

**RESOLUTION OF THE BOARD OF DIRECTORS OF
COLORADO CENTRE METROPOLITAN DISTRICT TO FILE LIEN AGAINST
TRESMAR, LLC**

RESOLUTION 2009-08-27.2

WHEREAS, The Colorado Centre Metropolitan District (“the District”) is a Colorado special district organized pursuant to the Colorado Special District Act, COLO. REV. STAT. § 32-1-101 *et seq.*; and

WHEREAS, the District operates a public water system in El Paso County, Colorado; and

WHEREAS, Tresmar, LLC are owners of Tract “A” Morning Sun II-A/ Cool Shadow Court/Plat No: 8695/Schedule No: 5503106039/El Paso County/ Colorado Springs, Colorado 80925.

WHEREAS, Tresmar, LLC’s property had been connected to the District’s water lines since approximately January, 1988; and

WHEREAS, as of July 31, 2009, Tresmar, LLC owed the District a total of \$5,333.48 for unpaid sewer availability of service charges, interest and lien fees; and

WHEREAS, the District has not received any payments from Tresmar, LLC for sewer availability of service charges, interest and lien fees; and

WHEREAS, the District has made substantial efforts to collect the balance owed by Tresmar, LLC; and

WHEREAS, on or about September 10, 2008 the District prepared a notice of lien in the amount of \$1,376.84 and also including any future sewer availability of services charges, interest and lien fees, representing unpaid availability of services charges and Notice of this lien was provided by certified mail to the property owner’s mailing address; and

WHEREAS, COLO. REV. STAT. § 32-1-1101(1)(e) allows a special district to elect, by resolution to have delinquent water and sewer fees, penalties, charges and assessments certified to the County Treasurer to be collected and paid over by the County Treasurer in the same manner as taxes are authorized to be collected and paid over pursuant to COLO. REV. STAT. §39-10-107; and

WHEREAS, the delinquent fees, penalties, assessments and other charges owed by Tresmar, LLC to the District total \$5,333.48, or more than one hundred fifty dollars, and Tresmar LLC’s account with the District has been in delinquency for more than six months; and

WHEREAS, the District has received no payment from Tresmar, LLC as of July 31, 2009;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:


1. The District shall post a notice of the lien for delinquent fees, penalties, assessments and other charges owed by Tresmar, LLC to the District at Tract "A" Morning Sun II-A/ Cool Shadow Court/Plat No: 8695/Schedule No: 5503106039/El Paso County/ Colorado Springs, Colorado 80925.

2. The District shall record a copy of the posted lien at the El Paso County Clerk and Recorder to provide record notice to anyone who may obtain an ownership or use interest in the property located at Tract "A" Morning Sun II-A/ Cool Shadow Court/Plat No: 8695/Schedule No: 5503106039/El Paso County/ Colorado Springs, Colorado 80925.

The foregoing is a true copy of a resolution duly adopted by the Board of Directors of the Colorado Centre Metropolitan District by unanimous vote at a regular Board meeting on August 27, 2009.



Michael Cantin, President



Shawn Eccles, Secretary