

3142952 01/09/2004 12:07P Weld County, CO
1 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

COPY

DISTRICT COURT, WELD COUNTY, COLORADO		
Court Address: 901 Ninth Avenue, Greeley, Colorado, 80632		
IN RE THE ORGANIZATION OF ERIE COMMONS METROPOLITAN DISTRICT NO. 2		▲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		

**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. 2 (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. 2," 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:

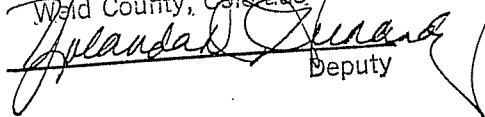


District Court Judge

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

Dated 11-1-03
MARY M. BOHLENDER

Clerk of the District Court
Weld County, Colorado

By 
Deputy



3142952 01/09/2004 12:07P Weld County, CO
3 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

EXHIBIT A
Legal Description
[To District Court Order and Decree Organizing District
and Issuing Certificates of Election]



3142952 01/09/2004 12:07P Weld County, CO
4 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder



Civil Engineering
Land Surveying
Land Planning

CONSULTANTS, INC.

ERIE COMMONS

DESCRIPTION OF DISTRICT 2 "TAXING DISTRICT"

A part 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:

All of the Northwest Quarter and part of the Northeast Quarter of said Section 19 lying northerly of Leon A. Wurl Parkway as described at Reception Number 2633609 in the Weld County Clerk and Recorder's Office and southerly of the north right of way line of the Union Pacific Railroad.

Containing 120.600 acres, more or less.

Together with

All of the Northwest Quarter, the West Half of the Northeast Quarter, the West Half of the Southeast Quarter and the East Half of the Southwest Quarter of said Section 19 lying southerly of the Leon A. Wurl Parkway as described at Reception Number 2633609 in the Weld County Clerk and Recorder's Office, excepting the right of way of any County Road.

Containing 246.540 acres, more or less.

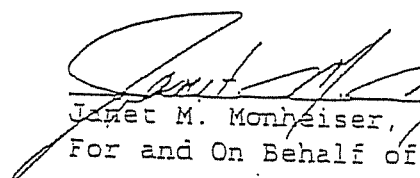

EXCEPTION THEREFROM

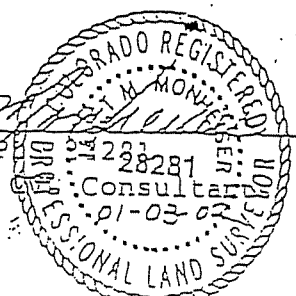
A parcel of land 235 feet in radius in the Southwest Quarter of Section 19, Township 1 North, Range 68 West of the Sixth Principal Meridian, Town of Erie, County of Weld, State of Colorado, more particularly described as follows:

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.

CONTAINING A TOTAL OF 363.157 ACRES, MORE OR LESS.


Janet M. Monheiser, P.E.
For and On Behalf of  Inc.





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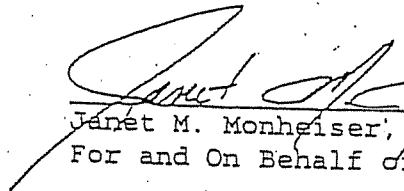
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5 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

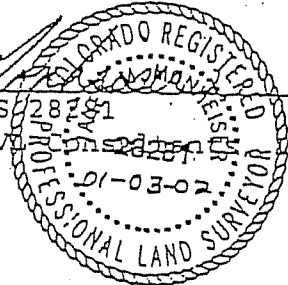
DESCRIPTION OF DISTRICT 1 "OPERATING DISTRICT" AND "DIRECTOR'S PARCEL"

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



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January 3, 2002



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3142952 01/09/2004 12:07P Weld County, CO
6 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

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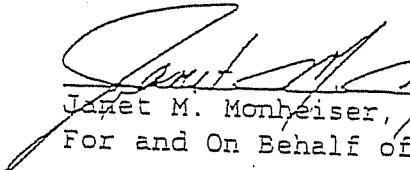
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