

**RESOLUTION NO. 2006-079**

**APPROVING THE STATEMENT OF EXPENSES OF THE EAGLE HILL  
RANCH LOCAL IMPROVEMENT DISTRICT AND AUTHORIZING NOTICE  
OF APPORTIONMENT THEREOF**

WHEREAS, the Board of County Commissioners (the "Board of County Commissioners") of Ouray County, Colorado (the "County"), by Resolution No. 2005-033, adopted on June 13, 2005, created the Eagle Hill Ranch Local Improvement District (the "District") within the County, for the purpose of constructing road improvements, including all necessary or convenient facilities, properties and equipment incident thereto (the "Project"); and

WHEREAS, the Board of County Commissioners, by Resolution No. 2005-059, adopted on September 12, 2005, approved the plans, specifications and cost estimates for the Project, approved and confirmed the manner of payment for the improvements contemplated by the Project, and tentatively approved and confirmed the allocation and apportionment of the Project costs to each lot or tract of land in the District; and

WHEREAS, all improvements contemplated by said Resolution No. 2005-059 have been completed at substantially below the original estimated cost as is shown on the attached statement of expenses;

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO:**

1. The Board has reviewed and hereby approves the Statement of Expenses attached hereto showing the whole cost of the improvements, including the costs of inspection and collection, and all other incidental costs. Said Statement of Expenses shall be filed in the office of the Ouray County Clerk and Recorder and shall be available for public inspection.

2. The Ouray County Clerk is hereby directed to give to all property owners within the District Notice of Apportionment as required by C.R.S. 30-20-608. Such Notice shall be substantially in the form attached hereto and shall be published in the Ouray Plaindealer as soon as may be possible. A copy of such Notice shall also be mailed by regular U.S. mail to the last known address of each property owner within the District.

3. As provided by C.R.S. 30-20-609, the Board will hear any complaints and objections timely made with regard to the apportionment of the cost of the Project as soon as may be permitted by law. Provided that the Notice is published in the Ouray County Plaindealer no later than Thursday, November 16, 2006, the hearing on complaints and objections shall be held on December 11, 2006 at 1:30 p.m.

**READ, PASSED AND ADOPTED** this 13th day of November, 2006 by the Board of County Commissioners of Ouray County, Colorado.

(SEAL)

By \_\_\_\_\_  
Heidi M. Albritton, Chair  
Board of County Commissioners

ATTESTED:

\_\_\_\_\_  
Michelle Nauer, County Clerk and Recorder

EAGLE HILL RANCH LOCAL IMPROVEMENT DISTRICT

Statement of Expenses

Grading and site preparation (Flowers Excavating)	\$ 40,696.00
Paving (United)	\$197,173.97
Weed control (Reliable)	\$ 2,640.00
Engineering and construction management (Del-Mont Engineering/Lambert & Assoc.)	\$ 7,760.56
Legal and professional fees (Sunderland)	\$ 7,268.30 *
Estimated additional legal fees through 1/1/07	\$ 2,000.00
Bank fees and interest paid	\$ 19,107.03 **
Estimated additional bank fees and interest payable through 1/1/07	\$ 7,000.00
Contingency/Miscellaneous	<u>\$ 1,354.14</u>
Total Expenses:	\$285,000.00

\* Paid as of 10/31/06

\*\* Paid as of 9/30/06

## NOTICE

### **PUBLIC NOTICE OF THE COMPLETION OF THE ASSESSMENT ROLL FOR THE EAGLE HILL RANCH LOCAL IMPROVEMENT DISTRICT, IN OURAY COUNTY, COLORADO, AND OF A HEARING ON THE ASSESSMENT ROLL.**

TO ALL PERSONS INTERESTED GENERALLY and to the owners of property to be assessed with the cost of improvements within the Eagle Hill Ranch Local Improvement District, in Ouray County, Colorado, notice is hereby given:

(a) The total cost of constructing, installing, and acquiring improvements within the District, including the costs and expenses of organization of the District, and all related costs, all as shown on the Statement of Expenses approved November, 13, 2006, by the Ouray County Board of County Commissioners, is \$285,000;

(b) The portion of the total cost to be paid by the County as a general cost is \$0, and the portion to be paid from a District-wide sales tax is \$0;

(c) The share apportioned to the property within the District and assessed for the improvements, including all related costs, is attached hereto as Exhibit A.

(d) Any complaints or objections, which may be made in writing by the property owners or any citizen to the Board of County Commissioners (the "Board"), and filed in the office of the County Clerk and Recorder of Ouray County by 4.30 p.m. on Wednesday, December 6, 2006, will be heard and determined by the Board before the passage of a resolution assessing the cost of said improvements. The amount of the assessment to be levied for the improvements will be due and payable within thirty (30) days after the effective date of the assessing resolution; failure to pay the whole assessment within said period of thirty days shall be conclusively considered and held to be an election on the part of all persons interested to pay the assessment in fifteen (15) annual installments of principal, payable beginning in 2007 and in each year thereafter until paid in full, with last principal payment due in 2021, with interest on unpaid installments of principal, such principal payments to be in such amounts and at such times, and such interest to be at such rate or rates and payable at such times, as shall be determined by the Board and as more particularly set forth in the assessment resolution.

(e) Complaints or objections to the proposed assessments will be heard by the Board at a public hearing to be held on Monday, the 11<sup>th</sup> day of December, 2006, at 1:30 p.m., at the Commissioners Meeting Room, in the Ouray County Courthouse located at 541 4<sup>th</sup> St. in Ouray, Colorado.

WITNESS my hand and the official seal of the County, as of the 13th day of November, 2006.

/s/ Michelle Nauer  
Ouray County Clerk and Recorder  
541 4<sup>th</sup> Street  
P.O. Box C  
Ouray, Colorado 81427

**EXHIBIT A  
ASSESSMENT ROLL**

<u>Property Description</u>	<u>Assessment Units</u>	<u>Assessment Lien</u>
	(One Assessment Unit = \$7,125.00)	
1. Eagle Hill Ranch Subdivision (all filings including Sweetwater)	40 Units * (1 unit per parcel)	\$7,125.00/unit \$285,000.00 total

\* Note: Subsequent to the preliminary approval of this project, two lots within the Eagle Hill Ranch subdivision were consolidated leaving only 39 lots as of the date hereof. However, pursuant to agreement of the lot owner who did the lot consolidation, the consolidated lot will pay two assessments for this project. Hence, the assessment is divided among 40 lots, rather than the 39 remaining lots, and Lot 35/36 will pay a double assessment.