

RESOLUTION

WHEREAS, Thomas C. Bein and Louise I. Bein (the "Beins") are owners of the following described real property located in the Town of Berthoud, County of Larimer, State of Colorado: Lots 1 through 9, Block 1, Berthoud Heights Subdivision, and Lots 1 and 2, Bein Fifth Addition (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, installed and accepted by the Town.

WHEREAS, 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 "Construction and other Project Costs"), will be assessed against all properties within the District in accordance with the Assessment Ordinance passed and adopted by the Board on January 14, 1986.

WHEREAS, the Beins have divided certain of the Property lots by rezoning and replatting the Property as a P.U.D. under the name of the Bein P.U.D. which was approved by the Town Board on January 28, 1986. A copy of the Final Plat of the Bein P.U.D. is on file with the Town Clerk.

WHEREAS, the District Creation Ordinance No. 571 passed and adopted by the Board March 19, 1985 and Master Agreement require the owner of any District property to be divided to prepare and present to the Town Board for its approval a plan for reallocating the assessments against the smaller parcels.

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. Under the Plan, the reallocation of assessments against the Lots in the Bein P.U.D. is as follows:

<u>Property</u>	<u>Assessment</u>
Lot 1	\$ 5,517.09
Lot 2	\$ 5,517.09
Lot 3	\$ 5,517.09
Lot 4	\$ 5,517.09
Lot 5	\$ 5,517.09
Lot 6	\$ 5,517.09
Lot 7	\$ 5,517.09
Lot 8	\$ 5,517.09
Lot 9	\$ 5,517.09
Lot 10	\$ 5,517.09
Lot 11	\$ 5,517.09
Lot 12	\$ 5,517.09
Lot 13	\$ 5,517.09
Lot 14	\$ 5,517.09
Lot 15	\$ 5,517.09
Lot 16	\$ 5,517.09
Lot 17	\$ 5,517.09
Lot 18	\$ 5,517.09
Lot 19	\$ 5,517.09
Lot 20	\$ 5,517.10
Lot 21	<u>\$ 11,034.19</u>
	TOTAL: \$121,376.00

ADOPTED AND APPROVED THIS 11 DAY OF March, 1986.

Tommy B. Fellow

Mayor

(SEAL)

ATTEST:

Markelle Patterson

Town Clerk