

STATE OF COLORADO        }  
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                                      } SS.  
County of Grand            }

At a regular meeting of the Board of County Commissioners of the County of Grand, State of Colorado, held at the Grand County Administration Building in Hot Sulphur Springs on Tuesday, the 13<sup>th</sup> day of August, 2019 there were present:

Richard Cimino, Commissioner Chairman  
Kristen Manguso, Commissioner  
Merrit Linke, Commissioner  
Christopher Leahy, County Attorney  
Katherine McIntire, County Manager  
Sara L. Rosene, Clerk of the Board

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

**RESOLUTION NO. 2019 – 8 – 5**

**A RESOLUTION APPROVING THE PETITION AND ORDERING AN ELECTION REGARDING THE SUNSET RIDGE, GRAND COUNTY, COLORADO PUBLIC IMPROVEMENT DISTRICT, AND CERTIFYING THE BALLOT QUESTIONS TO THE GRAND COUNTY CLERK AND RECORDER**

**WHEREAS**, on July 9, 2019, a petition for the organization of the Sunset Ridge, Grand County, Colorado Public Improvement District (the “District”) was filed with the office of the clerk of the Board of County Commissioners, Grand County, Colorado (the “Board”) pursuant to Section 30-20-505, C.R.S. (the “Petition”); and

**WHEREAS**, the purpose of the proposed District will be for the finance, design, construction, acquisition, and installation of resurfacing of public roads within the District and the maximum cost of these improvements authorized to be provided by the proposed District is estimated to be One Million Eight Hundred Thousand Dollars (\$1,800,000.00), to be paid by an ad valorem property tax imposed at a level sufficient to pay those costs and the costs of borrowing that sum for funding such public road improvements; and

**WHEREAS**, two previous estimated amounts to be One Million Six Hundred Ninety-Seven Thousand Dollars (\$1,697,000.00) and One Million Six Hundred Five Thousand Seven Hundred Thirty One Dollars (\$1,605,731.00) with an additional estimated cost of One Hundred Eighty Thousand Dollars (\$180,000.00) related to the creation which has since been revised as estimated to be One Million Eight Hundred Thousand Dollars (\$1,800,000.00); and

**WHEREAS**, these amounts have been referenced in publication of the notice and that same notice mailed for purpose of such Public Hearing, pursuant to Section 30-20-507, C.R.S also in Grand County Resolution 2019 – 7 – 18, a Resolution setting the Public Hearing; and

**WHEREAS**, the Board is authorized to provide such public road improvements pursuant to Section 30-11-107(1) (h), C.R.S.; and

**WHEREAS**, the Petition was signed by Seventy Four (74) of the One Hundred and Thirty-Three (133) total electors of the proposed District of which the Clerk to the Board has accepted Sixty Eight (68) signatures which is greater than thirty percent (30%) of the electors of the proposed District as required by Section 30-20-505, C.R.S.; and

**WHEREAS**, on July 19, 2019, the Board set a public hearing on the Petition for August 13, 2019 (“Public Hearing”); and

**WHEREAS**, after setting of the Public Hearing, the Clerk to the Board (1) caused publication of the notice of the date, time, location and purpose of such Public Hearing and the boundaries of the proposed District, which was published in the Middle Park Times on July 25, 2019, August 1, 2019, and August 8, 2019; (2) caused notice of the date, time and location and purpose of such Public Hearing and the boundaries of the proposed District to be mailed on July 23, 2019, to each elector of the proposed District at the elector's last known address, as disclosed by the tax records of Grand County and the last official voter registration lists; and (3) caused notice of the date, time and location and purpose of such Public Hearing and the boundaries of the proposed District to be mailed on July 23, 2019, to each municipality located within three miles of the boundaries of the proposed District pursuant to Section 30-20-507, C.R.S.; and

**WHEREAS**, additional notice of the date, time and location and purpose of such Public Hearing and the boundaries of the proposed District was mailed on August 9, 2019; and

**WHEREAS**, on or before August 12, 2019, prior to the time of the Public Hearing, a bond in the amount of One Thousand Dollars (\$1,000.00), cash deposit, was filed in accordance with Section 30-20-506, C.R.S.; and

**WHEREAS**, on August 13, 2019, a Public Hearing on the Petition was opened at which time all interested parties were afforded an opportunity to be heard, and all testimony and evidence relevant to the Petition and the organization of the proposed District was heard, received and considered; and

**WHEREAS**, the Board of County Commissioners, of the County of Grand, State of Colorado has conditioned the approval of this District on the County maintenance responsibility being limited to the actions of snowplowing, repairing potholes, and upkeep of drainage culverts.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, THAT:**

**Section 1.** The Board does hereby determine that the Petition has been duly signed and presented in conformity with Sections 30-20-501, *et seq.*, C.R.S., the allegations of the Petition are true, that all procedural requirements of Sections 30-20-501, *et seq.*, C.R.S., relating to the Petition have been fulfilled and that the Board has jurisdiction in the matter.

**Section 2.** The Board does hereby ascertain, in accordance with Section 30-20-508(1), C.R.S., from the tax rolls of Grand County, from the last official registration list, and from such other evidence as has been presented, the total number of electors of the proposed District is One Hundred and Thirty-Three (133).

**Section 3.** Pursuant to Section 30-20-508(2), C.R.S., the Board does hereby find as follows:

(a) that the Petition was duly signed by at least thirty percent (30%) or two hundred (200) of the electors of the proposed District, whichever is less, as required by Section 30-20-505(1), C.R.S; and

(b) that the proposed public road improvements to be constructed, installed or acquired within the proposed District will confer a general benefit on the proposed District; and

(c) that the cost of such public road improvements will not be excessive as compared with the value of the property within the proposed District.

NO. \_\_\_\_\_

**OFFICIAL BALLOT FOR SUNSET RIDGE, GRAND COUNTY, COLORADO,  
PUBLIC IMPROVEMENT DISTRICT**

November 5, 2019

Date of Election

/s/

Facsimile of Signature of the Designated Election Official of the District

1. To vote, place a crossmark ("X") in the box to the right of the name of each candidate and each ballot issue and ballot question.
2. After voting, fold the ballot so that your marks are concealed and place it in the secrecy envelope. This will ensure the secrecy of your ballot.
3. Place the secrecy envelope containing the ballot in the return verification envelope. Apply adequate postage, or deliver by hand to the address printed below.

**BALLOT ISSUE 1\_\_ : STREET IMPROVEMENTS**

SHALL SUNSET RIDGE, GRAND COUNTY, COLORADO, PUBLIC IMPROVEMENT DISTRICT, DEBT BE INCREASED UP TO \$1,800,000 WITH A MAXIMUM REPAYMENT COST OF UP TO \$2,498,000, AND SHALL DISTRICT TAXES BE INCREASED UP TO \$180,000 ANNUALLY OR SUCH LESSER AMOUNT AS MAY BE NECESSARY FOR THE PAYMENT OF SUCH DEBT AND ANY REFUNDINGS THEREOF FOR THE PURPOSE OF PAYING, LEASING, FINANCING OR REIMBURSING ALL OR ANY PART OF THE COSTS OF DESIGNING, CONSTRUCTING, INSTALLING, COMPLETING, PAVING, AND OTHERWISE PROVIDING STREETS, ROADS, AND ADJACENT IMPROVEMENTS, TOGETHER WITH INCIDENTAL COSTS RELATING TO SUCH PURPOSE, BY THE ISSUANCE AND PAYMENT OF BONDS, WHICH BONDS SHALL BEAR INTEREST AT A MAXIMUM NET EFFECTIVE INTEREST RATE NOT TO EXCEED 4.7% AND MATURE, BE SUBJECT TO REDEMPTION, WITH OR WITHOUT PREMIUM, AND BE ISSUED, DATED AND SOLD AT SUCH TIME OR TIMES, AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND IN SUCH MANNER AND CONTAINING SUCH TERMS, NOT INCONSISTENT HERewith, AS THE GOVERNING BODY OF THE DISTRICT MAY DETERMINE; SHALL AD VALOREM PROPERTY TAXES BE LEVIED IN ANY YEAR, WITHOUT LIMITATION AS TO RATE OR AMOUNT OR ANY OTHER CONDITION, TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH BONDS AND TO FUND ANY RESERVES FOR THE PAYMENT THEREOF; AND SHALL THE PROCEEDS OF ANY SUCH BONDS AND THE REVENUE FROM SUCH TAXES, ANY OTHER REVENUE USED TO PAY SUCH BONDS, AND INVESTMENT EARNINGS THEREON (REGARDLESS OF AMOUNT) BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW WHICH PURPORTS TO LIMIT THE DISTRICT'S REVENUES OR EXPENDITURES AS IT CURRENTLY EXISTS OR AS IT MAY BE AMENDED IN THE FUTURE, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

YES: \_\_\_\_\_  
NO: \_\_\_\_\_

**BALLOT QUESTION \_\_\_ : ORGANIZATION**

SHALL SUNSET RIDGE, GRAND COUNTY, COLORADO, PUBLIC IMPROVEMENT DISTRICT BE ORGANIZED AS A PUBLIC IMPROVEMENT DISTRICT PURSUANT TO PART 5 OF ARTICLE 20 OF TITLE 30, C.R.S.?

YES: \_\_\_\_\_  
NO: \_\_\_\_\_

**BALLOTS MUST BE RECEIVED BY 7:00 P.M. ON ELECTION DAY  
NOVEMBER 5, 2019 AT:**




SUNSET RIDGE, GRAND COUNTY, COLORADO  
PUBLIC IMPROVEMENT DISTRICT  
c/o Grand County Clerk and Recorder  
Sara L. Rosene  
308 Byers Avenue, PO Box 120  
Hot Sulphur Springs, CO 80451

**Section 4.** The Board hereby approves the Petition and orders that the question of organization of the District, a question approving the issuance of bonds and questions regarding other matters for which voter approval is required under Section 20 of Article X of the Colorado Constitution, in substantially the form attached hereto as **Exhibit A**, and incorporated herein by this reference, be submitted to the electors of the proposed District at the general election on November 5, 2019.

**Section 5.** The legal description of boundaries of the District shall be the Sunset Ridge Subdivision, Filing 1, according to the plat thereof filed July 6, 1970 at reception number 114544 in the real estate records of Grand County, Colorado (the "Records"), Sunset Ridge Subdivision, Filing 2, according to the plat thereof filed November 4, 1971 at reception number 120143 in the Records, and Sunset Ridge Subdivision, Filing 3, according to the plat thereof filed September 2, 2015 at reception number 2015006210 in the Records, excepting therefrom 1212 CR 83 (Block 2, Lot 5, Mason) and 1318 CR 83 (Block 2, Lot 6, Johnson), plus the following additional parcels of property: Lots 1 and 2, Sunset Ridge Estate Subdivision Exemption 1; Amended Lot 4, Sunset Ridge Estates Subdivision Exemption 1; 1536 GCR 83 (Wild Horse Inn and Lot 2, Finnigan Subdivision); 101 Horn Road; 106 Horn Road; 155 Sunset Drive; 193 Sunset Drive; 111 Byers Drive; 107 Byers Drive.

**Section 6.** A certified copy of this resolution shall be filed in the records of Grand County and the ballot questions are certified to the Grand County Clerk and Recorder for the November 5, 2019 election.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

 ..... Aye  
 ..... Aye  
 ..... Aye

Commissioners

STATE OF COLORADO }  
County of Grand } ss.  
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I, ....., County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Grand County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Hot Sulphur Springs, this ..... day of ..... A.D. 20.....  
County Clerk and ex-officio Clerk of the Board of Commissioners.

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