



**GRANTED**

The moving party is hereby **ORDERED** to provide a copy of this Order to any pro se parties who have entered an appearance in this action within 10 days from the date of this order.

*Roger A Klein*  
 Roger A. Klein\*  
 District Court Judge

DATE OF ORDER ON ATTACHMENT

FILED Document - District Court

DISTRICT COURT, WELD COUNTY, COLORADO  
 Court Address: P.O. Box 2038  
 901 9th Avenue  
 Greeley, Colorado 80632  
 (970)351-7300

2008CV8900  
 CO Weld County District Court 19th JD  
 Filing Date: Jan 20 2009 11:53AM MST  
 Filing ID: 23374705

▲ COURT USE ONLY ▲

**IN RE THE ORGANIZATION OF  
 MORGAN HILL METROPOLITAN DISTRICT NO. 1,**

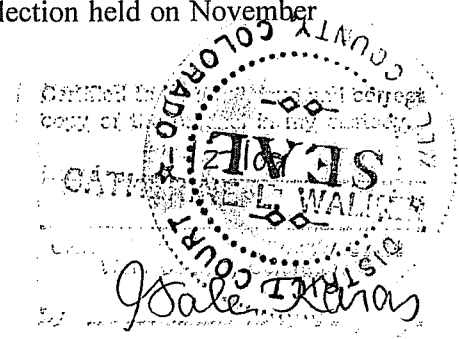
**By the Court:**

Case No: 08CV8900  
 Div: 1 Ctrm:

**ORDER AND DECREE ORGANIZING  
 MORGAN HILL METROPOLITAN DISTRICT NO. 1  
 WELD COUNTY, COLORADO  
 ISSUANCE OF CERTIFICATES OF ELECTION AND RELEASE OF BOND**

This matter comes before the Court on the Motion for Order and Decree Organizing Morgan Hill Metropolitan District No. 1, Issuance of Certificates of Election and Release of Bond (the "Motion") filed by the Petitioner for the organization of Morgan Hill Metropolitan District No. 1 on September 24, 2008. This Court, being fully advised on the premises, hereby FINDS AND ORDERS with respect to the organization of Morgan Hill Metropolitan District No. 1 (the "District"), as follows:

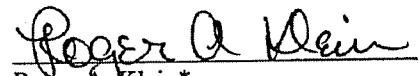
1. That the question of the organization of the District, the election of Directors thereof, along with various taxing, debt and revenue-raising ballot issues and ballot questions were duly submitted to the District's eligible electors by mail ballot election held on November





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4, 2008 (the "Election") at the time and place specified in the Order Calling Election entered by this Court on October 29, 2008.

2. That a majority of the votes cast at the Election were in favor of organizing the District and in favor of all ballot issues and ballot questions submitted.

3. That the Board of Canvassers' Abstract of Returns and the Board of Canvassers' Certificate of Election Results filed with this Court as Exhibit A to the Motion duly certifies the Election returns to this Court as required by law and hereby is, in all respects, approved and confirmed.

4. That the District shall be and is hereby duly and regularly organized in accordance with the requirements of § 32-1-101, *et seq.*, C.R.S.

5. That the District shall be known as "Morgan Hill Metropolitan District No. 1".

6. That the District is located in Weld County, Colorado, as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference. A map of the District shall be filed with the Weld County Assessor and the accuracy thereof updated pursuant to § 32-1-306, C.R.S.

7. That the District shall be a quasi-municipal corporation and political subdivision of the State of Colorado with all the powers thereof in conformity with the Service Plan, as may be amended.

8. Pursuant to § 32-1-306, C.R.S., a certified copy of this Order shall be recorded by the Weld County Clerk and Recorder. A copy of the approved Service Plan for Morgan Hill Metropolitan District No. 1 and the resolution of the Board of Trustees of the Town of Erie



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approving the Service Plan shall be filed with the Weld County Clerk and Recorder to be retained as a public record for public inspection. Additionally, a copy of the Service Plan shall be filed with the Division of Local Government, Department of Local Affairs.

9. A copy of the Service Plan for Morgan Hill Metropolitan District No. 1 and the resolution of the Board of Trustees of the Town of Erie approving the Service Plan were filed with this Court as part of the Petition filed on September 24, 2008. Pursuant to § 32-1-205(2), C.R.S., the Service Plan and approving resolution are incorporated herein by this reference and the same shall be deemed appended to this Order at such time as all other legal procedures for District organization have been complied with.

10. 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 § 32-1-305.5(5), C.R.S., which Certificates are filed herewith:

<u>NAME</u>	<u>TERM</u>
Jon R. Lee	to May, 2010
Michael J. Burns	to May, 2010
Lewis G. Holtsclaw	to May, 2012

11. That the Bond of Petitioners in the amount of \$1,000 filed in this action pursuant to § 32-1-302, C.R.S., is hereby released and discharged.

12. That the members of the Board of Directors of the District and their lawful successors shall hereafter take such actions and proceedings as are necessary for the governance of the District.





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13. That the District shall have and exercise, through its Board of Directors and officers in conformity with the Service Plan, as may be amended, all of the powers and authorities conferred upon metropolitan districts under and by virtue of the provisions of Article 1, Title 32, C.R.S., and all laws relating thereto, and all powers and authorities as may hereafter be conferred by law.

DONE IN COURT this \_\_\_ day of \_\_\_\_\_, 2009.

BY THE COURT:

\_\_\_\_\_  
District Court Judge

3603552 02/05/2009 03:12P Weld County, CO  
4 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder



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*Roger A. Klein*

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District Court Judge

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## EXHIBIT A

### DISTRICT NO. 1 DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7 FROM WHENCE THE NORTHEAST CORNER LIES N89°42'31"E, 2,627.25 (BASIS OF BEARINGS);  
THENCE N89°42'31"E, 2,597.24 FEET ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SECTION 7;  
THENCE S00°56'30"W, 1,539.91 FEET ALONG THE WESTERLY RIGHT OF WAY LINE OF WELD COUNTY ROAD 3, BEING A LINE PARALLEL WITH AND 30.00 FEET WEST OF THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SECTION 7 TO THE POINT OF BEGINNING;

THENCE CONTINUING S00°56'30"W, 1,104.44 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE;  
THENCE N89°35'04"W, 3,111.95 FEET ALONG THE NORTHERLY RIGHT OF WAY LINE OF WELD COUNTY ROAD 10.5;  
THENCE N23°45'48"E, 210.22 FEET;  
THENCE N59°30'59"E, 90.75 FEET;  
THENCE N00°19'01"E, 110.40 FEET;  
THENCE S89°35'02"E, 140.00 FEET;  
THENCE N00°19'01"E, 280.00 FEET;  
THENCE S89°35'02"E, 971.46 FEET;  
THENCE N00°22'56"E, 170.00 FEET;  
THENCE S89°35'02"E, 317.85 FEET;  
THENCE N00°24'58"E, 118.00 FEET;  
THENCE S89°35'02"E, 396.08 FEET;  
THENCE N01°03'06"E, 763.36 FEET;  
THENCE N01°44'57"E, 60.01 FEET;  
THENCE N00°59'15"E, 146.10 FEET;  
THENCE S89°59'43"E, 362.07 FEET;  
THENCE S55°53'54"E, 145.90 FEET;  
THENCE N72°08'39"E, 69.61 FEET;  
THENCE S04°20'59"E, 70.00 FEET;  
THENCE S00°56'30"W, 481.47 FEET;  
THENCE S89°03'30"E, 161.11 FEET;  
THENCE S01°11'35"W, 170.00 FEET;  
THENCE S89°03'30"E, 415.23 FEET TO THE POINT OF BEGINNING, CONTAINING 3,008,891 SQUARE FEET OR 69.07 ACRES, MORE OR LESS.

  
3603552 02/05/2009 03:12P Weld County, CO  
5 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

**MORGAN HILL METROPOLITAN  
DISTRICT NO. 1 DESCRIPTION  
ERIE, COLORADO**

SCALE HDR. N/A  
VERT. N/A  
DESIGN/APPR.  
DRAWN BY BO  
DATE 08/19/08



**HURST & ASSOCIATES, INC.**  
CONSULTING ENGINEERS  
4999 Front East Circle, Suite 106  
Houder, Colorado 81201 (303) 419-8105

FILE G:\202046\SURVEY\LEGAL\046-DISTRICTS SHEET 1 OF 1



3603552 02/05/2009 03:12P Weld County, CO  
6 of 6 R 31.00 D 0.00 Steve Moreno Clerk & Recorder

This document constitutes a ruling of the court and should be treated as such.

**Court:** CO Weld County District Court 19th JD

**Judge:** Roger A Klein

**File & Serve  
Transaction ID:** 23174976

**Current Date:** Jan 20, 2009

**Case Number:** 2008CV8900

**Case Name:** In the matter of: MORGAN HILL METROPOLITAN DISTRICT NOS 1

**Court Authorizer:** Roger A Klein

**Court Authorizer  
Comments:**

BOND IS TO BE RELEASED AND DISCHARGED TO: MH DEVELOPMENT COMPANY INC. C/O  
WHITE BEAR & ANKELE, 1805 SHEA CENTER DRIVE, SUITE 100, HIGHLANDS RANCH, CO 80129

/s/ Judge Roger A Klein