



DISTRICT COURT, WELD COUNTY, COLORADO		EFILED Document – District Court 2008CV243 CO Weld County District Court 19th JD Filing Date: Jun 6 2008 8:45AM MDT Filing ID: 20133599
Court Address: P.O. Box 2038 901 9th Avenue Greeley, Colorado 80632		
Petitioner: MINER'S VILLAGE METROPOLITAN DISTRICT NO. 3		COURT USE ONLY
Attorney Names: Sean Allen, Esq. Joseph J. Lico, Esq. Address: WHITE, BEAR & ANKELE Professional Corporation 1805 Shea Center Drive, Suite 100 Highlands Ranch, CO 80129 Phone Number: (303) 858-1800 Fax Number: (303) 858-1801 Atty. Reg. #: 30955 email: sallen@wbapc.com 29944 jllico@wbapc.com		Case No: 2008CV243 Div: 10
ORDER AND DECREE ORGANIZING MINER'S VILLAGE METROPOLITAN DISTRICT NO. 3 WELD COUNTY, COLORADO, ISSUANCE OF CERTIFICATES OF ELECTION AND RELEASE OF BOND		

This matter comes before the Court on the Motion for Order and Decree Organizing Miner's Village Metropolitan District No. 3, Issuance of Certificates of Election and Release of Bond (the "Motion") filed by the Petitioner for the organization of Miner's Village Metropolitan District No. 3 on June 4, 2008. This Court, being fully advised on the premises, hereby FINDS AND ORDERS with respect to the organization of Miner's Village Metropolitan District No. 3 (the "District"), as follows:

1. That the question of the organization of the District, the election of Directors thereof, along with various taxing, debt and revenue-raising ballot issues and ballot questions were duly submitted to the District's eligible electors by mail ballot election held on May 6, 2008 (the "Election") at the time and place specified in the Order Calling Election entered by this Court on April 24, 2008.

2. That a majority of the votes cast at the Election were in favor of organizing the District and in favor of all ballot issues and ballot questions submitted by the District.

3. That the Board of Canvassers' Abstract of Returns and the Board of Canvassers' Certificate of Election Results filed with this Court as Exhibit A to the Motion duly certifies the

District's Election returns to this Court as required by law and hereby is, in all respects, approved and confirmed.

4. That the District shall be and is hereby duly and regularly organized in accordance with the requirements of § 32-1-101, *et seq.*, C.R.S.

5. That the District shall be known as "Miner's Village Metropolitan District No. 3".

6. That the District is located in Weld County, Colorado, as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference. A map of the District shall be filed with the Weld County Assessor and the accuracy thereof updated pursuant to § 32-1-306, C.R.S.

7. That the District shall be a quasi-municipal corporation and political subdivision of the State of Colorado with all the powers thereof in conformity with its Service Plan, as may be amended.

8. Pursuant to § 32-1-306, C.R.S., a certified copy of this Order shall be recorded by the Weld County Clerk and Recorder. A copy of the approved Service Plan for Miner's Village Metropolitan District No. 3 and the resolution of the Board of Trustees of the Town of Frederick approving the Service Plan shall be filed with the Weld County Clerk and Recorder to be retained as a public record for public inspection. Additionally, a copy of the Service Plan shall be filed with the Division of Local Government, Department of Local Affairs.

9. A copy of the Service Plan for Miner's Village Metropolitan District No. 3 and the resolution of the Board of Trustees of the Town of Frederick approving the Service Plan were filed with this Court as part of the Petition filed on March 17, 2008. Pursuant to § 32-1-205(2), C.R.S., the Service Plan and approving resolution are incorporated herein by this reference and the same shall be deemed appended to this Order at such time as all other legal procedures for District organization have been complied with.

10. That the following qualified persons were duly elected as members of the District's first Board of Directors for the indicated terms, and as further shown on the Certificates of Election, issued by this Court in accordance with § 32-1-305.5(5), C.R.S., which Certificates are attached hereto:

<u>NAME</u>	<u>TERM</u>
Douglas A. Pluss	to May, 2010
Michael Strear	to May, 2010
Michael J. Burns	to May, 2012
Lewis G. Holtsclaw	to May, 2012
Jon R. Lee	to May, 2012

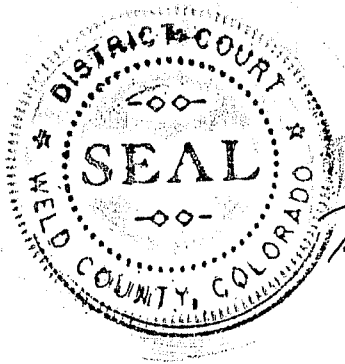
11. That the Petitioner's Bond in the amount of \$1,000 filed in this action pursuant to § 32-1-302, C.R.S., is hereby released and discharged and such amount returned thereto.

12. That the members of the Board of Directors of the District and their lawful successors shall hereafter take such actions and proceedings as are necessary for the governance of the District.

13. That the District shall have and exercise, through its Board of Directors and officers in conformity with the Service Plan, as may be amended, all of the powers and authorities conferred upon a metropolitan district under and by virtue of the provisions of Article 1, Title 32, C.R.S., and all laws relating thereto, and all powers and authorities as may hereafter be conferred by law.

DATED: JUN 06 2008

SO ORDERED BY THE COURT:



Certified to be a full, true and correct copy of the original in my custody.

Dated June 17, 2008

By CATHERINE L. WALKER

Clerk of the Combined Court
Weld County Colorado

Aren Sabi
Deputy

Daniel J. Maus
District Court Judge



3563476 06/27/2008 10:11A Weld County, CO
4 of 4 R 21.00 D 0.00 Steve Moreno Clerk & Recorder

EXHIBIT A
LEGAL DESCRIPTIONS
FOR:

MINER'S VILLAGE METROPOLITAN DISTRICT NO. 3

EXHIBIT

DISTRICT 3 DESCRIPTION:

TWO PARCELS OF LAND LOCATED IN THE SOUTH HALF OF SECTION 36, TOWNSHIP 2 NORTH, RANGE 68 WEST OF THE 8TH P.M., TOWN OF FREDERICK, COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

PARCEL 1:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 36 FROM WHENCE THE NORTHEAST CORNER LIES N00°07'13"W, 2,656.28 FEET (BASIS OF BEARINGS);
THENCE S00°07'17"E, 383.20 FEET ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 36 TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EASTERLY LINE, S00°07'17"E 2,038.77 FEET;
THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY 52 THE FOLLOWING SEVEN COURSES:
1) N88°54'47"W, 30.00 FEET;
2) S38°51'18"W, 83.68 FEET;
3) S89°35'50"W, 92.10 FEET;
4) 618.14 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, SAID ARC SUBTENDED BY A RADIUS OF 6,091.50 FEET, A CENTRAL ANGLE OF 05°48'51", AND A CHORD BEARING S86°41'25"W, 617.88 FEET;
5) S83°46'58"W, 100.28 FEET;
6) 433.98 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, SAID ARC SUBTENDED BY A RADIUS OF 5,908.50 FEET, A CENTRAL ANGLE OF 04°12'30", AND A CHORD BEARING S85°53'14"W, 433.88 FEET;
7) S87°58'20"W, 588.39 FEET;
THENCE N00°00'00"W, 201.58 FEET;
THENCE 343.94 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, SAID ARC SUBTENDED BY A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 41°29'14", AND A CHORD BEARING N20°44'37"W, 336.48 FEET;
THENCE 343.94 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT, SAID ARC SUBTENDED BY A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 41°29'14", AND A CHORD BEARING N20°44'37"W, 336.48 FEET;
THENCE N00°00'00"W, 141.89 FEET;
THENCE N80°00'00"E, 948.80 FEET;
THENCE 264.50 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, SAID ARC SUBTENDED BY A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 31°54'19", AND A CHORD BEARING N74°02'50"E, 281.10 FEET;
THENCE N58°05'41"E, 102.25 FEET;
THENCE 263.50 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, SAID ARC SUBTENDED BY A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 31°47'02", AND A CHORD BEARING N73°59'12"E, 280.13 FEET;
THENCE N89°52'43"E, 184.98 FEET;
THENCE N00°00'00"W, 1,025.16 FEET;
THENCE N89°52'43"E, 501.40 FEET TO THE POINT OF BEGINNING, CONTAINING 60.84 ACRES, MORE OR LESS;

PARCEL 2:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36 FROM WHENCE THE WEST QUARTER CORNER LIES N00°09'21"E, 2,651.42 FEET;

THENCE N00°09'21"E, 171.24 FEET ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 36 TO THE POINT OF BEGINNING;

THENCE CONTINUING N00°09'21"E 795.28 FEET ALONG SAID WESTERLY LINE;
THENCE N89°52'40"E, 883.89 FEET;
THENCE S00°09'21"W, 894.03 FEET;
THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY 52 THE FOLLOWING THREE COURSES:
1) S89°52'40"W, 755.59 FEET;
2) N45°11'20"W, 138.19 FEET; 3) N89°50'38"W, 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING 782,498 SQUARE FEET OR 17.98 ACRES, MORE OR LESS.

NET ACREAGE: 78.60 ACRES

MINER'S VILLAGE
DISTRICT NUMBER 3
FREDERICK, COLORADO

ORD: 10/30/07
REV: 01/07/08
REV: 01/11/08

PREPARED BY JRH/N/A	DATE 01/11/08		HURST & ASSOCIATES, INC.
DRAWN BY BD	DATE 01/11/08		CONSULTING ENGINEERS 1100 South East Corral, Suite 214 Denver, Colorado 80210 (303) 471-1100
FILE # 2008-47 SUBDIVISION LEGAL 10-12-08 DISTRICTS			SHEET 1 OF 1