

RESOLUTION

WHEREAS, Thomas C. Bein owns Lots 9 through 12, Block 4, Rocky Mountain Addition to the Town of Berthoud, County of Larimer, State of Colorado. Thomas C. Bein and Louise I. Bein (the "Beins") own the North 77 feet of Lots 13 through 16, Block 4, Rocky Mountain Addition to the Town of Berthoud, County of Larimer, State of Colorado. The alley running between the two sets of lots has been vacated. All lots referenced above and the vacated alley are collectively referred to as the "Property";

WHEREAS, the Property lies within the Bein Special Improvement District 1985-1 (the "District") created by the Board of Trustees (the "Board") of the Town of Berthoud, Colorado (the "Town"), on March 19, 1985 for the purpose of acquiring, constructing and installing certain street, water, sanitary sewer and drainage improvements (the "Improvements");

WHEREAS, the Improvements have been acquired, constructed and installed, and have also been accepted by the Town;

WHEREAS, the District construction costs, engineering, surveying, testing, inspection and construction management costs, legal, appraisal, title work, administrative and interim financing fees, capitalized interest, and bond discount (collectively referred to as the "District Costs"), have been assessed against all properties within the District in accordance with the benefits derived from the Improvements as fully set forth in the Assessment Ordinance passed and adopted by the Town Board on January 14, 1986, and the Assessment Roll approved and confirmed as part of such Ordinance;

WHEREAS, for assessment purposes, the Property has been considered as one parcel;

WHEREAS, The Beins wish to divide and market the Property as two parcels as follows:

Parcel A: Lots 9 through 12, Block 4, Rocky Mountain Addition to the Town of Berthoud, County of Larimer, State of Colorado.

Parcel B: The North 77 feet of Lots 13 through 16, Block 4, Rocky Mountain Addition to the Town of Berthoud, County of Larimer State of Colorado, along with the vacated alley adjoining such lots on the north;

WHEREAS, the District Creation Ordinance No. 571 passed and adopted by the Board March 19, 1985 and Master Agreement require that prior to any division of District properties, the owner of the Property to be divided must prepare and present to the Town Board for its approval a plan for reallocating the assessments

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against the smaller parcels; and

WHEREAS, the Beins have submitted to the Board for its approval a Plan for Reallocation of Assessments (Bein Special Improvement District 1985-1) (the "Plan"), which Plan is attached as Exhibit A and incorporated herein by reference, and the Board has determined that the Plan is an equitable Plan which complies with the requirements contained in the Creation Ordinance and Master Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO, AS FOLLOWS:

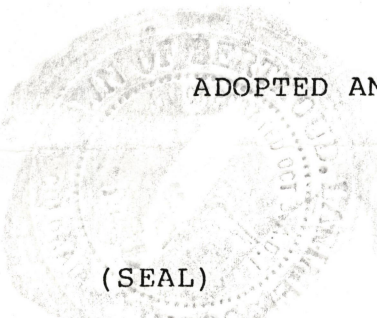
1. The Plan submitted to the Board by the Beins is accepted and approved, and the reallocation plan requirements as contained in the Creation Ordinance No. 571 passed and adopted by the Board on March 19, 1985 and the Master Agreement have been fully complied with by the Beins.

2. The assessments against the Property shall be reallocated as follows:

<u>Parcel</u>	<u>Square Feet</u>	<u>Assessment</u>
A (Lots 9 through 12, Block 4, Rocky Mountain Addition to the Town of Berthoud, County of Larimer, State of Colorado)	14,000	\$15,050.25
B (North 77 feet of Lots 13 through 16, Block 4, Rocky Mountain Addition to the Town of Berthoud, County of Larimer, State of Colorado, along with the vacated alley adjoining such lots on the north)	9,700	\$10,458.65

Total: 23,700 \$25,508.90

ADOPTED AND APPROVED THIS 22 day of April, 1986.

  
Tommy B. Lillan  
Mayor

(SEAL)

ATTEST:

Orabelle Patterson  
Town Clerk

Tony Bentland  
PO Box 116  
80513