

**RESOLUTION NO. 24-25**

**THE BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO**

**A RESOLUTION DECLARING THE GARDNER PUBLIC IMPROVEMENT  
DISTRICT ORGANIZED AS OF JANUARY 1, 2011**

**WHEREAS**, the Board of County Commissioners (the “Board”) of Huerfano County, Colorado (the “County”), pursuant to C.R.S. §30-20-501 *et seq.*, and all other laws of the State of Colorado, hereby finds and determines that there exists a necessity for the creation of a local improvement district within the County, to be designated as the Gardner Public Improvement District, and the construction, installation, completion, maintenance, and acquisition therein of certain improvements; and

**WHEREAS**, at an election duly held and conduction in accordance with law on November 2, 2010, a majority of the eligible, registered electors of the District voting thereon approved the establishment of the District, the question relating thereto being as follows:

SHALL HUERFANO COUNTY, COLORADO, BE AUTHORIZED TO DEVELOP AND IMPLEMENT A PUBLIC IMPROVEMENT DISTRICT WITH AN IDENTICAL BOUNDARY TO THE GARDNER WATER AND SEWER DISTRICT FOR THE PURPOSE OF OPERATION AND MAINTENANCE OF, AND IMPROVEMENTS TO THE EXISTING WATER AND SEWER SYSTEM?

**WHEREAS**, the results of said election were duly canvassed and the result thereof duly declared; and

**WHEREAS**, all protests or objections to the District or the improvements have been heard, and the Board has determined based on the evidence submitted at the hearing, that (i) the District and improvements are permitted by law; and (ii) it is in the best interests of the County and the property owners within the proposed District that the District be created and the improvements be constructed, installed, completed, maintained and acquired;

**WHEREAS**, in order to defray all or any portion of the costs of the improvements provided by the District, the board has established this special district within the boundaries of the District; and

**WHEREAS**, such special improvement district has been established based on the opinion of the board that property in the District will be especially benefitted by such improvements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Huerfano County, Colorado that a local improvement district for the construction, installation, completion, maintenance, and acquisition therein of certain improvements, together with any necessary incidentals as hereinafter described, is hereby

created and established in accordance with C.R.S. §30-20-501 *et seq.* and all other laws of the State of Colorado thereunto enabling, and shall be known and designated as the “Gardner Public Improvement District”. All proceedings heretofore taken and adopted in connection with the District are hereby ratified, approved, and confirmed. It is hereby found and determined that the proposal to create the District was properly initiated by the Board by an order adopted on August 18, 2010.

1. The making of improvements and assessing the costs thereof and the performance of the duties of the governing board of the District shall be determined by the board.
2. The secretary of the District shall perform the duties of the clerk.
3. The improvements which may be constructed shall be the improvements which the District is permitted to provide pursuant to part 12 of Section 31-25-1219, C.R.S.
4. In order to defray all or any portion of the costs of providing services, the board may impose special assessments wholly or in part upon real property located within the boundaries of the District, in accordance with the process and procedure as established in Section 31-25-1219(2)(d), C.R.S.
5. The assessments shall be collected by the officer of the District designated in the assessment resolution or, by agreement with a municipality, by the municipal treasurer.
6. In the case of a default in the payment of the assessment, the collection officer shall certify to the county treasurer the whole amount of the unpaid assessments.

INTRODUCED, READ, APPROVED AND ADOPTED ON THIS 11<sup>th</sup> day of JUNE 2024.



ATTEST:

\_\_\_\_\_  
County Clerk and Recorder and  
Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS  
OF HUERFANO COUNTY, COLORADO

BY \_\_\_\_\_  
John Galusha, Chairman

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Arica Andreatta, Commissioner

\_\_\_\_\_  
Karl Sporleder, Commissioner