aye in favor of the resolution were:

Steve Chappell Harold Reynolds

Commissioners voting nay against the resolution were:

Kim Porcell Chief Deputy Clerk
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 3rd day of December, 2012.

(SEAL)



Kim Porcell Chief Deputy Clerk
County Clerk and Recorder
Montezuma County, Colorado

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

Resolution #2012-14

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2012 TO HELP DEFRAID THE COSTS OF GOVERNMENT FOR MONTEZUMA COUNTY, COLORADO, FOR THE 2013 BUDGET.

WHEREAS, the Board of County Commissioners of Montezuma County, Colorado, have adopted the annual budget in accordance with the Local Government Budget Law on the 3rd day of December, 2012; and

WHEREAS, the 2012 valuation by the Board of County Commissioners for all of Montezuma County as certified by the County Assessor is \$654,194,430.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado, that;

For the purpose of meeting all general operating expenses of Montezuma County during the 2013 budget year, there is hereby levied a tax of mills as stated below upon each dollar of the total valuation of assessment of all taxable property within the County for the year 2012.

SUMMARY OF FUNDS BUDGET 2013

County General	10.338
Social Services	1.300
Road and Bridge	2.616
TOTAL COUNTY MILL LEVY	14.254

Commissioners voting aye in favor of the resolution were:

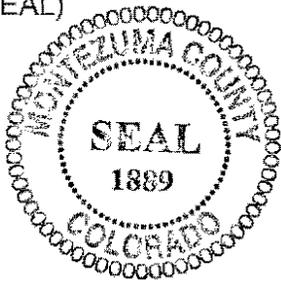
Commissioners voting nay against the resolution were:

Kim Powell Chief Deputy Clerk
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 3rd day of December, 2012.

(SEAL)



Kim Powell Chief Deputy Clerk
County Clerk and Recorder
Montezuma County, Colorado

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

Resolution # 2012-13

A RESOLUTION ADOPTING A BUDGET FOR MONTEZUMA COUNTY, COLORADO FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2013 AND ENDING ON THE LAST DAY OF DECEMBER 2013.

WHEREAS, the Commissioners of Montezuma County, Colorado, have appointed Ashton N. Harrison to prepare and submit a proposed budget to said governing body; and

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

WHEREAS, 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 held on November 19, 2012 and continued to December 3, 2012, and interested electors were given the opportunity to file or register any objections to said proposed budget.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County, Colorado, that the budget as submitted hereby is approved and adopted as the budget of Montezuma County, Colorado for the year 2013.

Commissioners voting aye in favor of the resolution were:

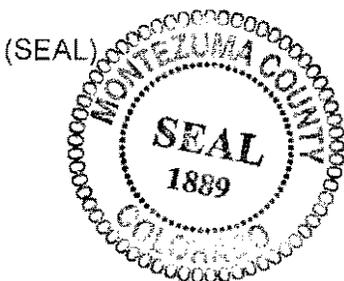
Steve R. Chappell Glenn D. Lyman

Commissioners voting nay against the resolution were:

Ken Percall Chief Deputy Clerk
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 3rd day of December, 2012.



Ken Percall
Chief Deputy Clerk
County Clerk and Recorder
Montezuma County, Colorado

**The Board of County Commissioners
of the County of Montezuma
State of Colorado**

Resolution #2012-12

A Resolution Opposing Proposed Amendment 64

WHEREAS, Amendment 64 would make Colorado the first state in the United States to legalize marijuana for recreational purposes; and

WHEREAS, Amendment 64 would allow anyone twenty-one years or older to possess and consume up to one ounce of marijuana; and

WHEREAS, Amendment 64 would permit opening marijuana retail stores, growing facilities, manufacturing facilities and testing facilities in our community; and

WHEREAS, Amendment 64 conflicts with federal law and jeopardizes federally funded projects because drug-free workplace requirements may not be met; and

WHEREAS, passage of Amendment 64 would result in increased use of marijuana, harming our children and the educational environment in Colorado; and

WHEREAS, passage of Amendment 64 would harm Colorado's image as a healthy place to live, work and raise a family; and

WHEREAS, passage of Amendment 64 would undermine workplace safety programs, expose workers to an increased risk of injury and increases liability to employers; and

WHEREAS, passage of Amendment 64 would put Coloradoans in danger of increased impaired driving; and

WHEREAS, passage of Amendment 64 would make Colorado the first state to try to profit from legalization of marijuana at the expense of its children.

NOW, THEREFORE, BE IT RESOLVED THAT:

Montezuma Board of County Commissioners *opposes* Amendment 64 and the legalization of marijuana for recreational use and *supports* the *No on 64* campaign to defeat this harmful measure on the November 2012 ballot.

Board of County Commissioners
of Montezuma County, Colorado



Steve D. Chappell, Chair



Larrie D. Rule, Vice-Chair



Gerald W. Koppenhafer, Commissioner of Deeds

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 24th Day of September, 2012

(SEAL)





County Clerk and Recorder
Montezuma County, Colorado

2012-
RESOLUTION NO. 11

**A RESOLUTION SUSPENDING THE BAN ON OPEN FIRES
AND THE USE OF FIREWORKS**

WHEREAS, Montezuma County Ordinance No. 1-~~2008~~ prohibits open fires and the use of fireworks in the unincorporated areas of Montezuma County, except as the Board of County Commissioners of Montezuma County based upon competent evidence may by resolution suspend said ban from time to time to the degree and manner consistent with existing wildfire dangers; and

WHEREAS, competent evidence having been presented of sufficient moisture throughout Montezuma County temporarily reducing existing wildfire dangers to more normal conditions;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County that said ban on open fires and the use of fireworks should be and is hereby suspended. Said suspension shall continue in effect until canceled pursuant to Montezuma County Ordinance No. 1-2008.

This Resolution is adopted this 10th day of Aug., 2012, at 10:18 o'clock A.m.

BOARD OF COUNTY COMMISSIONERS
OF MONTEZUMA COUNTY, COLORADO

Steve D. Chappell

Garry D. Rab

Gerald W. Koppelman

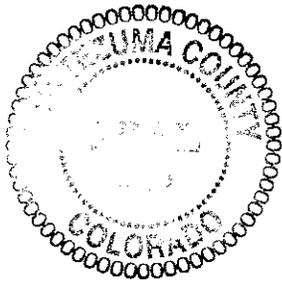
Commissioners voting aye in favor of this Resolution were:

_____ Lorne D Paul

and Merck W Koppert .

Commissioners voting no against this Resolution were:

and _____.



 Carol Tullis
County Clerk and Recorder
Montezuma County, Colorado

The Board of County Commissioners
of the County of Montezuma
State of Colorado

Resolution #2012-10

A Resolution Declaring the Weber Canyon Fire a Local Disaster Emergency

Whereas; C.R.S. 24-32-2109 states a local disaster may be declared only by the principal executive officer of a political subdivision. It shall not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the political subdivision. Any order or proclamation declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder, city clerk, or other authorized record-keeping agency and with the division (DEM); and

Whereas; The fire known as the "Weber Canyon Fire" that started at approximately 17:00 hours on Friday, June 22, 2012 has exceeded the ability of the county and other local resources to contain and extinguish the fire; and

Whereas; The Weber Canyon Fire is expected to continue for an indefinite period but will exceed seven days thus requiring the approval of the Board of County Commissioners;

Whereas; Due to existing fire conditions, the Weber Canyon Fire has the potential to spread rapidly and is an immediate threat to the public.

Now therefore, be it resolved that: The Board of County Commissioners declares a local disaster emergency in Montezuma County as a result of the Weber Canyon Fire.

Board of County Commissioners
of Montezuma County, Colorado


Steve D. Chappell, Chair


Larrie D. Rule, Vice-Chair

Absent

Gerald W. Koppenhafer, Commissioner of Deeds

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 25th Day of June, 2012.





County Clerk and Recorder
Montezuma County, Colorado

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Carol Tullis Clerk/Recorder, Montezuma County, Co



The Board of County Commissioners of the County of Montezuma

State of Colorado

Resolution #2012-9

A Resolution to Preserve Habeas Corpus and Civil Liberties

- WHEREAS,** in accordance with the Colorado State Constitution, Article 12, Section 8, all elected officials are mandated to “take and subscribe an oath or affirmation to support the Constitution of the United States and of the State of Colorado, and to faithfully perform the duties of the office upon which he shall be about to enter;” and the Montezuma County Commissioners therefore uphold this oath of office by the adoption of this Resolution, and
- WHEREAS,** one of our most fundamental rights as American citizens is to be free from unreasonable detention without due process of law, a right afforded to us by our Founding Fathers and guaranteed to us by over two centuries of sacrifice by our men and women in the Armed Forces whom we daily recognize and honor; and
- WHEREAS,** Sections 1021 and 1022 of the United States House of Representatives National Defense Authorization Act for 2012, HR 1540, (Public Law 112-81), jeopardize the fundamental rights of American citizens to remain free from detention without due process and the right to habeas corpus in direct contravention of the guarantees of the Bill of Rights and the United States and Colorado Constitutions; and
- WHEREAS,** The National Defense Authorization Act for 2013 does not repeal these Sections 1021 and 1022 of the 2012 Act; and
- WHEREAS,** The Writ of Habeas Corpus may only be suspended in cases of rebellion or invasion, US Constitution, Article 1, Section 9, neither of which is extant; and
- WHEREAS,** It is indisputable that the threat of homeland and international terrorism is both real and viable, and that the full force of appropriate and constitutional law must be used to defeat this threat so that terror never wins; however, winning the war against terror cannot come at the great expense of mitigating basic, fundamental, constitutional rights using rules, laws, regulations, bill language or executive orders; and
- WHEREAS,** the Board of County Commissioners of Montezuma County, Colorado, wholeheartedly supports the United States military and recognizes the importance the National Defense Authorization Act for 2012, HR 1540 (Public Law 112-81), as an appropriations bill and as a bill necessary to support the efforts of our military to both serve and protect the people of this great Nation, with the exclusion of sections 1021 and 1022; and

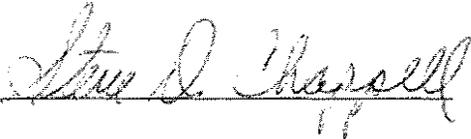
WHEREAS, undermining our own Constitutional rights serves only to concede to the terrorists' demands of changing the fabric of what made the United States of America a country of freedom, liberty and opportunity; therefore

BE IT RESOLVED, the Board of County Commissioners of Montezuma County, Colorado, is in opposition to Sections 1021 and 1022 of the United States House of Representatives National Defense Authorization Act for 2012, HR 1540, (Public Law 112-81), and does hereby support the Colorado Constitution and the Constitution of the United States of America and all the freedoms and guarantees as recognized by our Founding Fathers and as provided by the brave efforts of the members of our Armed Forces.

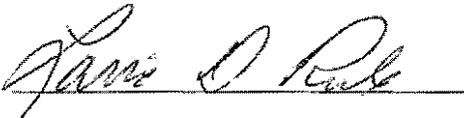
Dated this 18th Day of June, 2012, at Cortez, Colorado

THE BOARD OF COUNTY COMMISSIONERS

MONTEZUMA COUNTY, COLORADO



Steve D. Chappell, Chair



Larrie D. Rule

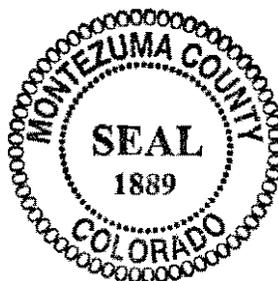


Gerald W. Koppenhafer

ATTEST:



Carol Tullis, County Clerk and Recorder



RESOLUTION NO. 2012-8

**A RESOLUTION CANCELING THE SUSPENSION
OF THE BAN ON OPEN FIRES AND THE USE OF FIREWORKS**

WHEREAS, the Board of County Commissioners of Montezuma County, State of Colorado, based upon competent evidence, finds that the danger of forest and grass fires is high throughout the unincorporated areas of Montezuma County and that to protect the public health, safety and welfare it is necessary to reduce the danger of wildfires within those areas;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County as follows:

1. That Resolution No. 6-2011 and the suspension of the ban on open fires and the use of fireworks is hereby canceled pursuant to Montezuma County Ordinance No. 1-2008.
2. That the ban on open fires and the use of fireworks pursuant to Ordinance No. 1-2008 continues in full force and effect.

NOW THEREFORE BE IT RESOLVED that this resolution is hereby adopted effective immediately.

Adopted this 11 day of June, 2012, at 11:08 o'clock A. m.

BOARD OF COUNTY COMMISSIONERS OF
MONTEZUMA COUNTY, COLORADO

Steve R. Chappell

Larry D. Bell

Gene M. [Signature]

Commissioners voting aye in favor of this Resolution were:

Commissioners Steve D. Carroll Comm. Larrise S. Kula

and Comm. Herald W. Koppach

Commissioners voting no against this Resolution were:

and _____



Rosal Sullivan

County Clerk and Recorder
Montezuma County, Colorado

**The Board of County Commissioners
of the County of Montezuma
State of Colorado**

Resolution # 2012-7

A Resolution to amend Resolution # 2-2011

Whereas, Resolution # 08-2010 asserts Montezuma County's authority that all federal agencies and state agencies involved with federal agencies to coordinate with the Board of County Commissioners; and

Whereas, the sheer number of federal actions on public lands in Montezuma County requires studious attention and due diligence; and

Whereas, it is essential that private property and the public's use of public lands be protected;

Now therefore, be it resolved by the Board of County Commissioners that:

Section 1: Purpose of the Public Lands Coordinating Commission

(1) The purpose of said Commission is to review all plans, policies, projects, and management actions affecting public lands in Montezuma County considered or taken by all federal agencies and state agencies involved with federal agencies and make recommendations concerning such to the Board of County Commissioners.

(2) Nothing in this resolution shall be interpreted to apply to Ute Mountain Ute or Southern Ute Tribal Lands.

Section 2: Membership of the Public Lands Coordinating Commission

(1) Said Commission shall consist of seven (7) members.

(2) Said Commission shall have two approved alternates.

(3) Each member of said Commission shall be a resident of Montezuma County, Colorado.

Section 3: Officers of the Public Lands Coordinating Commission

(1) Said Commission shall elect a Chairman, Vice-Chairman, and Secretary from among its members whose terms shall each be two (2) years.

(2) No officer shall serve more than two (2) terms.

Section 4: Vacancies on the Public Lands Coordinating Commission

(1) A vacancy occurring among the members of said Commission shall be filled by the Board of County Commissioners.

Section 5: Removal of Members of the Public Lands Coordinating Commission

(1) All members of said commission serve at the pleasure of the Board of County Commissioners.

(2) Any member of said Commission who misses more than three (3) consecutive meetings or more than one-fifth (1/5) of all meetings in a calendar year shall immediately be removed as a member of said Commission

(3) If any member of said Commission ceases to be a resident of Montezuma County his or her membership shall immediately terminate.

Section 6. Terms of Members of the Public Lands Coordinating Commission

(1) The term of appointed members shall be three (3) years.

(2) Terms for appointment of said Commission shall be staggered by making the appointments so that approximately one-third (1/3) of the members terms expire each year.

(3) There are no term limits established.

Section 7. Meetings of the Public Lands Coordinating Commission

(1) Said Commission shall meet at least quarterly, but may meet as often as deemed necessary.

(2) All meetings and work sessions of said Commission shall be open to the public.

(3) All meetings and work sessions of said Commission may be electronically recorded and stored at the Montezuma County Courthouse.

(4) Minutes of all meetings and work sessions shall be recorded and stored at the Montezuma County Courthouse.

(5) Said Commission shall post an agenda for every meeting and work session at the Montezuma County Courthouse at least (48) hours prior to any meeting or work session.

(6) Any meeting comprising a quorum of members shall constitute a meeting and must comply with this resolution.

Section 8. Seating Alternates

(1) First and second alternates shall be appointed.

(2) In the event said Commission meets quorum of (5) but still has vacant seats, any alternates present shall be seated if the alternate chooses to be seated.

(3) Seated alternates shall hold full voting privileges.

Section 9. Civility to Rule all Meetings of the Public Lands Coordinating Commission

(1) Said Commission shall treat all federal and state employees who attend meetings with professionalism, courtesy, and respect, and the same shall be expected of all federal and state employees in turn, as coordination and cooperation is not possible in an atmosphere of hostility. Said Commission shall also require members of the public to behave in similar fashion.

(2) The chair of said Commission, or the vice-chair in his or her absence, is vested with the authority to remove any said Commission member, federal or state employee, or member of the public from any meeting or work session who violates this section. In the event any such person refuses to leave, the chair or vice –chair shall immediately cause the meeting to be adjourned without approval of a majority of said Commission in attendance.

Board of County Commissioners
of Montezuma County, Colorado.

Commissioners voting aye in favor of the resolution were:

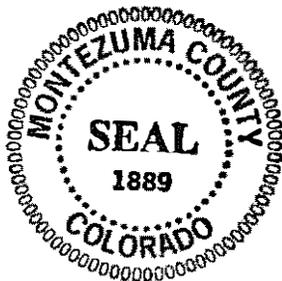
Steve D. Chappell Terri O. Rusk
Heidi Williams

Commissioners voting nay against the resolution were:

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 ~~28th~~ ^{14th} Day of ~~March~~ ^{MAY}, 2010 14th day of May, 2012

(SEAL)



Carol Jullies
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 7th day of May 7, 2012, with the following persons in attendance:

Commissioners:	Steve Chappell, Larrie D. Rule and Gerald W. Koppenhafer
Commissioners Absent:	
County Attorney:	Bob Slough
County Administrator:	Ashton N. Harrison
County Clerk:	Carol Tullis

the following proceedings, among others, were taken:

RESOLUTION No. 2012-6

**A RESOLUTION AMENDING RESOLUTION NOS. 2-98, 12-2000, 4-2002, 10-2003, 17-2003,
13-2004, 4-2006, 11-2007, 7-2008, 12-2009 and 09-2010**

THE MONTEZUMA COUNTY LAND USE CODE

WHEREAS, the Montezuma County Land Use Code was adopted on the 20th day of July, 1998, and

WHEREAS, the Montezuma County Land Use Code was amended on the 6th day of November, 2000 by Resolution No. 12-2000, the 8th day of April, 2002 by Resolution No. 4-2002, the 15th day of September, 2003 by Resolution No. 10-2003, the 15th day of December, 2003 by Resolution No. 17-2003, the 18th day of October, 2004, by Resolution No. 13-2004, the 17th of July, 2006, by Resolution No. 4-2006, the 18th day of December, 2006, by Resolution No. 13-2006; the 29th day of October, 2007, by Resolution No. 11-2007; the 21st day of July 2008 by Resolution No. 7-2008; the 16th day of November 2009 by Resolution No. 12-2009; and subsequently on the 13th day of September, 2010;

WHEREAS, on Monday April 30, 2012, and Monday, April 7, 2012, the Planning and Zoning Commission Board and Planning Staff presented proposed code amendments to the Board of County Commissioners at a publicized public hearing;

WHEREAS, it has become necessary to amend said Land Use Code.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Montezuma County as follows:

9105.5 Effective Date. This Code is necessary for the immediate preservation of the public health, safety and welfare, and shall be effective immediately upon adoption.

NOW THEREFORE BE IT RESOLVED that this Resolution is hereby adopted and said Montezuma County Land Use Code is so amended.

Adopted this 7th day of May, 2012, at 3:35 o'clock p.m.

Board of County Commissioners
of Montezuma County, Colorado

Steve R. Chappell
Terri D. Paul
Mark W. Thompson

Commissioners voting aye in favor of this Resolution were:

Steve R. Chappell Terri D. Paul and Mark W. Thompson

Commissioners voting no against this Resolution were:

_____ and _____

Carol Sullivan
County Clerk and Recorder
Montezuma County, Colorado

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

Dated this 7th day of May, 2012.

(SEAL)



Carol Sullivan
County Clerk and Recorder
Montezuma County, Colorado

COVER SHEET ROAD 18 LOCAL IMPROVEMENT DISTRICT

Owners of Property

RICHARD MARSELL
CARL MARSELL
MURIEL T. GREGOR TRUSTEE
GREGORY A DILLON
DAVID R DILLON
Exhibit Number 2

Lorna Gail Ladage
Exhibit Number 3

Poe Family Partnership LLP
Exhibit Number 4

Eagles Nest Partnership LLP
North 160 ac.
Exhibit Number 5a and 5b

Eagles Nest Partnership LLP
South 160 ac
Exhibit Number 5a and 5b

Charles L. & Daisy T. Mahaffey Trust
Exhibit number 6

Morgan Lee Allsup
Exhibit Number 7

I hereby certify this warrant for collection to be true and correct
to the best of my knowledge



Carol Tullis
Montezuma County Clerk and Recorder



RESOLUTION NO. . . . 2012 - 5

**A Resolution Assessing And Levying The Allocated Costs
For Roadway Improvements In The Montezuma County
Road 18 Local Improvement District No. 1 Against The
Properties Described Herein**

WHEREAS, on June 27, 2011, the Montezuma County Board of Commissioners adopted Resolution No. 05-2011 forming, creating and establishing the Montezuma County Road 18 Local Improvement District No. 1 and providing for roadway improvements and the assessment of costs for same; and

WHEREAS, said roadway improvements having been completed at a total cost of \$82,825.75; and

WHEREAS, the Statement pursuant to C.R.S. 30-20-607 having been filed and notice published pursuant to C.R.S. 30-20-608; and

WHEREAS, the public hearing pursuant to C.R.S. 30-20-609 having been held, and the Montezuma County Board of Commissioners having heard and determined all complaints and objections and making such modifications and changes as may seem equitable and just;

NOW THEREFORE BE IT RESOLVED by the Montezuma County Board of Commissioners as follows:

1. That the \$82,825.75 costs for the roadway improvements in the Montezuma County Road 18 Local Improvement District No. 1 is hereby assessed and levied in the allocated amounts, plus two (2) percent interest per annum on the unpaid balance, against each of the respective properties as set forth in the Allocation Table marked Exhibit 1 attached hereto and made a part hereof. Each of said properties is more fully described by legal description in the respective Deeds marked Exhibits 2 through 7 attached hereto and made a part hereof.

2. That said assessed costs shall be due and payable to the Montezuma County Treasurer by the respective property owners. The owners of each respective property may elect to pay the allocated amount shown on Exhibit 8 attached hereto and made a part hereof by paying in ten (10) equal annual installments, plus interest, for ten (10) consecutive years, beginning January 1, 2013, and on or before the first day of each year thereafter until paid in full. C.R.S. 30-20-612 and 30-20-614.

3. That pursuant to C.R.S. 30-20-610 this assessment and levy shall constitute a perpetual lien against each respective property described herein in the allocated amount owed. C.R.S. 30-20-615 and 30-20-617 shall apply upon failure to pay when due.

4. That this Resolution shall be filed with the Montezuma County Clerk and Recorder, Assessor, and Treasurer so that they can perform their duties as required by law.

Adopted this 30th day of April, 2012, at 9:30 A.m.

BOARD OF COUNTY COMMISSIONERS
OF MONTEZUMA COUNTY, COLORADO

Steve D. Chappell
Garri D. Rul
Heard W. Kippel

Commissioners voting aye in favor of the Resolution were: Commissioners Steve Chapp
Garrie D. Reule and Gerald W. Kassenhauer

Commissioners voting nay against the Resolution were: _____
_____ and _____.

Carol Tullis
County Clerk and Recorder
Montezuma County, Colorado



ALLOCATION TABLE
Road 18 Local Improvement District

582407 RES 04/30/2012 01:17:19 PM
Page: 4 of 27 R 0.00 D 0.00 I 0.00
Carol Tullis Clerk/Recorder, Montezuma County, Co.

Owners of Property	Property-Legal Address	Zone Factor per ¼ Mile	Acreage over 40 acres-one point per 40 acres up to 160 acres for the first 40 acres is valued at "0"	Existing Houses	Right of Access	P int Total	Allocation Percentage	Unpaid Balance Plus 2% Interest Per Annum
Richard Marsell, Carl M. Marsell, Muriel T. Gregory, Trustee, Gregory A. Dillon and David R. Dillon Exhibit "2"	13606 Road 18, Cortez, CO, situated in the north 1/2 of SE 1/4 S.3, T.36N., R.17W., N.M.P.M. consisting of 80 acres, more or less	1	1	0	1	3	6.9767	\$5,778.50
Lorna Gail Ladage ¹⁾ Exhibit "3"	13002 Road 18, Cortez, CO, situated in the south ½ of the SE 1/4 S.3, T.36N., R.17W., N.M.P.M. consisting of 55 acres, more or less; and, Property located at 13260 Road 18, Cortez, CO, situate in the south ½ of the SE 1/4 S.3, T.36N., R.17W., N.M.P.M. consisting of 25 acres, more or less;	2	1	1	1	5	11.6279	\$9,630.90
Poe Family Partnership, LLLP Exhibit "4"	12800 Road 18, Cortez, CO, situated in the NE 1/4 S.10, T.36N., R.17W., N.M.P.M. consisting of 160 acres, more or less	4	3	0	1	8	18.6047	\$15,409.48
Eagles Nest Partnership, LLP North 160 Ac. Exhibit "5a and 5b"	12501 Road 18, Cortez, CO, situated in the NW1/4 S.10, T.36N., R.17W., N.M.P.M. consisting of 160 acres, more or less	2	1	0	1	4	9.3023	\$7,704.70
Eagles Nest Partnership, LLP South 160 Ac ²⁾ Exhibit "5a and 5b"	13003 Road 17.9, Cortez, CO, a tract of land situated in the SW1/4 of S.3, T.36N., R.17W., N.M.P.M. consisting of 53.40 acres, more or less.	4	3	0	1	8	18.6047	\$15,409.48
Charles L. & Daisy T. Mahaffey Trust Exhibit "6"	12480 Road 18, Cortez, CO, situated in the SW1/4 S.10, T.36N., R.17W., N.M.P.M. consisting of 160 acres, more or less, and situated in the N1/2 NW 1/4 S.15, T.36N., R.17W., N.M.P.M. onisting of 80 acres, more or less	4	3	1	1	9	20.9302	\$17,335.60
Morgan Lee Allsup Exhibit "7"	12497 Road 18, Cortez, CO, situated in the SW 1/4NE1/4 S.9, T.36N., R.17W., N.M.P.M. consisting of 40 acres, more or less	4	0	1	1	6	13.9535	\$11,557.09
							100%	\$82,825.75

This measurement is made in ascending value from North to South. A property with frontage on Road 18 is more than one zone is assigned the zone furthest to the North.

¹⁾ The Milagro Trust Property does not front on Road 18 but will take access through the Schott property. Properties separated from access to Road 18 by a property fronting on Road 18 through which access will be are treated as a single property for purposes of assessment.
²⁾ The actual net acreage to be included in the Road 18 LID is 53 acres due to the existence of alternative access rights for the remainder of the 160 acres but less than 80 acres in size due to the existence of alternative access rights for the remainder of the 160 acre parcel.
This property is treated as greater than 40 acres but less than 80 acres in size due to the existence of alternative access rights for the remainder of the 160 acre parcel.

RECORDED AT 3:40 O'CLOCK PM MAR 11 1994
RECEPTION NO 138753 JEAN DRAGAGE, RECORDER MONTEZUMA CO. COLO.

BOOK 0688 PAGE 016

STATE DOCUMENTARY FEE
DATE <u>MAR 11 1994</u>
\$ <u>element</u>
TOTAL CONSIDERATION _____

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made this ~~10th~~ day of MARCH, 1994, between

GREGORY A. DILLON, as Personal Representative of the Estate of INA LORRAINE DILLON, a/k/a LORRAINE DILLON, Deceased, Grantor,

to GREGORY A. DILLON and DAVID R. DILLON, 575 Meadowlark Ln., Grand Junction, CO 81503, Grantees, as tenants in common.

WHEREAS, Grantor was duly appointed Personal Representative of said Estate by the District Court in and for the County of Montezuma, State of Colorado, Case No. 93 PR 24 on June 15, 1993. The Grantee is not the spouse, agent or attorney of the Personal Representative or any corporation or trust in which the Personal Representative has a beneficial interest.

THEREFORE, for the consideration of Ten dollars and Other Good and Valuable Consideration to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, their heirs and assigns forever, all of the following real property, lying and being in the County of Montezuma and State of Colorado, to-wit:

A tract of land in the SW/4SW/4, Section 18, T.36N., R.15W., N.M.P.M., described by metes and bounds as follows: Beginning at a point on the East R.O.W. line of Colorado Highway No. 145 as now constructed, from which point the Southwest corner of Section 18, T.36N., R.15W., N.M.P.M., bears S.02°17'W. 1,307.8 feet; thence N.00°05'E. along said East R.O.W. line, 208.0 feet; thence N.89°22'E., 208.0 feet; thence S.00°05'W., 208.0 feet; thence S.89°22'W., 208.0 feet to the point of beginning. TOGETHER WITH an appurtenant easement, and not an easement in gross, as a means of ingress and egress to the dominant estate heretofore above described, and described by metes and bounds as follows: Beginning at a point on the East R.O.W. line of Colorado Highway No. 145 as now constructed, from which point the Southwest Corner of Section 18, T. 36 N., R. 15 W., N.M.P.M., bears S.02°27'W., 1,213.0 feet; thence N.00°05'E. along said East R.O.W. line 53.6 feet; thence N.22°00'E., 44.6 feet to the South line of the above described tract of land; thence N.89°22'E. along said South line, 21.7 feet; thence S.22°00'W., 102.6 feet to the point of beginning.

BOOK 0688 PAGE 017

AND

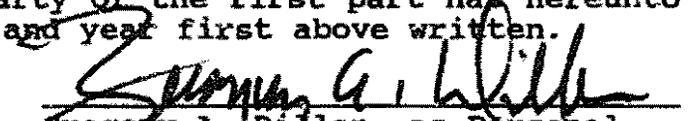
An undivided one-third interest in and to the N/2SE/4
Section 3, Township 36 North, Range 17 West, N.M.P.M.,
Montezuma County, Colorado.

TOGETHER with all and singular the hereditaments and appurtenances
thereunto belonging, or in anywise appertaining and the reversion
and reversions, remainder and remainders, rents, issues and profits
thereof; and all the estate, right, title, interest, claim and
demand whatsoever of the said party of the first part, either in
law or equity, of, in and to the above bargained premises, with the
hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and
described, with the appurtenances, unto the said party of the
second part, their heirs and assigns forever. The premises are
free and clear from all former and other grants, bargains, sales,
liens, taxes, assessments and encumbrances of whatever kind or
nature soever, EXCEPT those visible or of record.

The singular number shall include the plural, the plural the
singular, and the use of any gender shall be applicable to all
genders.

IN WITNESS WHEREOF the said party of the first part has hereunto
set his hand and seal the day and year first above written.



Gregory A. Dillon, as Personal
Representative of the Estate of
Ina Lorraine Dillon, a/k/a Lorraine
Dillon, Deceased.

STATE OF COLORADO)
) ss.
County of Mesa)

The foregoing instrument was acknowledged before me this 10th
day of March, 1994, by Gregory A. Dillon as Personal
Representative of the Estate of Ina Lorraine Dillon, a/k/a Lorraine
Dillon, Deceased.

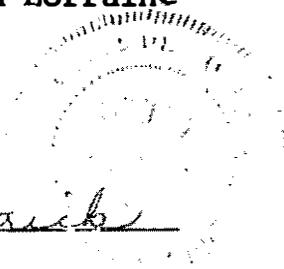
WITNESS my hand and official seal.

My Commission expires:

My Commission expires December 26, 1997



Notary Public



Recorded at 2:10 o'clock P M. DEC 28 1990
Reception No. 2416885 JEAN MERRIFF Recorder.

WARRANTY DEED

THIS DEED, Made this 17th day of December, 1990.
between CARL GREGORY

BOOK 611 PAGE 668

County of California, State of California, grantor(s) and
CARL GREGORY and MURIEL T. GREGORY, as trustees of the
Gregory Revocable Inter Vivos Trust dated October 26,
1990.
whose legal address is 6550 Lesley Court, Magalia

STATE DOCUMENTARY FEE
DATE DEC 28 1990
[Signature]
TOTAL CONSIDERATION

of the County of Butte, State of California

WITNESSETH, That the grantor(s) for and in consideration of the sum of
Ten dollars and other good and valuable consideration DOLLARS.
the receipt and sufficiency of which is hereby acknowledged, he s granted, bargained, sold and conveyed, and by these presents do es grant,
bargain, sell, convey, and confirm, unto the grantee(s), their heirs and assigns forever, all the real property, together with improvements,
if any, situate, lying and being in the County of Montezuma, State of Colorado,
described as follows:

An undivided one-third (1/3) interest in and to the following real
property, to-wit:
N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 3, Township 36 North, Range 17 West, N.M.P.M.

also known by street and number as:

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and
reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the
grantor(s), either in law or equity, of, in and to the above bargained premises with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the grantee(s) their heirs and
assigns forever. And the grantor(s) for him self, his heirs and personal representatives, do es covenant, grant, bargain, and
agree to and with the grantee(s) their heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well
seized of the premises above conveyed, ha s good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and
ha s goodright, full power and authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free
and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restrictions of whatever kind or nature soever,
except

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the
grantee(s), their his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.
IN WITNESS WHEREOF, the grantor Carl Gregory executed this deed on the date set forth above.

Dec 17, 1990

Carl Gregory
CARL GREGORY

STATE OF ~~OKLAHOMA~~ CALIFORNIA } ss.
County of BUTTE
The foregoing instrument was acknowledged before me this 17 day of DECEMBER, 1990.
by Carl Gregory
My commission expires 2-11-97 Witness my hand and official seal.

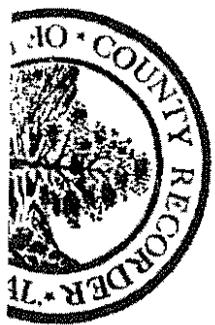
CERTIFICATE OF DEATH
STATE OF CALIFORNIA

3-92-04

001210

STATE FILE NUMBER		LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER	
1A. NAME OF DECEDENT—FIRST Carl	1B. MIDDLE ---	1C. LAST FAMILY Gregory	2A. DATE OF DEATH—MO. DAY, YR. July 21, 1992
4. RACE Caucasian		5. DATE OF BIRTH—MO. DAY, YR. January 17, 1920	7. AGE IN YEARS 72
8. STATE OF BIRTH CO	9. CITIZEN OF WHAT COUNTRY USA	10A. FULL NAME OF FATHER Carl Gregory	10B. STATE OF BIRTH TX
12. MILITARY SERVICE IS 41 TO IS 45	13. SOCIAL SECURITY NO. 523-09-6789	14. MARITAL STATUS Married	15. NAME OF SURVIVING SPOUSE IF WIFE, ENTER MAIDEN NAME Muriel Hofve
18A. USUAL OCCUPATION Supervisor	18B. USUAL KIND OF BUSINESS OR INDUSTRY Transportation	18C. USUAL EMPLOYER REA Express	18D. YEARS IN OCCUPATION 31
19A. RESIDENCE—STREET AND NUMBER OR LOCATION 6550 Lesley Court		19B. CITY Magalia	19C. ZIP CODE 95954
18E. COUNTY Butte		18F. STATE OR FOREIGN COUNTRY California	20. NAME, RELATIONSHIP, RESIDING ADDRESS AND ZIP CODE OF INFORMANT Muriel Gregory - Wife 6550 Lesley Court Magalia, CA 95954
19A. PLACE OF DEATH Feather River Hospital		19B. NUMBER OF YEARS IN THIS COUNTY 15	19C. COUNTY Butte
19D. STREET ADDRESS—STREET AND NUMBER OR LOCATION 5974 Pentz Road		19E. CITY Paradise	21. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR A, B, AND C) IMMEDIATE CAUSE (A) Respiratory arrest DUE TO (B) End stage emphysema DUE TO (C) cardiac arrythmia
25. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT REPORTED TO CAUSE GIVEN IN 21 cardiac arrythmia		26. WAS DEATH REPORTED TO CORONER? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	23. WAS BIOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
27A. DECEDENT ATTENDED SINCE DECEASED LAST SEEN ALIVE MONTH, DAY, YEAR 7/16/92		27B. SIGNATURE AND DEGREE OR TITLE OF CERTIFIER <i>Richard Thorp, M.D.</i>	27C. CERTIFIER'S LICENSE NUMBER 635970
27E. TYPE ATTENDING PHYSICIAN'S NAME AND ADDRESS Richard Thorp, M.D., 5730 Canyon View Dr., Paradise, Ca		27D. DATE SIGNED 7/23/92	24. WAS AUTOPSY PERFORMED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
28. MANNER OF DEATH—specify one: natural, accident, suicide, homicide, pending investigation or could not be determined		29. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 21 OR 25? IF YES, LIST TYPE OF OPERATION AND DATE. NO	24B. WAS IT USED IN DETERMINING CAUSE OF DEATH? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
32. LOCATION (STREET AND NUMBER OR LOCATION AND CITY)		30A. PLACE OF INJURY	30B. INJURY AT WORK <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
34A. DISPOSITION CR/BU		34B. PLACE OF FINAL DISPOSITION—NAME AND ADDRESS Chapel of the Chimes, Oakland, CA	30C. DATE OF INJURY MONTH, DAY, YEAR
35A. NAME OF FUNERAL DIRECTOR FOR PERSON ACTING AS SUCH Rose Chapel Mortuary		35B. LICENSE NO. 899	31. HOUR
37. SIGNATURE OF LOCAL REGISTRAR <i>[Signature]</i>		38. REGISTRATION DATE 7/24/92	30D. SIGNATURE OF EMBALMER not embalmed
39. REGISTRATION DATE 7/24/92		30E. LICENSE NUMBER	

DATE Oct 9 1995
This is to certify that bearing the purple seal of this office, this is a true copy of the document filed with the Butte County Recorder's Office.
Candace J. Griggs



RECORDED AT 8:30 O'CLOCK A.M. RECEIVED AT 11:54 A.M.
MAR 08 1996 EWE RITWAL ER, RECORDER MONTREZUMA CO. CALIF. 95955

BOOK 0724 PAGE 225

582407 RES 04/30/2012 01:17:19 PM
Page: 8 of 27 R 0:00 D 0:00 T 0:00
Candace J. Griggs, Recorder, Montezuma County, Co

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

NAME
STREET ADDRESS
CITY, STATE A
ZIP CODE
L
TITLE ORDER NO. ESCROW NO.

463528 06/09/1997 01:38P QCD
1 of 1 R 6.00 D 0.00 N 0.00 Montezuma County, CO

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX \$

computed on full value of property conveyed, or

computed on full value less liens and encumbrances remaining at time of sale.

Signature of Declarant or Agent Determining Tax Firm Name

GERTRUDE MARSELL

(NAME OF GRANTOR(S))

the undersigned grantor(s), for a valuable consideration, receipt of which is hereby acknowledged, do hereby remise, release forever quitclaim to RICHARD L. MARSELL AND CARL M. MARSELL

(NAME OF GRANTEE(S))

the following described real property in the City of CORTEZ, County of MONTEZUMA, State of CO

13606 ROAD 18
1/3 INTEREST: N1/2SE1/4 3-36-17
80A B 475 P646
ALSO KNOWN BY STREET AND NUMBER AS: RURAL LAND

TOGETHER WITH ALL THE GRANTOR'S RIGHT AND TITLE IN ROYALTY INTEREST OF THE MC ELMO DOME UNIT.

Assessor's parcel No. 5613-034-00-013-H2

Executed on June 4, 1997, at Fallbrook California, Gertrude C. Marsell
CITY AND STATE

STATE OF California
COUNTY OF San Diego

On 6-4-97 before me, Raul Chavez, Notary Public
(NAME/TITLE, IN "JANE DOE, NOTARY PUBLIC")

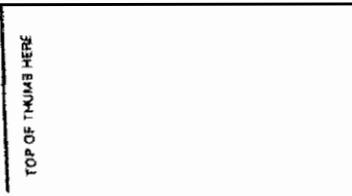
personally appeared Gertrude Marsell personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Raul Chavez
(SIGNATURE OF NOTARY) (SEAL)



RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)

- INDIVIDUAL(S)
- CORPORATE OFFICER(S) (TITLE)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY IN FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER:

SIGNER IS REPRESENTING:
(Name of Person(s) or Entity)

MAIL TAX STATEMENTS TO: RICHARD L. MARSELL
1245 PALOMINO RD. FALLBROOK, CA 92028

Before you use this form, fill in all blanks, and make whatever changes are appropriate and necessary to your particular transaction. Consult a lawyer if you doubt the form's fitness for your purpose and use. Wolcotts makes no representation or warranty, express or implied, with respect to the merchantability or fitness of this form for an intended use or purpose.



QUITCLAIM DEED

THIS DEED is dated July 29th, 20 09 and is made between

Richard L Marsell & Carl M Marsell
(whether one, or more than one), the "Grantor," of the *
County of and State of
and

Richard L Marsell
1245 Palomino Rd Fallbrook, CA 92028
(whether one, or more than one), the "Grantee," whose legal address is

of the County of San Diego and State of California

WITNESS, that the Grantor, for and in consideration of the sum of DOLLARS, (\$ 1.00),
the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the
Grantee and the Grantee's heirs and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in
and to the real property, together with any improvements thereon, located in the County of
Montezuma and State of Colorado, described as follows:

1/6 Interest
N 1/2 SE 4Sec 3 T36N R17W 80 Ac

Also: Respective Royalty payment from Kinder Morgan CO2 Company L P, 500 Dallas, Suite 1000
Houston, TX 77002

also known by street address as: 13606 (Guess) Road 18
and assessor's schedule or parcel number: 561303400013

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging,
or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law
or equity, to the only proper use, benefit and behoof of the Grantee, and the Grantee's heirs and assigns, forever.
IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

[Handwritten signatures]

STATE OF COLORADO

County of Moffat } ss.

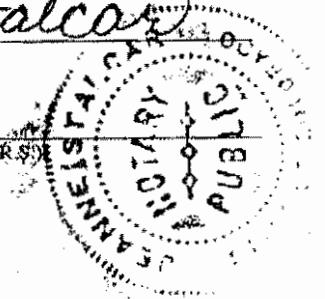
The foregoing instrument was acknowledged before me this 29th day of July, 2009
by Carol M. Marsell

Witness my hand and official seal.

My commission expires: Aug 2, 2009

Marilyn J. Marsell
971 Herring Circle
Craig, Colorado 81625-1429

Jeanne Stalcor
Notary Public



Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

STATE OF CALIFORNIA

County of

} ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 20____
by _____

Witness my hand and official seal.
My commission expires: _____

Marilyn J. Marsell
971 Herring Circle
Craig, Colorado 81625-1429

Notary Public

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)

Please see attached C.A. - ack.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

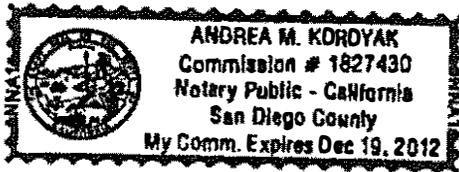
State of California

County of San Diego

On 8/13/2009 before me, Andrea M. Kordyak, notary public
Date Here Insert Name and Title of the Officer

personally appeared Richard L. Marsell
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Andrea M. Kordyak
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Quit Claim Deed

Document Date: 7/29/2009 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General

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Carol Tullis Clerk/Recorder, Montezuma County, Co

565811 QCD 08/13/2009 11:09:09 AM
Page: 1 of 4 R 21.00 D 0.00 T 21.00
Carol Tullis Clerk/Recorder, Montezuma County, Co

QUITCLAIM DEED

THIS DEED is dated **July 29th**, 20 **09**, and is made between

Richard L Marsell & Carl M Marsell
(whether one, or more than one), the "Grantor," of the *
County of _____ and State of _____
and

Carl M Marsell
971 Herring Circle Craig, CO 81625-1429
(whether one, or more than one), the "Grantee," whose legal address is

of the _____ County of **Moffat** and State of **Colorado**

WITNESS, that the Grantor, for and in consideration of the sum of _____
DOLLARS, (\$ **1.00**),
the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the Grantee and the Grantee's heirs and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with any improvements thereon, located in the _____ County of **Montezuma** and State of Colorado, described as follows:

1/6 interest
N ½ SE4Sec 3 T36N R17W 80 Ac

Also: Respective Royalty payment from Kinder Morgan CO2 Company L P, 500 Dallas, Suite 1000 Houston, TX 77002

also known by street address as: **13606 (Guess) Road 18**
and assessor's schedule or parcel number: **561303400013**

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, and the Grantee's heirs and assigns, forever.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.



STATE OF COLORADO

County of *Moffat* } ss.

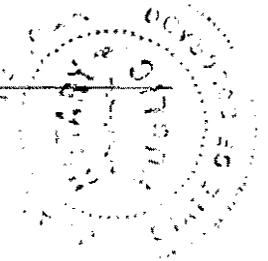
The foregoing instrument was acknowledged before me this *29th* day of *July*, 20*09*,
by *Carl M. Marsell*

Witness my hand and official seal.
My commission expires: *Aug 2, 2009*

Marilyn J. Marsell
971 Herring Circle
Craig, Colorado 81625-1429

Jeanne Stalcar
Notary Public

Name and Address of Person Creating Newly Created Legal Description (§ 38-35-106.5, C.R.S.)



STATE OF CALIFORNIA

County of _____

} ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 20____
by _____

Witness my hand and official seal.
My commission expires: _____

Marilyn J. Marsell
971 Herring Circle
Craig, Colorado 81625-1429

Notary Public

Name and Address of Person Creating Newly Created Legal Description (S 18-35-106.5, C.R.S.)

*Please see attached
C.A. Ack.*

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

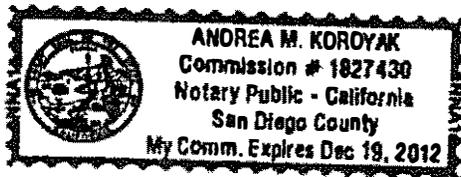
State of California

County of San Diego

On 8/13/2009 before me, Andrea M. Koroyak, notary public
Date Here Insert Name and Title of the Officer

personally appeared Richard L. Marsell
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Andrea M. Koroyak
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Quit Claim Deed

Document Date: 7/29/2009 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General _____

Doc Fee \$20.70

WARRANTY DEED

THIS DEED, Made this 15TH Day of JULY, 2011
Between RICHARD L. SCHOTT AND MARY JANE V. SCHOTT AS TRUSTEES OF THE MILAGRO TRUST
DATED SEPTEMBER 4, 2003

of the County of Travis and State of TEXAS, grantor
and LORNA GAIL LADAGE

whose legal address is 5053 Road 203
Durango, CO 81301

of the County of LA PLATA and State of COLORADO, grantee

WITNESSETH, That the grantor for and in consideration of the sum of
-----TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION-----DOLLARS
the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents
does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with
improvements, if any, situate, lying and being in the County of Montezuma and State of Colorado described as follows:

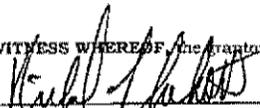
SEE ATTACHED EXHIBIT "A"

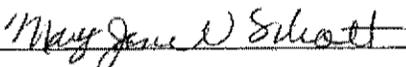
As known by street and number as: 13260 Road 18
Cortez, CO 81321

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining,
and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right,
title, interest, claim and demand whatsoever of the grantor either in law or equity, of, in and to the above bargained premises,
with the hereditaments and appurtenances.

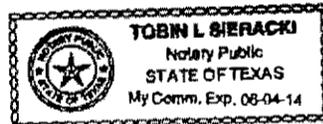
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the
grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant,
grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the sealing and delivery of these
presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of
inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same
in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens,
taxes, assessments, encumbrances and restrictions of whatever kind or nature so ever, except:
Subject to easements, rights of way, restrictions and reservations of record; all oil, gas, coal and other mineral rights that have
been reserved or conveyed by predecessors in title and any assignments thereof; inclusions of the property within any special
taxing district; building and zoning regulations; 2011 taxes due and payable in the year 2012; those specifically described rights
of third parties not shown by the public records of which Grantee has actual knowledge and which were accepted by Grantee;
and any other matters reflected by the Title Documents accepted by Grantee in accordance with Subsection 8 of the Real Estate
Contract. The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and
peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole
or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be
applicable to
all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.


RICHARD L. SCHOTT TRUSTEE

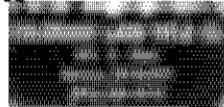

MARY JANE V. SCHOTT TRUSTEE

STATE OF Texas
COUNTY OF Travis



The foregoing instrument was acknowledged before me this 7th Day of JULY, 2011

By RICHARD L. SCHOTT AND MARY JANE V. SCHOTT AS TRUSTEES OF THE MILAGRO TRUST
DATED SEPTEMBER 4, 2003

My commission expires: 
6/04/2011 MO21101172E

Witness my hand and official seal


NOTARY

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Carol Tullis Clerk/Recorder, Montezuma County, Co

EXHIBIT "A"

A tract of land which is the West 25 acres of the S1/2SE1/4 of Section 3, Township 36 North, Range 17 West, N.M.P.M., being more particularly described as follows:

BEGINNING at the S1/4 Corner of said Section 3:

THENCE North 01° 01' 35" West a distance of 1338.75 feet along the West line of the SE1/4 of said Section 3 to the NW Corner of the S1/2SE1/4 of said Section 3;
" North 89° 39' 31" East a distance of 813.67 feet along the North line of the S1/2SE1/4 of said Section 3;
" South 01° 01' 35" East a distance of 1338.21 feet to the South line of said Section 3;
" South 89° 37' 15" West a distance of 813.66 feet along the South line of said Section 3 to the point of beginning.

AND

The S1/2SE1/4 of Section 3, Township 36 North, Range 17 West, N.M.P.M.

LESS AND EXCEPT a tract of land which is the West 25 acres of the S1/2SE1/4 of Section 3, Township 36 North, Range 17 West, N.M.P.M., being more particularly described as follows:

BEGINNING at the S1/4 Corner of said Section 3:

THENCE North 01° 01' 35" West a distance of 1338.75 feet along the West line of the SE1/4 of said Section 3 to the NW Corner of the S1/2SE1/4 of said Section 3;
" North 89° 39' 31" East a distance of 813.67 feet along the North line of the S1/2SE1/4 of said Section 3;
" South 01° 01' 35" East a distance of 1338.21 feet to the South line of said Section 3;
" South 89° 37' 15" West a distance of 813.66 feet along the South line of said Section 3 to the point of beginning.

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Carol Tullis Clerk/Recorder, Montezuma County, Co

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Page: 2 of 2 R 16.00 D 26.70 T 36.70

Carol Tullis Clerk/Recorder, Montezuma County, Co

Exhibit "3"

Page 2

doc fee 41.60

WARRANTY DEED

THIS DEED, Made this 7th day of January, 2008,
between GREGORY D. BLACK AND ELLEN L. BLACK

of the County of MONTEZUMA and State of COLORADO, grantor
and POE FAMILY PARTNERSHIP, LLLP

whose legal address is 292 COTTONWOOD CR ROAD
DURANGO, CO 81301

of the County of LA PLATA and State of Colorado, grantee

WITNESSETH, That the grantor for and in consideration of the sum of
-----TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION----- DOLLARS
the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents
does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with
improvements, if any, situate, lying and being in the County of MONTEZUMA and State of Colorado described as follows:

The NE1/4 of Section 10, Township 36 North, Range 17 West, N.M.P.M.,
LESS AND EXCEPT that portion lying in and being used as a County Road.

EXCEPTING AND RESERVING unto the Grantors herein, their heirs and/or assigns all minerals of
every kind and description including, but not limited to coal, CO2, oil, gas and other minerals lying
in, on or under or that may be produced from the lands herein granted. Together with the right at
any time to enter upon the land and prospect for, mine and remove the same.

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Carol Tullis Clerk/Recorder, Montezuma County, Co

as known by street and number as: 12800(G) Road 18
CORTEZ, CO 81321

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise apper-
taining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right,
title, interest, claim and demand whatsoever of the grantor either in law or equity, of, in and to the above bargained premises,
with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the
grantee, his heirs and assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant,
grant, bargain, and agree to and with the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these
presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of
inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same
in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens,
taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except
Subject to easements, rights of way, restrictions and reservations of record; all oil, gas, coal and other mineral rights that have
been reserved or conveyed by predecessors in title and any assignments thereof; inclusions of the property within any special
taxing district; building and zoning regulations; 2008 taxes due and payable in the year 2009; those specifically described rights
of third parties not shown by the public records of which Grantee has actual knowledge and which were accepted by Grantee;
and any other matters reflected by the Title Documents accepted by Grantee in accordance with Subsection 8(a) of the Real
Estate Contract.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable
possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part
thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to
all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Gregory D. Black

GREGORY D. BLACK
Ellen L. Black

ELLEN L. BLACK

COLORADO LAND TITLE CO.
631 E. Main
Cortez, CO 81321
(970) 564-9770

MO 26032e

QUITCLAIM DEED

THIS DEED, Made on *JUNE 12, 2001*

between *JOHN E. THOMPSON*

of the **County of MONTEZUMA* and State of
Colorado, grantor(s), and

EAGLES NEST PARTNERSHIP, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP

whose legal address is

of the *County of MONTEZUMA* and State of Colorado, grantee(s).

WITNESSETH, That the grantor(s), for and in consideration of the sum of *TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION*

the receipt and sufficiency of which is hereby acknowledged, has *remised, released, sold and QUITCLAIMED, and by these presents do es* remise, release, sell and QUITCLAIM unto the grantee(s), *their* heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the grantor(s) has *in* and to the real property, together with improvements, if any, situate, lying and being in the *County of MONTEZUMA* and State of Colorado, described as follows:

TRACT I

S1/2SW1/4 of Section 3, Township 36 North, Range 17 West, N.M.P.M.

LESS AND EXCEPT the N1/2SW1/4SW1/4 of said Section 3.

TRACT II

N1/2SW1/4 of Section 3, Township 36 North, Range 17 West, N.M.P.M.

LESS AND EXCEPT the S1/2NW1/4SW1/4 of said Section 3.

TRACT III

NW1/4 of Section 10, Township 36 North, Range 17 West, N.M.P.M.

also known by street and number as:

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest, and claim whatsoever, of the grantor(s), either in law or equity, to the only proper use, benefit and behoof of the grantee(s) *their* heirs and assigns forever.

IN WITNESS WHEREOF, The grantor(s) has *S* executed this deed on the date set forth above.

John E. Thompson

STATE OF COLORADO

County of *MONTEZUMA* }

The foregoing instrument was acknowledged before me on
by *JOHN E. THOMPSON*

ss.

582407 RES 04/30/2012 01:17:19 PM
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Carol Tullis Clerk/Recorder, Montezuma County, Co



QUITCLAIM DEED

THIS DEED, Made on JUNE 12, 2001 between EAGLES NEST DEVELOPMENT, LLP, A COLORADO LIMITED PARTNERSHIP MORE CORRECTLY KNOWN AS EAGLES NEST PARTNERSHIP LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP of the *County of MONTEZUMA and State of Colorado, grantor(s), and EAGLES NEST PARTNERSHIP, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP

whose legal address is

of the County of MONTEZUMA and State of Colorado, grantee(s),

WITNESSETH, That the grantor(s), for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents do s remise, release, sell and QUITCLAIM unto the grantee(s), their, successors and assigns, forever, all the right, title, interest, claim and demand which the grantor(s) has in and to the real property, together with improvements, if any, situate, lying and being in the County of MONTEZUMA and State of Colorado, described as follows:

TRACT I

S1/2SW1/4 of Section 3, Township 36 North, Range 17 West, N.M.P.M. LESS AND EXCEPT the N1/2SW1/4SW1/4 of said Section 3.

TRACT II

N1/2SW1/4 of Section 3, Township 36 North, Range 17 West, N.M.P.M. LESS AND EXCEPT the S1/2NW1/4SW1/4 of said Section 3.

TRACT III

NW1/4 of Section 10, Township 36 North, Range 17 West, N.M.P.M.

also known by street and number as:

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest, and claim whatsoever, of the grantor(s), either in law or equity, to the only proper use, benefit and behoof of the grantee(s) THEIR heirs and assigns forever.

WITNESS WHEREOF, The grantor(s) has executed this deed on the date set forth above.

[Handwritten signature]

STATE OF COLORADO

County of MONTEZUMA

ss.

The foregoing instrument was acknowledged before me on JUNE 12, 2001, by EAGLES NEST DEVELOPMENT, LLP, A COLORADO LIMITED PARTNERSHIP MORE CORRECTLY KNOWN AS EAGLES NEST PARTNERSHIP, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP BY JOHN E. THOMPSON, MANAGING GENERAL PARTNER

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WARRANTY DEED

THIS DEED, Made this 19th day of August 1993 between JOE L. MAHAFFEY and MARY E. MAHAFFEY

BOOK 0677 PAGE 118

of the County of MONTEZUMA and State of Colorado, grantor(s), and CHARLES L. MAHAFFEY and DAISY T. MAHAFFEY FROST

STATE DOCUMENTARY FEE DATE AUG 19 1993 \$ 65.00 TOTAL COMMISSION 654.00

whose legal address is 23289 County Road X Lewis CO 81327

of the County of MONTEZUMA and State of Colorado, grantees(s):

WITNESSETH, That the grantor(s), for and in consideration of the sum of _____ DOLLARS, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantees(s), their heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of MONTEZUMA and State of Colorado, described as follows:

S/4 Section 10 Township 36 North Range 17 West N/2 S/4 Section 10 Township 36 North Range 17 West N.M.P.M.

Containing 240 Acres more or less Corrected legal description S/4 section 10 township 36 North Range 17 West N/2 N/4 Section 15 township 36 North Range 17 West

also known by street and number as:

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all the estate, right, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances unto the grantee(s), heirs and assigns forever. And the grantor(s), for its self its heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee(s), their heirs and assigns, that at the time of the enrolling and delivery of these presents being well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, ~~same~~

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

IN WITNESS WHEREOF, The grantor(s) has executed this deed on the date first written above. Joe L. Mahaffey Mary E. Mahaffey

*If in Denver, insert "City and."

RECORDED AT 12:10 0800V P.M. SEP 1 1993 RECEIPT NO. A34551

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BOOK 0677 PAGE 723

STATE OF COLORADO, Colorado County of Montezuma } ss.

BOOK 0677 PAGE 119

WHEN RECORDED RETURN TO:

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named Charles L. and Daisy T. Mahaffey Trust
2. The type of entity is a

<input type="checkbox"/> Corporation	<input type="checkbox"/> Non-Profit Corporation
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership
<input type="checkbox"/> Limited Partnership Association	<input type="checkbox"/> Registered Limited Liability Partnership
<input type="checkbox"/> Registered Limited	<input type="checkbox"/> Unincorporated Non-Profit Association
<input type="checkbox"/> Liability Limited Partnership	<input type="checkbox"/> Limited Liability Company
<input type="checkbox"/> Government, Governmental Subdivision or Agency	<input checked="" type="checkbox"/> Trust
<input type="checkbox"/> Business Trust	
<input type="checkbox"/> Other	
3. The entity is formed under the laws of Colorado.
4. The mailing address for the entity is 23289 Road X, Lewis, Co. 81327
5. The name and position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is Charles L. Mahaffey and Daisy T. Mahaffey as Trustees
6. (optional) The authority of the foregoing person(s) to bind the entity is not limited is limited as follows:

7. (Optional) Other matters concerning the manner in which the entity deals with interest in real property:

8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

Executed this 16 day of July, 2010

Charles L. Mahaffey
Charles L. Mahaffey, Trustee

Daisy T. Mahaffey
Daisy T. Mahaffey, Trustee

STATE OF Colorado

County of Montezuma

The foregoing instrument was signed before me on July 16, 2010 by Charles L. Mahaffey and Daisy T. Mahaffey
who personally appeared before me as Trustees of Charles L. and Daisy T. Mahaffey Trust

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 Page: 24 of 27 R 0.00 D 0.00 T 0.00
 Carol Tullis Clerk/Recorder, Montezuma County, Co

WARRANTY DEED

THIS DEED, Made this 16th day of December

1998, between Catherine C. Fuyat and Ruth K. Fuyat

of the County of Montezuma and State of

Colorado, grantor, and Morgan Ailsup

Lee
Morgan Ailsup
CCT RKF

whose legal address is 12497 Road 18
Cortez, CO 81321

of the County of Montezuma and State of Colorado, grantee:

WITNESSETH, That the grantor for and in consideration of the sum of \$108,000.00
One Hundred Eight Thousand and no/100----- DOLLARS,
the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell,
convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the
said County of Montezuma and State of Colorado described as follows:

As per attached Exhibit "A"
attached hereto and made a
part hereof by reference.

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Carol Tullis Clerk/Recorder, Montezuma County, Co

as known by street and number as: 12497 Road 18, Cortez, CO 81321
assessor's schedule or parcel number:

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and
reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the
grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns
forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with the grantee, his heirs and
assigns, that at the time of the sealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute
and inalienable estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same
in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments,
encumbrances and restrictions of whatever kind or nature soever, except 1998 taxes due and payable in 1999,
SUBJECT TO easements, rights of way, restrictions and reservations of record;
and all oil, gas, coal, and other mineral rights as have been reserved by
predecessors in title.

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantee,
his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural,
the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Catherine C. Fuyat
Catherine C. Fuyat

Ruth K. Fuyat
Ruth K. Fuyat

STATE OF COLORADO

County of Montezuma

} ss.

The foregoing instrument was acknowledged before me this 16th
by Catherine C. Fuyat and Ruth K. Fuyat

day of December, 1998

EXHIBIT "A"

TRACT I

The W1/2SE1/4NE1/4 of Section 9, Township 36 North, Range 17 West, N.M.P.M.

TRACT II

A tract of land being the E1/2SE1/4NE1/4 of Section 9, Township 36 North, Range 17 West, N.M.P.M., Montezuma County, Colorado, and being more particularly described as follows:

COMMENCING at the East Quarter Corner of Section 9, Township 36 North, Range 17 West, said point being the point of beginning;
thence South 89° 48' 21" West a distance of 674.64 feet along the South line of the NE1/4 of Section 9;
" North 0° 36' 21" East a distance of 1318.11 feet along the West line of the E1/2SE1/4NE1/4 of Section 9;
" North 89° 06' 31" East a distance of 673.12 feet along the North line of the E1/2SE1/4NE1/4 of Section 9;
" South 0° 32' 00" West a distance of 1326.28 feet along the East line of Section 9 to the point of beginning.

TOGETHER WITH an easement for purposes of ingress, egress and utilities, over and across the North 30 feet of the SW1/4 of Section 10, Township 36 North, Range 17 West, N.M.P.M.

ALSO TOGETHER WITH an easement for purposes of ingress, egress and utilities in the SW1/4 of Section 10, Township 36 North, Range 17 West, N.M.P.M., being 30 feet in width, the centerline being more particularly described as follows:

BEGINNING at a point on the East line of the SW1/4 of said Section 10, from which point the C1/4 Corner of said Section 10 bears North 00° 13' 51" West a distance of 55.00 feet;
Thence South 89° 55' 55" West a distance of 2542.66 feet;
" North 44° 49' 50" West a distance of 76.06 feet to the North line of the SW1/4 of said Section 10, from which point the W1/4 Corner of said Section 10 bears South 89° 54' 36" West a distance of 21.21 feet.

TRACT III

An easement for access and utilities in the SW1/4NW1/4 of Section 10, Township 36 North, Range 17 West, N.M.P.M., being more particularly described as follows:

BEGINNING at the W1/4 Corner of said Section 10;
Thence North 89° 54' 36" East a distance of 42.43 feet along the South line of the NW1/4 of said Section 10;
" North 44° 49' 50" West a distance of 59.62 feet to the West line of the NW1/4 of said Section 10;
" South 00° 32' 00" West a distance of 42.43 feet along the West line of the NW1/4 of said Section 10 to the point of beginning.



Road 18 Local Improvement District

Owners of Property	Property-Legal Address	Unpaid Balance Plus 2% Interest Per Annum	10 Equal Annual Installments Payment Amounts Plus 2% Interest Per Annum on the Unpaid Balance
Richard Marsell, Carl M. Marsell, Muriel T. Gregory, Trustee, Gregory A. Dillon and David R. Dillon Exhibit "2"	13606 Road 18, Cortez, CO, situated in the north 1/2 of SE 1/4 S.3, T.36N., R.17W., N.M.P.M. consisting of 80 acres, more or less	\$5,778.50	\$ 577.85, Annual installment Plus 2% Interest Per Annum on the Unpaid Balance
Loma Gail Ladage Exhibit "3"	13002 Road 18, Cortez, CO, situated in the south 1/2 of the SE 1/4 S.3, T.36N., R.17W., N.M.P.M. consisting of 55 acres, more or less; and, Property located at 13260 Road 18, Cortez, CO, situated in the south 1/2 of the SE 1/4 S.3, T.36N., R.17W., N.M.P.M. consisting of 25 acres, more or less;	\$9,630.90	\$ 963.09, Annual installment Plus 2% Interest Per Annum on the Unpaid Balance
Poe Family Partnership, LLLP Exhibit "4"	12800 Road 18, Cortez, CO, situated in the NE 1/4 S.10, T.36N., R.17W., N.M.P.M. consisting of 160 acres, more or less	\$15,409.48	\$ 1,540.95, Annual installment Plus 2% Interest Per Annum on the Unpaid Balance
Eagles Nest Partnership, LLP North 160 Ac. Exhibit "5a and 5b"	12501 Road 18, Cortez, CO, situated in the NW1/4 S.10, T.36N., R.17W., N.M.P.M. consisting of 160 acres, more or less	\$7,704.70	\$ 770.47, Annual installment Plus 2% Interest Per Annum on the Unpaid Balance
Eagles Nest Partnership, LLP South 160 Ac. Exhibit "5a and 5b"	13003 Road 17.9, Cortez, CO, a tract of land situated in the SW1/4 of S.3, T.36N., R.17W., N.M.P.M. consisting of 53.40 acres, more or less.	\$15,409.48	\$ 1,540.95, Annual installment Plus 2% Interest Per Annum on the Unpaid Balance
Charles L. & Daisy T. Mahaffey Trust Exhibit "6"	12480 Road 18, Cortez, CO, situated in the SW1/4 S.10, T.36N., R.17W., N.M.P.M. consisting of 160 acres, more or less, and situated in the N1/2 NW 1/4 S.15, T.36N., R.17W., N.M.P.M. consisting of 80 acres, more or less	\$17,335.60	\$ 1,733.56 Annual installment Plus 2% Interest Per Annum on the Unpaid Balance
Morgan Lee Allsup Exhibit "7"	12497 Road 18, Cortez, CO, situated in the SW 1/4NE1/4 S.9, T.36N., R.17W., N.M.P.M. consisting of 40 acres, more or less	\$11,557.09	\$ 1,155.71, Annual installment Plus 2% Interest Per Annum on the Unpaid Balance

EXHIBIT "8"

The Board of County Commissioners
of the County of Montezuma
State of Colorado

Resolution # 2012-4

A Resolution Designating the Location of Posted Agendas

Whereas; C.R.S. 24-6-402(2)(c) requires local governments to designate the location of posted agendas for meetings; and

Whereas; in addition to state law, the Board of County Commissioners finds it important to keep the public informed of upcoming meetings in accordance with Montezuma County's tradition of open meetings; and

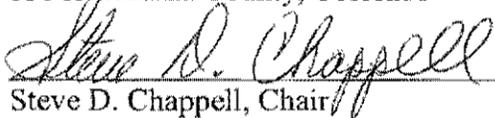
Whereas; the physical location of the County Clerk & Recorder's offices have relocated and said office is the location where the public frequently seeks posted agendas.

Now therefore, be it resolved that:

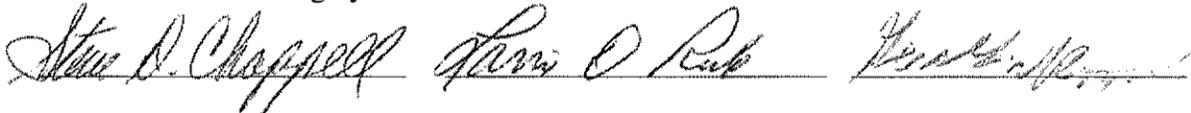
Effective immediately, the agendas noticing the meetings of the Board of County Commissioners will be posted at the following locations no less than twenty-four (24) hours prior to the holding of meetings except in cases of an emergency:

- (1) On the Bulletin Board inside the northwest entrance at the
Montezuma County Courthouse
109 West Main Street, Cortez
- (2) On the Bulletin Board inside the south entrance at the
Montezuma County Annex 3
140 West Main Street, Cortez

Board of County Commissioners
of Montezuma County, Colorado


Steve D. Chappell, Chair

Commissioners voting aye in favor of the resolution were:



Commissioners voting nay against the resolution were:

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 April, 2012.




County Clerk and Recorder
Montezuma County, Colorado

The Board of County Commissioners
of the County of Montezuma
State of Colorado

Resolution #2012-3

A Resolution Authorizing the Issuance of Credit Cards

Whereas; the First National Bank of Cortez requires the governing body of organizations to approve the issuance of credit cards for their organization; and

Whereas; the Montezuma County Board of County Commissioners is the governing body of the county of Montezuma, state of Colorado.

Now therefore, be it resolved that:

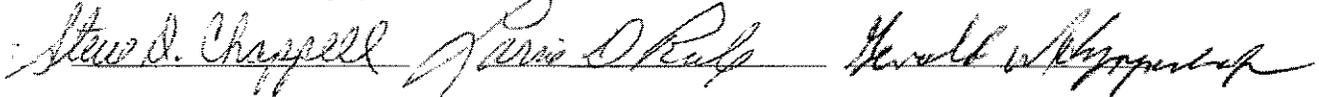
- 1) The Board of County Commissioners authorizes its County Administrator to execute the credit card agreement with the First National Bank of Cortez; and
- 2) The Board of County Commissioners authorizes its County Administrator to identify and issue credit cards to personnel he or she deems needs a credit cards; and
- 3) The Board of County Commissioners authorizes its County Administrator and Finance Officers to be the contact persons for said accounts with First National Bank of Cortez, and
- 4) No single credit card shall have a limit of more than \$5,000.00 unless otherwise expressly approved by the Board of County Commissioners.

Board of County Commissioners
of Montezuma County, Colorado



Steve D. Chappell, Chair

Commissioners voting aye in favor of the resolution were:



Commissioners voting nay against the resolution were:

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 29th day of March, 2012





County Clerk and Recorder
Montezuma County, Colorado

RESOLUTION # 2012-02

This resolution is for the approval to conduct a primary mail ballot election on June 26, 2012

WHEREAS, the County Commissioners of Montezuma County, State of Colorado at a regular meeting of said Board of County Commissioners, held on the 13 day of February, 2012 authorizes the June 26, 2012 primary election be a mail ballot election.

WHEREAS, pursuant to title 1 article 7.5-101 of the Colorado Revised Statutes allows political subdivisions of the State of Colorado, including counties to conduct certain elections in accordance with said Act, and

WHEREAS, the Montezuma County Clerk and Recorder will present a plan to the Secretary of State for approval to conduct a Primary Mail Ballot election, and;

WHEREAS, pursuant to C.R.S. 1-7.5-104, it is the option of the governing board of any political subdivision to determine if an election, which is otherwise eligible, shall be by mail ballot, and;

WHEREAS, the Montezuma County Clerk and Recorder estimated that by conducting a mail ballot election, a savings to the taxpayers of Montezuma County may result;

NOW, THEREFORE, BE IT RESOLVED that the election called for on June 26, 2012, shall be conducted in accordance with the Mail Ballot Election Act and the regulations of the Secretary of State promulgated hereunder.

NOW, THEREFORE, BE IT RESOLVED that this resolution is hereby adopted this 13th day of February, 2012, at 11:05 o'clock a.m.

BOARD OF COUNTY COMMISSIONERS
OF MONTEZUMA COUNTY, COLORADO

Steve D. Chappell

Garrie D. Rule

Gerald W. Koppachofen

Commissioners voting aye in favor of this resolution were:

Steve D. Chappell, Garrie D. Rule,

And Gerald W. Koppachofen

Commissioners voting no against the Resolution were:

And _____.



Caral Sullivan
County Clerk and Recorder
Montezuma County, Colorado

The Board of County Commissioners
of the County of Montezuma
State of Colorado

Resolution # 2012 - 1

A Resolution Supporting the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund for the construction of the Montezuma County Fairgrounds Grandstand Roof.

WHEREAS, the Montezuma County Board of County Commissioners supports the Great Outdoors Colorado grant application for the Montezuma County Fairgrounds Grandstand Roof; and

WHEREAS, if the grant is awarded, the Montezuma County Board of County Commissioners supports the completion of the project; and

WHEREAS, the Montezuma County Commissioners has requested \$300,000 from Great Outdoors Colorado to install a permanent roof over the existing Montezuma County Fairgrounds Grandstand; and

WHEREAS, in addition to a cash match provided from County Funds, the Ute Mountain Roundup, Inc., is contributing a significant cash match toward the project in recognition of its importance to outdoor recreation events in Montezuma County.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE Montezuma County Board of County Commissioners that:

- Section 1: The Montezuma County Board of County Commissioners strongly supports the application and will provide a \$70,000 cash match for a grant with Great Outdoors Colorado.
- Section 2: The Ute Mountain Roundup, Inc. is contributing an additional \$20,000 cash match for said project.
- Section 3: If the grant is awarded, the Montezuma County Board County Commissioners strongly supports the completion of the project.
- Section 3: The Montezuma County Board of County Commissioners authorizes the expenditure of funds necessary to meet the terms and obligations of the Grant awarded.
- Section 4: The project site is entirely owned by Montezuma County.
- Section 5: The Montezuma County Board of County Commissioners will continue to maintain the grandstand roof in a high quality condition and will appropriate funds for maintenance in its annual budget.

Section 6: If the grant is awarded, the Montezuma County Commissioners hereby authorizes its County Administrator, Ashton Harrison, to sign the grant agreement with Great Outdoors Colorado and execute said project.

Section 7: This resolution to be in full force and effect from and after its passage and approval.

Board of County Commissioners
of Montezuma County, Colorado

Steve D. Chappell
Steve D. Chappell, Chair

Commissioners voting aye in favor of the resolution were:

Steve D. Chappell Tavis O'Neil Heath Chappell

Commissioners voting nay against the resolution were:

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 6th Day of February, 2012.



Carol Jullis
County Clerk and Recorder
Montezuma County, Colorado

**MONTEZUMA COUNTY LAW ENFORCEMENT AUTHORITY
AGREEMENT NO. 2012-1**

AN AGREEMENT OF THE BOARD OF COUNTY COMMISSIONERS, ACTING AS
THE EX OFFICIO GOVERNING BOARD OF THE MONTEZUMA COUNTY LAW
ENFORCEMENT AUTHORITY, ENTERING INTO AN AGREEMENT
WITH THE MONTEZUMA COUNTY SHERIFF,
FOR THE PURPOSES OF PROVIDING ADDITIONAL LAW ENFORCEMENT
SERVICES IN THE UNINCORPORATED AREAS OF MONTEZUMA COUNTY

WHEREAS, per C.R.S. Section 30-11-404(5), the Montezuma County Board of County Commissioners are the ex officio Governing Board of the Montezuma County Law Enforcement Authority; and

WHEREAS, per C.R.S. 30-11-406(1)(c), the Governing Board of the Montezuma County Law Enforcement Authority is permitted to enter into contracts and agreements with the Sheriff to provide law enforcement services for the authority; and

WHEREAS, per C.R.S. 30-11-409, moneys paid to the Sheriff for services shall be expended by the Sheriff for law enforcement purposes only, including administration and capital expenditures, pursuant to agreements entered into as authorized by law; and

WHEREAS, both the Governing Board and the Sheriff find it necessary to continue fully funding five POST certified deputies, their salaries, vehicles and equipment as well as pay 30% of additional POST certified deputies salaries; and

WHEREAS, the Law Enforcement Authority Fund has the necessary funds available to continue fully funding five POST certified deputies, their salaries, vehicles and equipment as well as pay 30% of additional POST certified deputies salaries; and

WHEREAS, the budget of the Sheriff's Office, including the salaries of all POST certified deputies with their vehicles and equipment is entirely accounted for in the General Fund; and

WHEREAS, accounting for the aforementioned full funding for five POST certified deputies, their vehicles and equipment as well as 30% of additional POST certified deputies wages through multiple funds would create unnecessary costs to the taxpayer by creating unneeded administrative overhead.

NOW, THEREFORE, the Montezuma County Board of County Commissioners, acting as the Governing Board of the Montezuma County Law Enforcement Authority:

Section 1: Hereby enter into an agreement with Dennis Spruell, Montezuma County Sheriff, to continue fully funding five POST certified deputies, their salaries, vehicles and equipment as well as pay 30% of additional POST certified deputies wages.

LAW ENFORCEMENT AUTHORITY GOVERNING BOARD
MONTEZUMA COUNTY, COLORADO

Steve Chappell
Steve Chappell, Chair

MONTEZUMA COUNTY SHERIFF'S OFFICE

Dennis Spruell
Dennis Spruell, Sheriff

Commissioners voting in favor of the Agreement were:

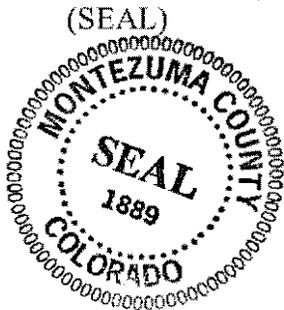
Steve D. Chappell Lami D. Paul and Donald W. Thompson

Commissioners voting nay against the Agreement were:

_____ and _____

I certify that the above Agreement 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 30th day of January, 2012



Caral Sullivan
County Clerk and Recorder
Montezuma County, Colorado