

TOWN OF MT. CRESTED BUTTE, COLORADO
RESOLUTION NO. 7
SERIES 2000

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE, GUNNISON COUNTY, COLORADO, APPROVING THE SERVICE PLAN FOR RESERVE METROPOLITAN DISTRICT NOS. 1 AND 2.

WHEREAS, pursuant to Sections 32-1-204.5 and 32-1-205, C.R.S., as amended, the Service Plan for Reserve Metropolitan District Nos. 1 and 2, a copy of which is attached hereto and made a part hereof, has been submitted to the Town Council of the Town of Mt. Crested Butte (the "Council"); and

WHEREAS, notice of the hearing before the Town Council of the Town of Mt. Crested Butte, Colorado was duly published in the *Crested Butte Chronicle and Pilot* on June 30 and July 14, 2000, as required by law; and

WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., as amended, the Council held a public hearing on the Service Plan for Reserve Metropolitan District Nos. 1 and 2 on July 18, 2000, August 1, 2000, and August 15, 2000; and

WHEREAS, the Council has considered only the Service Plan, and all other testimony and evidence presented at the hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE, COLORADO:

Section 1. The hearings before the Council were extensive and complete; that all pertinent facts, matters and issues were submitted; that all interested parties were heard or had the opportunity to be heard; and, that evidence satisfactory to the Council of each of the following was presented:

a. There is sufficient existing and projected need for organized service in the area to be served by the proposed Special Districts.

b. Existing service in the area to be served by the proposed Special Districts is inadequate for present and projected needs.

c. The proposed Special Districts are capable of providing economical and sufficient service to the areas they intend to serve.

d. The areas to be included within the proposed Special Districts have or will have the financial ability to discharge the proposed indebtedness on a reasonable basis.

Section 2. That the Town Council of the Town of Mt. Crested Butte, Colorado, does hereby determine that the requirements of Sections 32-1-202(2) and 32-1-203(2), C.R.S., relating to the filing of a Service Plan for Reserve Metropolitan District Nos. 1 and 2 and the requirements of Sections 32-1-204.5, C.R.S., relating to the hearing by the Council, have been fulfilled in a timely manner.

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Section 3. That the Town Council of the Town of Mt. Crested Butte, Colorado, does hereby approve the attached Service Plan for Reserve Metropolitan Districts Nos. 1 and 2 as presented to Council on August 15, 2000, subject to the following condition:

- a) that the Reserve Metropolitan Districts are prohibited from obtaining the District Court Order and Decree organizing the Districts, as described in C.R.S. §32-1-305 (6) and (7), until forty-five (45) days after the annexation of the East and West Trade parcels, as described in said Service Plan, into the Town of Mt. Crested Butte by passage of an annexation ordinance by the Town Council of the Town of Mt. Crested Butte.

Section 4. The Town's findings on the Service Plan are based solely on the content of the Service Plan and the evidence presented by the petitioners at the hearings. The Town has not independently verified the reasonableness of the projections in the Service Plan or the financial viability of the Districts.

Section 5. The Town's approval of the Service Plan does not create any vested rights regarding the Reserve Metropolitan District Nos. 1 and 2 or the property therein, nor does it limit the Town's ability to exercise any of its rights or powers with respect to the District or the property therein.

Section 6. This Resolution shall be filed in the records of the Town and a certified copy shall be submitted to the petitioners for the purpose of filing in the District Court of Gunnison County.

Section 7. That all resolutions or parts thereof in conflict with the provisions of this Resolution shall be repealed.

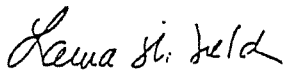
INTRODUCED, READ AND ADOPTED at a regular meeting of the Town Council of the Town of Mt. Crested Butte on the 15th day of August, 2000.

Town of Mt. Crested Butte, Colorado



Gwen Pettit, Mayor

Attest:



Laura W. Welch, Town Clerk

Certificate

I hereby certify that the preceding two pages constitute a true and correct copy of Resolution No. 7, Series 2000, adopted by the Town Council of the Town of Mt. Crested Butte, Colorado, on August 15, 2000.

Laura W. Welch

Laura W. Welch
Town Clerk