

RESOLUTION 11-04

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD CONDITIONALLY APPROVING THE CONSOLIDATED SERVICE PLAN FOR SMPG METROPOLITAN DISTRICT NOS. 1 -6

WHEREAS, on August 31, 2004, the Consolidated Service Plan for SMPG Metropolitan District Nos. 1 - 6 (the "Districts") was submitted to the Board of Trustees of the Town of Berthoud, Colorado (the "Board"), pursuant to Sections 32-1-204.5, C.R.S.; and

WHEREAS, the Board held a public hearing on said Consolidated Service Plan on September 14, 2004; and

WHEREAS, notice of said public hearing was duly published in the "Berthoud Recorder," a newspaper of general circulation within the boundaries of the Districts, on Thursday September 9, 2004; and

WHEREAS, the Board has considered the Service Plan in reference to the information and criteria required and set forth in Section 32-1-202(2) and Section 32-1-203(2), C.R.S., and in light of testimony and other evidence presented to it at said public hearing; and

WHEREAS, the Board hereby finds that the Consolidated Service Plan should be approved as provided herein, pursuant to Section 32-1-204.5, C.R.S.;

NOW THEREFORE, it is hereby **RESOLVED** by the Board of Trustees of the Town of Berthoud, Colorado as follows:

1. **THAT:** the information contained within the Consolidated Service Plan satisfies the requirements of Section 32-1-202(2), C.R.S.

2. **THAT** evidence satisfactory to the Board of each of the following was presented, as provided in Section 32-1-203(2), C.R.S.:

a. There is sufficient existing and projected need for organized service in the area to be served by the Districts; and

b. The existing service in the area to be served by the Districts is inadequate for present and projected needs; and

c. The Districts are capable of providing economical and sufficient service to the area within their proposed boundaries; and

d. The area to be included in the Districts does have, and will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

2. **THAT** the requirements of Sections 32-1-204.5, C.R.S., relating to the contents and standards for approval of the Service Plan, have been fulfilled.

3. **THAT** the Consolidated Service Plan is hereby approved, subject to the condition that the Districts shall not be authorized to exercise any of the powers recited in, or contemplated by, the Consolidated Service Plan, including but not limited to the issuance of any bonds or the levying of any tax, until such time as the Town adopts a Resolution removing this condition in connection with approval of an amendment to the Consolidated Service Plan.

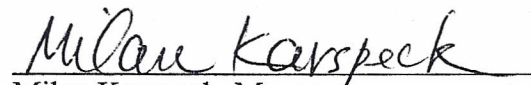
4. **THAT** the Board hereby approves and authorizes the attachment of this Resolution to the Petition for organization of the Districts in accordance with Section 32-1-205, C.R.S. and Section 32-1-301, C.R.S.

5. **THAT** any and all prior Resolutions or any parts thereof, to the extent that they are inconsistent with this Resolution, are hereby rescinded and shall be of no further force or effect.


The resolution was adopted by the Board of Trustees of the Town of Berthoud at its regular meeting on September 14, 2004 and is intended to apply to all transactions prior or subsequent to this date until rescinded by the Board of Trustees.

Dated this 14th day of September, 2004.

TOWN OF BERTHOUD, COLORADO


Milan Karspeck, Mayor

ATTEST:


Mary K. Cowdin, Town Clerk

I hereby certify that this is the original of Resolution 11-04 dated Sept. 14, 2004.


Mary K. Cowdin, Town Clerk