

STATE OF COLORADO)
)
COUNTY OF SUMMIT)

The Board of County Commissioners of Summit County, Colorado, met in regular session in full conformity with law and the rules of the County, at the Breckenridge County Courthouse, in Breckenridge, Colorado, the regular meeting place thereof on Monday, June 24, 2008, at 1:30 p.m.

The following members were present constituting a quorum:

Chairman:	Thomas C. Davidson
Commissioner:	Elisabeth Lawrence
Commissioner:	Karn Stiegelmeier

Also Present:

Deputy Clerk to the Board:	Lori Dwyer
County Manager:	Scott Vargo
County Attorney:	Jeffrey L. Huntley

Thereupon Commissioner Stiegelmeier introduced and moved the adoption of the following resolution, which was then read by title, sufficient copies of the full resolution having previously been made available to the Board of County Commissioners and to the public:

RESOLUTION NO. 2019-65

Before the Board of County Commissioners

County of Summit

State of Colorado

CONCERNING THE CREATION AND ORGANIZATION OF SUMMIT COUNTY LOCAL IMPROVEMENT DISTRICT NO. 2019-01 ("PEAK 7"), SUMMIT COUNTY, COLORADO; AUTHORIZING AND ORDERING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS THEREIN; AUTHORIZING NOTICE TO CONTRACTORS; PROVIDING FOR NOTICE TO PROPERTY OWNERS OF COMPLETION OF THE IMPROVEMENTS AND DETERMINING THE METHOD OF APPORTIONING ASSESSMENTS TO DEFRAY COSTS THEREOF

WHEREAS, the Board of County Commissioners (the "Board") of Summit County, Colorado (the "County"), has heretofore by Resolution No. 2019-55 resolved and passed at the Board's regular meeting held on July 23, 2019, a preliminary order (the "Preliminary Order") adopting preliminary plans and specifications with respect to the proposed Summit County Local Improvement District No. 2019-01 ("Peak 7"), Summit County, Colorado (the "District") for the purpose of acquiring, constructing and installing certain improvements described therein (the "Improvements"), and to assess the cost thereof against the properties specially benefitted thereby; and the acquisition, construction and installation of the Improvements subscribed by owners of property to be assessed for more than one-half of the entire costs of the Improvements estimated by the Board to be assessed within the District; and

WHEREAS, notice containing the information required by Section 30-20-601, *et seq.*, Colorado Revised Statutes ("C.R.S."), as amended (the "Act"), pertaining to the District has been duly and timely published in a newspaper of general circulation in the County; and

WHEREAS, notice has been mailed in accordance with Section 30-20-603(2)(b), C.R.S. to each address within the proposed district no less than ten days prior to the public hearing; and

WHEREAS, if this resolution is passed, at the Board's regular meeting held on August 27, 2019 the Board will also consider the submission of the question of issuing special assessment bonds (the "Bonds") to the registered electors who are owners of property within or residents of the District, at the coordinated election to be conducted on November 5, 2019 (the "Bond Election"), such Bonds to be issued for the purpose of financing certain costs associated with the construction of the Improvements and costs of issuance of the Bonds; and

WHEREAS, the Board has held a public hearing on August 27, 2019 relating to the creation of the District affording all interested persons an opportunity to have complaints and objections heard and determined before final action thereon; and

WHEREAS, all other conditions precedent to the creation of the District and the authorization of the Improvements therein have been fully performed and satisfied;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO:

1. The Board has determined, and does hereby determine, that, at the request of approximately 62% of the owners of property within the boundaries of the proposed district, it is appropriate for the Board to consider the creation of a Local Improvement District for the improvements requested.

2. The Board hereby finds that notice containing the information required by Section 30-20-603(6) of the Act has been duly and timely published in a newspaper of general circulation in the County.

3. The Board hereby finds that notice has been mailed in accordance with Section 30-20-603(2)(b), C.R.S.

4. Having held a public hearing and heard and considered all complaints and objections made in accordance with the Act, the Board has determined, and does hereby determine, that the Improvements should be constructed pursuant to the request, as they are in the best interest of the inhabitants of the County, are not objected to by the owners of property constituting more than half of the total proposed assessments, and are necessary for the preservation of the public health, safety and welfare. In the event the issuance of the Bonds is not approved at the Bond Election, the authorization contained herein in regard to the creation of the District shall forthwith be rescinded.

5. There is hereby created and established within the limits of the County, a local improvement district to be known and designated as "Summit County Local Improvement District No. 2019-01 (Peak 7), Summit County, Colorado." The real property to be included within the District and to be assessed for the costs of the Improvements shall be each and every buildable lot or parcel listed below within the proposed local improvement district:

Each and every buildable lot or parcel listed below will receive one full assessment for improvements within the proposed local improvement district:

Subdivision	Lot list
BLUE RIDGE AMENDED SUB	Lots A, B, 1, 3, 4, 6, 7, 13A & 13B, 14A & 14B, 15, 16*, 24-41
BLUE SKY ESTATES	1, 2*
CRESTWOODS SUB	Lots 1-11 of Block 1; 1-6, and 7* of Block 2
DISCOVERY SUB #1	Lots 1-29
HIGH HEAVENS SUB	Lots 1-10
METES & BOUNDS (ALL)	One acre comprising a part of Section 25, Township 6 South, Range 25 West; a portion of the Beulah and Side Line Lodes; AKA 3292 Ski Hill Rd
MINERS RIDGE SUB #1	Lots 1-5, 6A & 6B, 9-22
PEAK SEVEN WEST SUB	Lots 1-64
PINE VISTA	Lots 1-11
PLACER ACRES SUB	Lots 1, 2, 4*, 5-15 **
PONDEROSA SUB	Lots 1-18
RAINBOW SUB	Lots 1-6 Block A; 1-7 Block B
RIDGE CREST SUB	A-E

SHADOWS NORTH AMENDED SUB	Lots 1, 6*, 9-14; E 1/2 and W 1/2 of Lot 15; 17-26; 16A & B; 2A & B; 3A & B; 4A & B; 5A & B; 7A & B, and 8A & B
SHADOWS SUB	Lots 1, 2, 4, 5, 6*, 8, 9, 10R, 11R, 12, 13 of Block 1; 1-15 of Block 2; 1-12 of Block 3; 1-15 of Block 4; and 1-7 of Block 5
SUNCHASER ESTATES	Lots 1-4

** - Lot 10 in Placer Acres is jointly owned by the County and the Town of Breckenridge, and there is no density or assessment associated with that parcel.

* - These lots will receive one additional assessment, amounting to two assessments per lot

6. The Improvements to be made, as authorized pursuant to the Act, are as follows:

Subgrade preparation, drainage improvements, shouldering with aggregate base course, placement and preparation of road base and the installation of bituminous pavement at 5" depth and 22 feet in width on the following roadways:

Ski Hill Road (CR 3) from the northern USFS boundary south to Discovery Road (CR 901)
American Way (CR 906)

And the installation of bituminous pavement at 4" depth and 20-feet in width on the following roadways:

Lone Hand Way (CR 917)	Skicrest Lane (CR 904)
Ski Pole Court (CR 910)	Burro Lane (CR 922)
Ski Tip Road (CR 909)	Sitzmark Circle (CR 903)
Glory Hole Drive (CR 921)	Discovery Road (CR 901)
Thunderhead Road (CR 908)	Twin Pines Court (CR 902)
Prospector Circle (CR 920)	Shadows Drive (CR 914)
Protector Circle (CR 907)	Adams Way (CR 915)
Quartz Circle (CR 905)	Protector Place (CR 916)
Pine Circle (CR 941)	Timber Way (CR 918)
Brook Street (CR 940)	

6. The map of the District, as shown in Exhibit A to this Resolution, is hereby approved for the District.

7. The estimates of cost and the schedule of approximate assessments heretofore prepared for the District and filed with the County Clerk & Recorder's Office are hereby approved for the District. The District shall be assessed as provided for in the Preliminary Order, unless otherwise provided by the Board.

8. The construction of the Improvements in and for the District is hereby authorized and ordered and shall proceed under the direction of the Board in accordance with the preliminary plans, specifications, maps and estimates of cost for the District heretofore prepared and filed with and approved by the Board.

9. The County Engineer shall be authorized to advertise for bids to construct the Improvements, in accordance with the Act, and such construction contracts shall be let and in all other respects comply with the applicable requirements of the Act.

10. The Board hereby finds that the Improvements have been duly ordered after notice duly given and hearing duly held.

11. The Board has determined, and does hereby determine, that the Improvements will confer general benefits upon the County and substantial special benefits upon each buildable lot or parcel of land within the District. The Board has determined, and does hereby determine, that assessments shall hereafter be levied against each buildable lot and parcel specially benefitted by the Improvements shown on the schedule of approximate assessments heretofore prepared and filed with the County Engineering Department and approved by the County for the District. It is hereby found and determined that the apportionment of the costs of the Improvements are fair and equitable and reflect a reasonable apportionment consistent with and in approximation to the substantial special benefits to be conferred.

12. Upon completion of the Improvements, or upon completion from time to time of any part thereof, and upon acceptance thereof by the Board, or whenever the total cost of the Improvements, or of any part thereof, can be reasonably ascertained, either prior to, during, or subsequent to the construction of the Improvements, the Board will cause to be prepared a statement showing the whole cost of the Improvements, including costs of inspection, collection, capitalized interest on any bonds issued for such period as the Board may deem necessary, capitalized bond reserves, and all other incidental costs, the portion thereof to be paid by the County, if any, and the portion thereof to be assessed upon each buildable lot or parcel within the District, which statement shall be filed in the office of the County Clerk and Recorder.

13. Upon receipt of said statement, the County Clerk and Recorder shall duly and timely notify all known owners of the property to be assessed by publication once in the *Summit County Journal*, a newspaper of general circulation in the County, that the Improvements have been, or are about to be, completed and accepted, therein specifying (a) the whole cost of the Improvements, (b) the portion, if any, to be paid by the County, (c) the share apportioned to each buildable lot or parcel within the District, (d) that any complaints or objections which may be made in writing by the property owners to the Board, and filed in the office of the County Clerk and Recorder within 20 days from the publication of such notice, will be heard and determined by the Board before the passage of any resolution assessing the cost of the Improvements, and (e) the date when and place where such complaints or objections will be heard.

14. At the time specified in said notice, the Board shall hear and determine all such complaints and objections, and may thereupon make such modifications and changes as may seem equitable and just, or may confirm the first apportionment. The Board shall thereupon by resolution assess the cost of the Improvements against each buildable lot and parcel specially benefitted by the Improvements.

15. The proper County officials are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution and to comply with the requirements of the law.

16. All action heretofore taken by the Board or other County officials not inconsistent herewith directed toward the creation of the District and the construction of the Improvements is hereby ratified, approved and confirmed.

17. All acts, orders, resolutions, ordinances, or parts thereof, in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed so as to revive any act, order, resolution, or ordinance, or part thereof, heretofore repealed.

18. Should any one or more sections or provisions of this Resolution be judicially determined invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining sections or provisions hereof, the intention being that the various sections or provisions hereof are severable.

ADOPTED AND APPROVED this 27th day of August, 2019.



Thomas C. Davidson, Chairman
Board of County Commissioners

(SEAL)



ATTEST:


Deputy Clerk to the Board

Commissioner Stiegelmeier moved that the resolution be passed and adopted. The question being upon the passage and adoption of the resolution, the roll was called with the following result:

Those voting YES: Commissioner Stiegelmeier
 Commissioner Lawrence
 Commissioner Davidson

Those voting NO: _____

A majority of the members present having voted in favor of the passage and adoption of the resolution, the Chair thereupon declared the resolution was duly passed and adopted.

Thereupon, after consideration of other business to come before the Board of County Commissioners the meeting was adjourned.

SUMMIT COUNTY, COLORADO



Thomas C. Davidson, Chairman
Board of County Commissioners

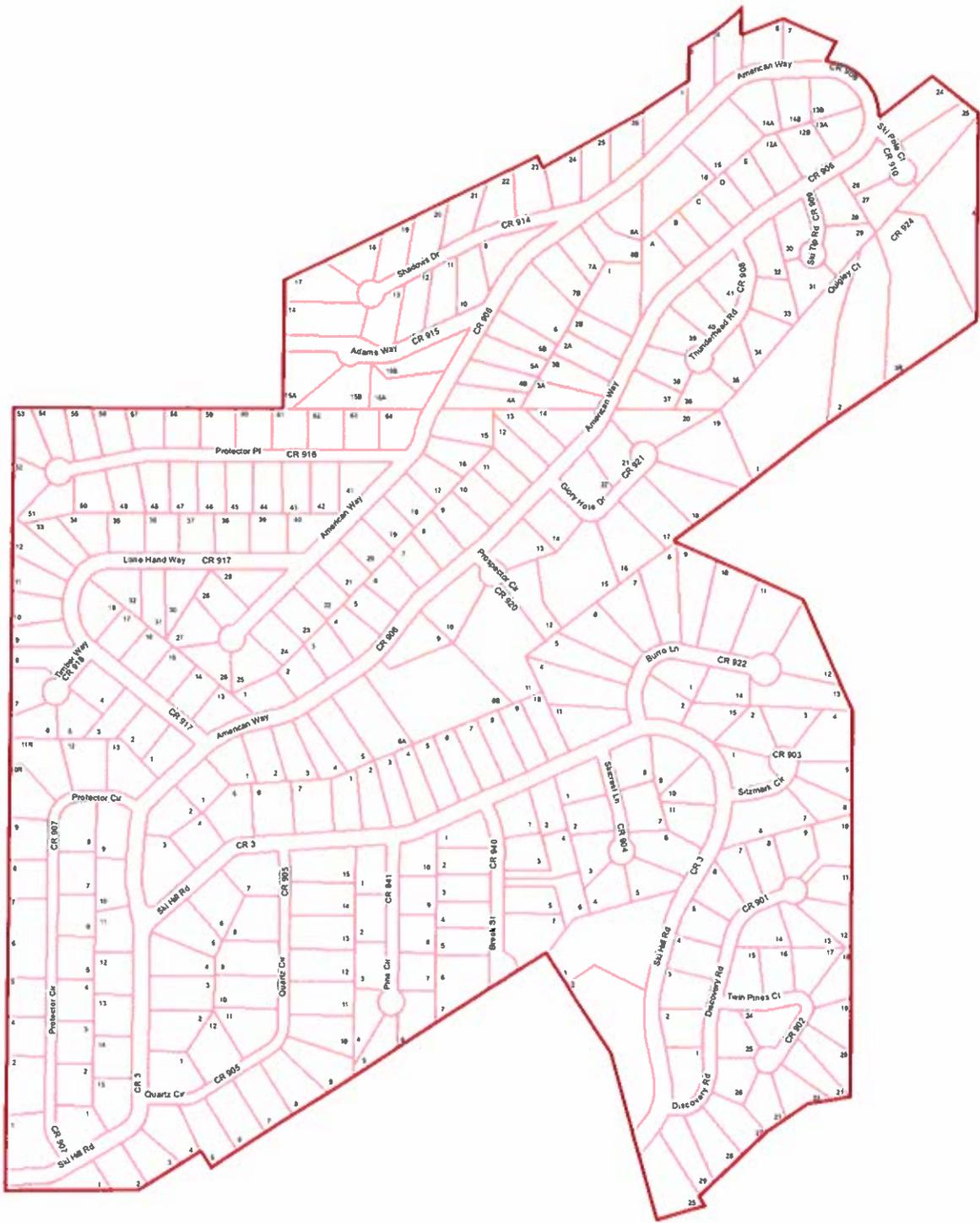
(SEAL)



ATTEST:


Deputy Clerk to the Board

EXHIBIT A



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Summit County Engineering Department
PEAK 7 LID
AREA MAP

