

DISTRICT COURT, GUNNISON COUNTY, COLORADO

Court Address: 200 East Virginia Avenue
Gunnison, CO 81230

Reserve Metropolitan District No. 2, Town of Mt. Crested Butte
Gunnison County, Colorado

▲COURT USE ONLY▲

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Atty. Reg. #: 031477 Div: 2 Ctrn: _____

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

IN RE THE ORGANIZATION OF RESERVE METROPOLITAN DISTRICT NO. 2,
GUNNISON COUNTY, STATE OF COLORADO

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 Petitioners in regard to the organization of Reserve 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 7, 2000, 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 "Reserve Metropolitan District No. 2," the corporate name as designated in the Petition filed with this Court.
- 4) That the District is located in Gunnison 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:

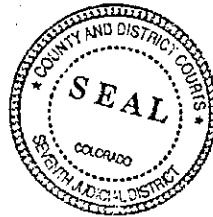
<u>NAME</u>	<u>TERM</u>
Martha Walton	2-year
Martina Walton	2-year
Ralph O. Walton, II	4-year
Ralph O. Walton, III	4-year
Edward Callaway	4-year

- 7) That the Clerk of this Court shall release to Petitioners the Bond submitted in connection with the organization of Reserve Metropolitan District No. 2.
- 8) That in accordance with Section 32-1-205(2), C.R.S., a copy of the approved Service Plan and the Town of Mt. Crested Butte 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 21st day of August, 2001.

BY THE COURT:

S/J Steven Patrick
District Court Judge



CERTIFIED TO BE A FULL
TRUE AND CORRECT COPY OF
ORIGINAL IN MY CUSTODY

DATED 8-21-01
CLERK Joyce [Signature]



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EXHIBIT A

Legal Description

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

Reserve Metropolitan District #2

A parcel of land situated in the SW 1/4SW1/4 of Section 13, the S1/2NE1/4, SE1/4 of Section 14, the E1/2NE1/4 of Section 23 and the W1/2NW1/4 Section 24 Township 13 South, Range 86 West of the 6th Principal Meridian, Town of Mt. Crested Butte, County of Gunnison State of Colorado, with all bearings being relative to a bearing of N01°48'57"E between the S1/16 corner and the E ¼ of said section 14, said parcel of land being more particularly described as follows:

Beginning at the South 1/16 corner common to Sections 13 & 14, thence N01°48'57"E a distance of 1402.49 feet along the easterly boundary line of said Section 14, also being the Town of Mt. Crested Butte boundary, to the East ¼ corner of said Section 14; thence continuing along said easterly line N01°48'21"E a distance of 864.42 feet; thence S89°26'52"W along said Town of Mt. Crested Butte boundary line and along the southerly boundary line of a parcel of land described in Book 386 at Page 414 a distance of 374.79 feet; thence 513.85 feet along the arc of a non-tangent curve to the left having a radius of 318.00 feet, a central angle of 92°34'57" and a chord which bears N84°25'08"W a distance of 459.74 feet; thence S64°26'52"W a distance of 67.11 feet; thence N55°13'08"W a distance of 241.50 feet; thence 129.18 feet along the arc of a non-tangent curve to the left having a radius of 187.00 feet, a central angle of 39°34'52" and a chord which bears N49°48'08"W a distance of 126.63 feet; thence N00°33'08"W a distance of 320.84 feet to a point on the north line of the S ½ NE ¼ of said Section 14, also being the Town of Mt. Crested Butte boundary; thence continuing along said north line and town boundary N89°41'29"W a distance of 551.79 feet to the northeasterly



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corner of a parcel of land described in Book 393 at Page 001; thence S37°48'08"E along the easterly boundary of said parcel and the Town of Mt. Crested Butte boundary a distance of 195.00 feet; thence continuing along said easterly boundary of said parcel 235.29 feet along the arc of a non-tangent curve to the left having a radius of 146.00 feet, a central angle of 92°20'06" and a chord which bears S20°10'00"W a distance of 210.64 feet; thence 131.34 feet along the arc of a reverse curve to the right having a radius of 210.00 feet, a central angle of 35°50'05" and a chord which bears S08°38'08"E a distance of 129.21 feet; thence S09°16'52"E a distance of 305.50 feet; thence 342.84 feet along the arc of a curve to the left having a radius of 415.00 feet, a central angle of 47°19'58" and a chord which bears S14°23'08"E a distance of 333.17 feet; thence S68°31'52"W a distance of 438.64 feet to the southwesterly corner of said parcel also being a point on the west line of the E 1/4 SW 1/4 NSE 1/4 of said Section 14 and the Town of Mt. Crested Butte boundary; thence along said west boundary line S01°04'34"W a distance of 138.33 feet to the C-W-E 1/64 corner of said Section 14; thence along said west line of the E1/2NW1/4SE1/4 of said Section 14 also being the Town of Mt. Crested Butte boundary line S01°04'39"W a distance of 1414.66 feet to the C-W-SE 1/64 of said Section 14; thence along the south line of E1/2NW1/4SE1/4 of said Section 14 also being the Town of Mt. Crested Butte boundary N89°52'19"E a distance of 669.14 feet to the NW corner of the SE 1/4 SE 1/4 of said Section 14; thence S01°19'25"W along the westerly line of the Town of Mt. Crested Butte boundary a distance of 1409.57 feet to the SW corner of SE 1/4 SE 1/4 of said Section 14; thence S00°37'02"W a distance of 1412.36 feet along the west line of the E1/2NE 1/4 of said Section 23 also being the westerly line of the Town of Mt. Crested Butte boundary to a common point on the southerly boundary of the



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North Village P.U.D. recorded at Reception number 390998; thence leaving the Town of Mt. Crested Butte boundary and along the southerly boundary of said North Village P.U.D. S57°49'36"E a distance of 240.13 feet; thence S78°04'47"E a distance of 662.08 feet; thence S58°17'42"E a distance of 217.72 feet to a point on the westerly right-of-way of Gothic Road; thence along the westerly line of Gothic Road right-of-way as shown on said North Village P.U.D. plat N53°59'38"E a distance of 324.98 feet; thence continuing along said right-of-way 74.54 feet along a curve to the left having a radius of 127.38 feet, a central angle of 33°31'42" and a chord which bears N37°13'45"E a distance of 73.48 feet; thence N20°27'52"E a distance of 86.31 feet; thence 77.57 feet along the arc of a curve to the left having a radius of 452.99 feet, a central angle of 9°48'42" and a chord which bears N15°33'32"E a distance of 77.48 feet; thence N10°39'11"E a distance 288.04 feet; thence 226.64 feet along a curve to the right having a radius of 340.00 feet, a central angle of 38°11'32" and a chord which bears N29°44'56"E a distance of 222.46 feet; thence N48°50'42"E a distance 343.70 feet; thence 193.26 feet along the arc of a curve to the right having a radius of 840.00 feet, a central angle of 13°10'56" and a chord bearing of N55°26'10"E a distance of 192.84 feet; thence N62°01'38"E a distance of 83.15 feet to the southeasterly corner of Tract 21 of said North Village P.U.D. also being on the westerly line of Gothic Road right-of-way; thence along the easterly boundary of the Amended Plat of Tracts 1, 4 & 21 of the North Village P.U.D. also being the westerly line of Gothic Road right-of-way 118.42 feet along the arc of a curve to the left having a radius of 180.92 feet, a central angle of 37°30'12" and a chord bearing of N43°16'30"E a distance of 116.32 feet; thence continuing along west line of said Gothic Road right-of-way 11.39 feet along the arc of a curve to the left having a radius of 180.92 feet, a central

angle of $3^{\circ}36'28''$ and a chord bearing of $N22^{\circ}46'00''E$ a distance of 11.39 feet; thence $N20^{\circ}56'31''E$ a distance of 88.27 feet; thence 82.42 feet along a curve to the left having a radius of 519.00 feet, a central angle of $9^{\circ}05'55''$ and a chord bearing $N16^{\circ}23'34''E$ a distance of 82.33 feet; thence $N11^{\circ}50'38''E$ a distance of 56.24 feet; thence 110.77 feet along the arc of a curve to the right having a radius of 811.68 feet and a chord bearing $N15^{\circ}45'11''E$ a distance of 110.68 feet; thence $N19^{\circ}39'45''E$ a distance 40.43 feet; thence 65.13 feet along the arc of a curve left having a radius of 1074.31 feet, a central angle of $3^{\circ}28'25''$ and a chord bearing of $N17^{\circ}55'33''E$ a distance of 65.12 feet; thence $N16^{\circ}11'20''E$ a distance of 33.88 feet; thence 105.50 feet along the arc of curve to the right having a radius of 1523.97 feet, a central angle of $3^{\circ}57'59''$ and a chord bearing of $S18^{\circ}10'23''W$ a distance of 105.48 feet; thence $N20^{\circ}09'25''E$ a distance of 22.94 feet; thence 80.83 feet along a curve to the right having a radius of 510.45 feet, a central angle of $9^{\circ}04'22''$ and a chord bearing of $N24^{\circ}41'36''E$ a distance of 80.74 feet; thence $N08^{\circ}12'41''E$ a distance of 15.02 feet to the northeasterly corner of said Amended Plat of Tracts 1, 4 & 21 North Village P.U.D. also being on the westerly line of said Gothic Road right-of-way; thence $N08^{\circ}12'41''E$ a distance of 120.85 feet along the westerly line of said Gothic Road right-of-way; thence continuing along said right-of-way 127.69 feet along a curve to the left having radius of 226.85 feet, a central angle of $32^{\circ}14'59''$ and a chord bearing of $N07^{\circ}54'45''W$ a distance of 226.85 feet; thence $N24^{\circ}02'14''W$ a distance of 315.32 feet; thence 290.92 feet along a curve to the left having a bearing of 943.00 feet, a central angle of $17^{\circ}40'34''$ and a chord bearing of $N32^{\circ}52'32''W$ a distance of 289.77 feet; thence $N41^{\circ}42'49''W$ a distance of 82.09 feet; thence 128.94 feet along a



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curve to the left having a radius of 595.00 feet, a central $12^{\circ}24'59''$ and a chord bearing of $N47^{\circ}55'18''W$ a distance of 128.69 feet; thence $N54^{\circ}07'48''W$ a distance of 56.42 feet; thence 87.52 feet along a curve to the left having a radius of 360.00 feet, a central angle of $13^{\circ}55'43''$ and a chord bearing of $N61^{\circ}05'34''W$ a distance of 87.30 feet; thence 143.34 feet along a reverse curve to the right having a radius of 221.03 feet, a central angle of $37^{\circ}09'43''$ and a chord bearing of $N49^{\circ}28'43''W$ a distance of 140.84 feet; thence $N30^{\circ}54'00''W$ a distance of 78.29 feet to a point on the north line of the NW1/4SW1/4 of said Section 13 also being the Town of Mt. Crested Butte boundary; thence $S88^{\circ}19'00''W$ along said north line and said town boundary a distance of 270.70 feet to the S1/16 corner common to Sections 13 & 14 also being the point of beginning containing 242.70 acres more or less.

Excluding from said parcel of land described above, a parcel of land situated in the E1/2SE1/4 of Section 14, Township 13 South, Range 86 West of the 6th Principal Meridian, Town of Mt. Crested Butte, County of Gunnison, State of Colorado with all bearings being relative to a bearing of $N01^{\circ}48'57''E$ between the S1/16 corner and E1/4 corner of said Section 14, said parcel of land being more particularly described as follows:

Beginning at a point from which the South 1/16 corner common to Sections 13 & 14 bears $S76^{\circ}40'07''E$ a distance of 438.36 feet; thence $N90^{\circ}00'00''W$ a distance of 200.00 feet; thence $S00^{\circ}00'00''E$ a distance of 200.00 feet; thence $N90^{\circ}00'00''E$ a distance of 200.00 feet; thence $N00^{\circ}00'00''E$ a distance of 200.00 feet to the point of beginning containing 0.92 acres more or less.



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EXHIBIT A

Legal Description of Annexation Property – West Trade Parcel

E½ SW¼ SE¼, Section 14, Township 13 South, Range 86 West, of the Sixth Principal Meridian.

Containing 21.585 acres, more or less.

County of Gunnison
State of Colorado

EXHIBIT A

Legal Description of Annexation Property – East Trade Parcel

Lot 14, Section 13, Township 13 South, Range 86 West, of the Sixth Principal Meridian;

Lot 7, Lot 8 and Lot 11, Section 19, Township 13 South, Range 85 West, of the Sixth Principal Meridian;

The following areas of Section 24, Township 13 South, Range 86 West, of the Sixth Principal Meridian:

NE $\frac{1}{4}$ NW $\frac{1}{4}$,
W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$

Containing an aggregate of 412.96 acres, more or less.

County of Gunnison
State of Colorado