

IN THE MATTER OF THE ORGANIZATION  
OF  
KREMMLING SANITATION DISTRICT

FINDINGS AND DECREE

This matter coming on to be heard this 5th day of April, 1958, upon the petition duly filed herein praying the organization of the Kremmling Sanitation District, the proof of publication of the notice of election heretofore ordered by this Court to be held on the 1st day of April, 1958, upon the question of the organization of said Kremmling Sanitation District, and upon the certificate of the duly appointed judges of said election, and the Court having considered said petition, proof of publication, certificate of return and other evidence, and having heard the statement of counsel and being fully advised in the premises, BOTH FIND:

1. That the petition heretofore filed herein on the 20th day of January, 1958, praying the organization of said District, in form and substance conforms to the requirements of Colorado Revised Statutes, 1953, Chapter 89, Article 5, as amended by Chapter 193, Session Laws of Colorado, 1955, and by Chapters 186 and 187, Session Laws of Colorado, 1957, and is in all respects a due, legal and proper petition; that a good and sufficient indemnity bond was filed herein at the time of the filing of said petition, sufficient to pay the expenses connected with the proceedings in the event the District be not organized; that notice of hearing on said petition was given in the manner prescribed by law, by publication in Middle Park Times, a newspaper

of general circulation within the limits of the proposed District and within the County of Grand, State of Colorado; that the Clerk of this Court, by United States registered mail, mailed a copy of said notice of hearing upon said petition to the Board of County Commissioners of the County of Grand, State of Colorado, within which said proposed District is located, and to the Board of Trustees of the incorporated Town of Kremmling, which is located within the boundaries of said proposed District.

2. That pursuant to order of this Court duly entered on the 24th day of February, 1958, the question of the organization of said Kremmling Sanitation District was submitted to the taxpaying electors of the District at an election held at Kremmling in said proposed District, on the 1st day of April, 1958; that the polls at said election were kept open from 7:00 o'clock A. M. until 7:00 o'clock P. M. of said day, and that said election was held and conducted as nearly as could be in the same manner as general elections in this State; that the judges for said election, heretofore duly appointed by order of this Court, Deen Elevins, Gertrude Funkner and Mary Parrott have made their certified return to this Court of the results of the voting at said election in the manner provided by law.

3. That notice of said election held on the 1st day of April, 1958, was duly and regularly published in the manner provided by law, and in accordance with the order of this Court entered on the 24th day of February, 1958.

That at said election a total of one hundred thirty-eight (138) votes were cast upon the question of the organization of said proposed Kremmling Sanitation District; That one hundred five (105) of said ballots were voted for the organization of said District, and that twenty-three (23) of said ballots

were voted against the organization of said District; that a majority of the votes cast at said election were in favor of the organization of said proposed District; That at said election W. G. Holmes received the highest number of votes for Director to serve until the first biennial election; that Lee Brown and W. D. Payne received the highest number of votes for Directors to serve until the second biennial election; and that E. G. Ceriani and C. C. Reiff received the highest number of votes for Directors to serve until the third biennial election.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That said certificate of return of the judges of said election heretofore filed herein is in all respects proper and legal and the same is hereby approved.

2. That the said Kremmling Sanitation District be and the same is hereby declared to be duly organized under the laws of the State of Colorado and a body corporate under the provisions of Colorado Revised Statutes, 1953, Chapter 89, Article 5, as amended by Chapter 193, Session Laws of Colorado, 1955 and by Chapters 186 and 187, Session Laws of Colorado, 1957.

3. That the corporate name of said District is, and it shall hereafter be known as: Kremmling Sanitation District.

4. That said Kremmling Sanitation District shall have and exercise through its proper officers, all of the powers and authority conferred upon Sanitation Districts under and by virtue of the provisions of Colorado Revised Statutes, 1953, Chapter 89, Article 5, as amended by Chapter 193, Session Laws of Colorado, 1955 and by Chapters 186 and 187, Session Laws of Colorado, 1957, and all such powers and authority as are or may be hereafter conferred by law.

5. That the following persons are, in accordance with the vote at said election, hereby designated as the first Board

of Directors of said Kremmling Sanitation District for the term set opposite their respective names, to-wit:

W. C. Holmes to serve until the first biennial election;

Lee Brown and W.D. Payne to serve until the second biennial election; and

E. G. Ceriani and C. C. Reiff to serve until the third biennial election.

6. That said District be and the same is hereby declared created and established as a governmental subdivision of the State of Colorado, and as a body corporate, with all the powers of a public or quasi-municipal corporation; that the said Board of Directors herein named, and their duly elected and qualified successors, shall have, and they are hereby vested with, all the powers, duties and obligations of directors of a Sanitation District as conferred by said Colorado Revised Statutes, 1953, Chapter 89, Article 5, as amended by Chapter 193, Session Laws of Colorado, 1955, and Chapters 186 and 187, Session Laws of Colorado, 1957 and as are or may by law hereafter be provided.

7. That the boundaries of said Kremmling Sanitation District and the territory to be included therein are as follows, to-wit:

A district lying in Sections 7, 8, 17 and 18, all in Township 1 North, Range 80 West of the 6th Principal Meridian, Grand County, Colorado. Said land has been surveyed, platted into Blocks and Lots, and Tracts of land and so designated as tracts of land or Additions to the Town now known as Kremmling, Colorado, and document thereof filed with the Clerk and Recorder of Grand County, Colorado and is more particularly described as follows: (Book and page and file numbers refer to the records of the Clerk and Recorder of Grand County, Colorado).

- A. The Town of Kremmling (Wilford) as the plat thereof appears at book 13, page 50, File #4225 and The Town of Kremmling (Kinsey) as the plat thereof appears at Book 13, Page 255, File #4583, consisting of part of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 7, Twp. 1 N., R. 80 West 6th P. M.

- B. The Dietrich Addition to Kremmling (Kinsey), May 4, 1903, as the same appears at File #8793, consisting of part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 18, Twp. 1 N., R. 80 W. 6th P. M.
- C. Gore City Addition to Kremmling, May 1, 1905, as the same appears at File #10942, consisting of all of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 6, and all of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 17, all in Twp. 1 N., R. 80 W. of 6th P. M.
- D. Heini Addition to Kremmling, August 12, 1905, as the same appears at File #11153, consisting of part of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 7, Twp. 1 N., R. 80 W. 6th P. M.
- E. Frontier Investment Company's Addition to Kremmling, August 18, 1906, as the same appears at File #12042, consisting of part of the E $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 18, part of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 6, all of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 17, part of the S $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 17, all in Twp. 1 N., R. 80 W. 6th P. M.
- F. Parcels of land lying in the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 7, Twp. 1 N., R. 80 W. 6th P. M. described as follows:

1. Book 86, Page 98, Records of the Clerk and Recorder of Grand County:

"Beginning at a stone monument marked a on the West property line of the street road and highway running between said stone monument and Block Nine (9) of Kinsey City, now the incorporated Town of Kremmling; thence north along said west property line of said street road and highway two hundred (200) feet to a point; thence west and at right angles to said first course hereinabove described, one hundred fifty (150) feet to a point; thence south and parallel to said first course hereinabove described, two hundred (200) feet to a point; thence east one hundred fifty (150) feet to the point of beginning."

2. Book 105, Page 33, Records of the Clerk and Recorder of Grand County.

The West half of a tract of land described as follows:  
 A tract of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 7, Twp. 1 N., R. 80 W. of the 6th P. M. more particularly described as follows: Beginning at the SE corner of said tract on the west corporate limits of the town of Kremmling and 752 ft. north of the south section line of said Sec. 7 and running north along the east line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 7, 60 ft.; thence west parallel to the south section line of said Sec. 7, 150 ft., thence south parallel to the east line of SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 7, 60 ft., thence east parallel to the south line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 7, 150 ft., more or less to the place of beginning, the whole tract containing 0.206 acres, more or less, and intending to convey hereby 0.103 acres more or less with the improvements located

3. Book 94, Page 240, Records of the Clerk and Recorder of Grand County:

A tract of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 7, Tp. 1 N., R. 80 W, 6th P. M. more particularly described as follows: Beginning at the SE corner of said tract on the west corporate limits of the Town of Kremmling and 752 ft. north of the south section line of said Sec. 7 and running north along the east line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 7, 60 ft.; thence west, parallel to the south section line of said Sec. 7, 150 ft.; thence south parallel to the said east line of SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 7, 60 ft.; thence east parallel to the south line of said Sec. 7, 150 ft. to the place of beginning and containing in all 0.200 acres, more or less with all improvements thereon.

4. Book 100, Page 16, Records of the Clerk and Recorder of Grand County:

A tract of land in the southwest quarter of the southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section Seven (7), Township One (1) North, Range Eighty (80) West of the Sixth Principal Meridian, more particularly described as follows: Beginning at the southeast corner of said tract and identical with the Northeast corner of the McDougal Tract on the West corporate limits of the Town of Kremmling and 812.00 feet North of the Southeast corner of the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section Seven (7), Township One (1) North, Range Eighty (80) West of the 6th P. M., and along the East line of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence north along the corporate limit of the said Town of Kremmling, a distance of 140 feet to the Northeast corner of said Tract; thence West and parallel to the South Section line of said Section Seven (7), a distance of 150 feet, to the Northwest corner of the said Tract; thence South and parallel to the East line of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section Seven (7), a distance of 140 feet to the Southwest corner of said Tract and identical with the Northwest corner of the McDougal Tract; thence East parallel to the South Section line of said Section Seven (7), and along the North line of the McDougal Tract, a distance of 150 feet to the point of beginning, containing 0.482 acres. Together with all improvements situate thereon.

5. Book 92, Page 157, Records of the Clerk and Recorder of Grand County:

"Beginning at Corner No. 1, from whence the Northwest Corner of Block 9 in the Town of Kremmling, Grand County, Colorado, according to the official plat thereof, bears S. 65° E. 336 feet and running thence S. 10° E. 417 feet to Corner No. 2, thence S. 80° W. 208.7 feet to Corner No. 3, thence N. 10° W. 417.4 feet to Corner No. 4, thence N. 80° E. 208.7 feet more or less to the place of beginning, containing Two (2) acres more or less, courses true North, magnetic variation 14° 30' East. Said tract of land being in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 7, Tp. 1 N., Range 80 West of the 6th P. M.

8. That within thirty (30) days after the date of this Findings and Decree, the Clerk of this Court shall transmit to the County Clerk and Recorder of the County of Grand, State of Colorado, a copy of these findings and this decree of Court incorporating said District, which shall be filed in the same manner as articles of incorporation by said Clerk and Recorder.

9. That this order shall be deemed final and no appeal or writ of error shall lie therefrom, and that this order finally and conclusively establishes the regular organization of said Kremmling Sanitation District against all persons, except the State of Colorado, in an action in the nature of a writ of quo warranto, commenced by the Attorney General within thirty (30) days after the date hereof, and not otherwise; that the organization of said District shall not otherwise be directly or collaterally questioned in any suit, action or proceeding.

DONE in Open Court this 5<sup>th</sup> day of April, 1958.

By the Court:

1st Addison M. Gooding  
Judge

IN THE DISTRICT COURT IN AND FOR THE  
COUNTY OF GRAND AND THE  
STATE OF COLORADO

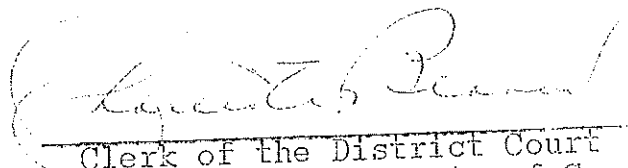
Action No. 1283

IN THE MATTER OF THE ORGANIZATION )  
OF )  
SEWELING SANITATION DISTRICT )

CERTIFICATE OF  
AUTHENTICITY

I, Charles W. Bloom, Clerk of the District Court  
in and for the County of Grand, State of Colorado, do here-  
by certify that the foregoing seven (7) pages constitute a  
true and accurate copy of the Findings and Decree of the  
District Court of the County of Grand, entered on the 5<sup>th</sup>  
day of April, 1958, as the same appears of record in the  
files of my office.

IN WITNESS WHEREOF, I have hereunto set my hand  
and the seal of my office, this 9<sup>th</sup> day of April, 1958.



Clerk of the District Court  
in and for the County of Grand,  
State of Colorado

(SEAL)