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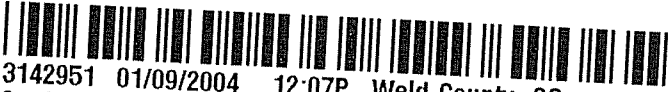
3142951 01/09/2004 12:07P Weld County, CO  
1 of 4 R 21.00 D 0.00 Steve Moreno Clerk & Recorder

DISTRICT COURT, WELD COUNTY, COLORADO		
Court Address: 901 Ninth Avenue, Greeley, Colorado, 80632		
IN RE THE ORGANIZATION OF ERIE COMMONS METROPOLITAN DISTRICT NO. 1		
		▲ COURT USE ONLY ▲
Attorney Name : K. Sean Allen Address: WHITE AND ASSOCIATES Professional Corporation 1805 Shea Center Drive, Suite 100 Highlands Ranch, CO 80129 Phone Number: (303) 858-1800 Fax Number: (303) 858-1801 Atty. Reg. #: 030955	Case No: 03 CV 1254	Div: 5 Ctrm:

**ORDER AND DECREE ORGANIZING DISTRICT, ISSUING CERTIFICATES OF ELECTION AND RELEASING BOND**

THIS MATTER comes before the Court on the Motion for Order and Decree Organizing District, for Issuance of Certificates of Election and for Release of Bonds, filed by the Petitioner in regard to the organization of Erie Commons Metropolitan District No. 1 (the "District"). This Court, being fully advised in the premises, hereby FINDS AND ORDERS:

- 1) That a majority of the votes cast at the election held on November 4, 2003, in which the question of organization of the District was submitted to eligible electors, were in favor of organization, and that the election was held in accordance with Articles 1 to 13 of Title 1, C.R.S.
- 2) That the District shall be and is hereby duly and regularly organized in accordance with the requirements of Article 1 of Title 32, C.R.S.
- 3) That the District shall be known as "Erie Commons Metropolitan District No. 1," the corporate name as designated in the Petition filed with this Court.
- 4) That the District is located in Weld County, Colorado, as more particularly described in Exhibit A, attached hereto and made a part hereof.
- 5) That the District shall be a quasi-municipal corporation and a political subdivision of the State of Colorado with all the powers thereof.



6) 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 Section 32-1-305.5(5), C.R.S., which Certificates are attached hereto:

<u>Name</u>	<u>Term</u>
Charles R. Bellock	2 Years
David G. Rhodes	2 Years
Michael J. Burns	4 Years
Lewis G. Holtsclaw	4 Years
Jon R. Lee	4 Years

7) That the Clerk of this Court shall release to Petitioner the Bond in the amount of \$500 submitted in connection with the organization of the District.

8) That in accordance with Section 32-1-205(2), C.R.S., a copy of the approved Service Plan and the Town of Erie Resolution of Approval shall be incorporated by reference in and appended to this Order establishing the District after all other legal procedures have been complied with.

DONE IN COURT this \_\_\_\_\_ day of NOV 26 2003, 2003.

BY THE COURT:

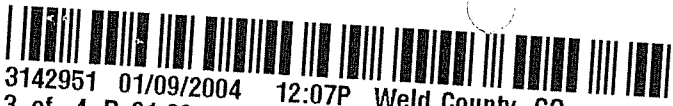
*J. Robert Jansen*  
\_\_\_\_\_  
District Court Judge

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

Dated 12-1-03  
MARY M. BOLLINGER

Clerk of the District Court  
Weld County, Colorado

By Juliana D. Amaro  
Deputy



3142951 01/09/2004 12:07P Weld County, CO  
3 of 4 R 21.00 D 0.00 Steve Moreno Clerk & Recorder

**EXHIBIT A**

Legal Description

[To District Court Order and Decree Organizing District  
and Issuing Certificates of Election]



Civil Engineering  
Land Surveying  
Land Planning

CONSULTANTS, INC.



3142951 01/09/2004 12:07P Weld County, CO  
4 of 4 R 21.00 D 0.00 Steve Moreno Clerk & Recorder

ERIE COMMONS

DESCRIPTION OF DISTRICT 1 "OPERATING DISTRICT" AND "DIRECTOR'S PARCEL"

A parcel of land 235 feet in radius in the Southwest Quarter of Section 19, Township 1 North, Range 68 West of the Sixth Principal Meridian, Town of Erie, County of Weld, State of Colorado, more particularly described as follows:

COMMENCING at the South Quarter corner of said Section 19;  
Thence South 89°57'02" West along the southerly line of the Southwest Quarter of said Section 19 a distance of 641.00 feet to a point;  
Thence North 00°02'58" West a distance of 669.47 feet to the center point of said parcel.

Containing 3.983 Acres, more or less.

*Janet M. Monheiser*  
Janet M. Monheiser, PLS 28781  
For and On Behalf of CVI Consultants, Inc.

