

RESOLUTION 2018-02

**CERTIFIED COPY OF RESOLUTION TO APPROVE PETITION FOR INCLUSION
BATTLEMENT MESA METROPOLITAN DISTRICT**

COMES NOW, the President of the Battlement Mesa Metropolitan District, and certifies that at a regular meeting of the Board of Directors of the District, held on December 20, 2018, at 401 Arroyo Drive, Battlement Mesa, CO 81635, the following resolution was adopted, to wit:

WHEREAS, the Petitioner has petitioned the Battlement Mesa Metropolitan District for the inclusion in said District of the land described in the Petition for Inclusion attached hereto as **Exhibit A**; and

WHEREAS, Public Notice has been published in accordance with law, calling for a public hearing on the prayer of said Petition, proof of which is attached hereto as **Exhibit B**; and

WHEREAS, a public hearing was properly noticed for December 20, 2018; and

WHEREAS, the area sought to be included into the District is located entirely within the County of Garfield, Colorado, and does not include property within any other county or within any incorporated city, town, or city and county, and, therefore, no notice of the proposed inclusion under Section 32-1-207(2), C.R.S., as amended, is required; and

WHEREAS, the District is not required to enlarge or extend its facilities beyond those currently existing and all such enlargements or extensions are undertaken in the exercise of discretion as a governmental function in the interest of public health, safety and welfare

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the District shall, and hereby does, order the inclusion of the land described herein within the boundaries of the Battlement Mesa Metropolitan District; provided that service to the land shall be henceforth subject to the rules, regulations, policies and procedures of the District as the same may be amended from time to time in the exercise of the Board of Directors of the District

The name and address of the petitioner and the description of said property are as follows

Petitioner: Daniel R. Gardner
Address: 656 County Road 308
Battlement Mesa, Colorado 81650

Legal Description: Garfield County Assessor Parcel No. 2407-171-00-01
Also known as 656 County Road 308, Battlement Mesa, CO 81650

The foregoing is a true and accurate copy of the action taken by the governing body of the Battlement Mesa Metropolitan District

BATTLEMENT MESA METROPOLITAN
DISTRICT



President

IN THE MATTER OF)	
)	
BATTLEMENT MESA)	
METROPOLITAN DISTRICT)	PETITION FOR INCLUSION
)	
COUNTY OF GARFIELD)	

The undersigned hereby respectfully petitions the Battlement Mesa Metropolitan District (the "District"), acting by and through its Board of Directors, for the inclusion of the hereinafter described real property into the boundaries of the District, which real property is situate within the County of Garfield, State of Colorado.

The undersigned hereby consents that the herein described property be included in said District and that an Order may be entered in the District Court in and for the County of Garfield, State of Colorado, including said land into the boundaries of the District, and that from and after the entry of such Order, said land shall be liable for assessments or other obligations of the District.

The undersigned represents to the District that it is the current record owner of the property hereinafter described and that no other persons, entity or entities own an interest therein except as beneficial holders of encumbrances.

The undersigned further represents to the District that the area sought to be included into the District is located entirely within the County of Garfield, Colorado and does not include property within any other county or incorporated city, town, or city and county, and that no notice of the proposed inclusion under Section 32-1-207(2), C.R.S., as amended, is required.

Acceptance of the Petition shall be deemed to have occurred at that time when the Board of Directors of the District sets the date for the public hearing for consideration of the Petition.

The legal description of the property is as follows, to-wit:

Assessor Parcel No. 2407-171-00-01
 Also known as 656 County Road 308

EXHIBIT A
to Resolution

(Petition for Inclusion(includes legal description of property))

EXHIBIT B
to Resolution

(Affidavit of Publication)

Ad #: 0000345415-01
Customer: SPENCER FANE,
Your account number is: 4949887

**PROOF OF PUBLICATION
RIFLE CITIZEN TELEGRAM
STATE OF COLORADO
COUNTY OF GARFIELD**

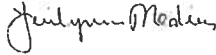
I, Samantha Johnston, do solemnly swear that I am Associate General Manager of the RIFLE CITIZEN TELEGRAM, that the same weekly newspaper printed, in whole or in part and published in the County of Garfield, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Garfield for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as a periodical under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado. That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 insertion; and that the first publication of said notice was in the issue of said newspaper dated 12/6/2018 and that the last publication of said notice was dated 12/6/2018 in the issue of said newspaper.

In witness whereof, I have here unto set my hand this day, 12/6/2018.



Samantha Johnston, Associate General Manager

Subscribed and sworn to before me, a notary public in and for the County of Garfield, State of Colorado this day 12/6/2018.



Jerilyn Medina, Notary Public

My Commission Expires: August 3, 2020



NOTICE OF INCLUSION

NOTICE IS HEREBY GIVEN that there has been filed with the Board of Directors of Battlement Mesa Metropolitan District of Garfield County, Colorado, a petition praying for the inclusion of certain lands into such District.

1. The name and address of the petitioner and a description of the property mentioned in such petition are as follows:

Petitioner: Daniel R. Gardner
Address: 656 County Road 308
Battlement Mesa, Colorado 81650

General Description: Assessor Parcel No
2407-171-00-01
Also known as 656 County Road 308,
Battlement Mesa, CO 81650

2. The prayer of the petition is that the above property be included into the boundaries of Battlement Mesa Metropolitan District.

3. The area sought to be included into Battlement Mesa Metropolitan District is located entirely within the County of Garfield, Colorado and does not include property within any other county or within any other incorporated city, town, or city and county, and therefore no notice of the proposed inclusion under Section 32-1-207(2) C.R.S., as amended, is required.

Accordingly, notice is hereby given to all interested persons to appear at a regular meeting of the Board of Directors of the District at 9:00 a.m., on December 20, 2018, at 401 Arroyo Drive, Battlement Mesa, CO 81653, and show cause in writing, if any they have, why such petition should not be granted. The failure of any person in the aforesaid District to file a written objection shall be taken as an assent on his part to the inclusion of the property described in this notice.

BATTELEMENT MESA METROPOLITAN DISTRICT

By: /s/ Matthew R. Dalton, Counsel for the District

Published On: December 6, 2018
Published In: Rifle Citizen Telegram
0000345415