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RESOLUTION ESTABLISHING EAST CHEYENNE COUNTY LIBRARY DISTRICT

School District RE-5

WHEREAS, the Board of Trustees of the Town of Cheyenne Wells, Colorado was presented with a petition on the 12th day of August, 1996 for the organization of the East Cheyenne County Library District, a library district, the same to be formed with the Board of County Commissioners of Cheyenne County, Colorado, and to be located in Cheyenne County, Colorado pursuant to C.R.S. 24-90-101, *et seq.*, as amended, and

WHEREAS, notice that a public hearing would be held concerning said petition was duly given, notifying the public that a public hearing would be held on Tuesday, the 24th day of September, 1996 commencing at the hour of 6:30 P.M. at the Library of the Municipal Complex of the Town of Cheyenne Wells, County of Cheyenne, State of Colorado by the Board of County Commissioners of Cheyenne County and the Board of Trustees of Cheyenne Wells, the same being the governmental units forming the public library, and, included in said notice were all matters contained in said resolution herein, and

WHEREAS, said notice was given not less than thirty nor more than sixty days after the date of the first publication of said notice which first publication date was the 22nd day of August, 1996 in The Range Ledger, a newspaper of general circulation published and circulated in the County of Cheyenne, State of Colorado, the same being a legal newspaper as defined by C.R.S. 27-70-103, as amended, and

WHEREAS, a public hearing on said petition was held on Tuesday, the 24th day of September, 1996 commencing at the hour of 6:30 P.M. at the Library of the Municipal Complex of the Town of Cheyenne Wells, County of Cheyenne, by the Board of County Commissioners of Cheyenne County and the Board of Trustees of the Town of Cheyenne Wells, Colorado and at said public meeting discussion was held of the purposes of the library to be formed and, inasmuch as more than one governmental unit is involved, the powers, rights, obligations and responsibilities, financial and otherwise, of each governmental-unit, and

WHEREAS, the question of organization of said district was duly submitted to the vote of the registered electors of the proposed district at the general election held on Tuesday, November 5, 1996 and that 430 number of registered electors voted in favor of said organization with 325 number of registered electors voting against said organization so that said question duly passed by the majority of the electors in said district, and

WHEREAS, said petition was received by the Board of County Commissioners of Cheyenne County and the Board of Trustees of the Town of Cheyenne Wells more than ninety days proceeding said election, and

WHEREAS, pursuant to C.R.S. 24-90-107, as amended, it specifically provides that a resolution shall be created for the establishment and organization of said library district,

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Cheyenne Wells, Colorado as follows, to-wit:

1. That the East Cheyenne County Library District is hereby established, created and otherwise organized.
2. That said district is located in the County of Cheyenne, State of Colorado and is generally described as follows:

The present boundaries of the Cheyenne County RE-5 School District, being all of the property in the Town of Cheyenne Wells, and all of the property in Ranges 41, 42, 43, 44, 45 and 46 EXCEPT Sections 3 through 10, inclusive, and Section 15 through 22, inclusive, in Township 12 South, Range 46, all West of the 6th P.M., in Cheyenne County, Colorado;

and more fully described as follows:

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Commencing at a point which is the Southeast corner of Section 32, Township 16 South, Range 41 West of the 6th P.M. which point is the Southeast corner of Cheyenne County, Colorado, thence northward along the eastern boundary line of said Cheyenne County to a point which is the Northeast corner of Section 6, Township 12 South, Range 41 West of the 6th P.M. which point is the Northeast corner of Cheyenne County, Colorado, thence westward along the northern boundary line of said Cheyenne County, Colorado to a point which is the Northwest corner of Section 2, Township 12 South, Range 46 West of the 6th P.M., thence southward along the western boundary lines of Sections 2, 11, 14 and 23 in Township 12 South, Range 46 West of the 6th P.M. to the Northeast corner of Section 27, Township 12 South, Range 46 West of the 6th P.M.; thence westward along the northern boundary lines of Sections 27, 28, 29 and 30 in Township 12 South, Range 46 West of the 6th P.M. to the Northwest corner of Section 30 in Township 12 South, Range 46 West of the 6th P.M., thence southward along the boundary line between Ranges 46 and 47, West of the 6th P.M. to a point which is the Southwest corner of Section 31, Township 15 South, Range 46 West of the 6th P.M., thence westward along the northern boundary line of Section 6, Township 16 South, Range 46 West of the 6th P.M. to a point which is the Northwest corner of said Section 6, Township 16 South, Range 46 West of the 6th P.M., thence southward along the boundary line between Ranges 46 and 47 West of the 6th P.M. to a point which is the Southwest corner of Section 31, Township 16 South, Range 46 West of the 6th P.M., thence eastward along the south boundary line of Cheyenne County, Colorado, to the point and place of beginning, including all that territory located within the boundaries of the incorporated Town of Cheyenne Wells, State of Colorado.

3. That the proposed funding for the proposed district is as follows:

That a one mill levy or \$52,272.34 property tax dollars shall be imposed, commencing with taxes payable in 1997 and continuing each year thereafter. Additionally, the District may, from time to time, apply for and use grant monies awarded from public or private sources, as well as revenues from other sources, cash gifts or bequests which the District may from time to time receive, and that the electors must approve any amount of tax levy not previously established by resolution or ordinance nor previously approved by the electors before the library district can be established, notwithstanding any limitation or restrictions set forth in Article 10, Section 20 of the Colorado Constitution or any other law; and such levy is authorized pursuant to C.R.S. 29-1-302 concerning increased mill levies.

4. That upon the adoption of said resolution by both the Board of County Commissioners of Cheyenne County and the Board of Trustees of the Town of Cheyenne Wells, the same shall establish the East Cheyenne County Library District and provide for its financial support beginning January 1, 1997, the same being the year following the adoption of said resolution by both legislative bodies effecting the establishment.

5. That the Board of Trustees of the Town of Cheyenne Wells appoints Alan Lietzan and Don Esarey being two of its members to a committee which shall appoint the initial board of trustees of said library district. Trustee appointments shall be ratified by a two-thirds majority of the legislative bodies; except that the failure of a legislative body to act within sixty days upon a recommendation shall be considered a ratification of such appointment.

6. That a certified copy of said resolution, duly executed by both the legislative bodies shall act as official notice to the Cheyenne County Assessor of the creation of said library district, notice of the levying of a tax of one mill, and notice of the specific boundaries of said library district.

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Dated this 10 day of November, 1996.

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BOARD OF TRUSTEES OF THE TOWN
OF CHEYENNE WELLS, COLORADO

By Clarence Holthus
Clarence Holthus - Mayor

ATTEST:

Eadie L. Gibbs
Eadie L. Gibbs - Clerk