

**PUBLIC IMPROVEMENT DISTRICT 2007-1
IN THE VILLAGE OF ANGEL FIRE, NEW MEXICO**

RESOLUTION NO. 2010-__1__

WHEREAS, on February 14, 2008, the Angel Fire Village Council adopted Village Resolution No. 2008-07, ordering the formation of the AFPID and providing for governance of the AFPID by appointing the PID Board subject to a mail ballot election; and

WHEREAS, on May 6, 2008, the Angel Fire Village Council adopted Village Resolution No. 2008-23, approving the Certificate of Election Results authorizing formation of the AFPID and directed publication of its notice of adoption of the resolution; and

WHEREAS, Keith and Brenda Petree (the "Petrees") are the owners of property located in the Angel Fire Public Improvement District more specifically described as: Lot 245-Amended, Angel Fire Village North as shown on plat book 15, page 19155, records of Colfax County, New Mexico, as described in that Combination of Lots recorded May 20, 2005 at Real Estate Records Book 16, Page 7391 (hereinafter "Lot 245-A"); and

WHEREAS, on or about November 10, 2008, the Colfax County Treasurer issued its 2008 Tax Bill ("Tax Bill") to the Petrees on Lot 245-A. The Tax Bill indicated an AFPID assessment of \$749 and \$1,969 for Lots 272 and 245 respectively, for a total of \$2,718; and

WHEREAS, on or about April 9, 2009, the Petrees paid Colfax County \$2,000.00 with the intent that that sum be applied to the AFPID assessment and County taxes; and

WHEREAS, the \$2,718 total AFPID assessment incorrectly includes a \$1,969 assessment for Lot 245 which lot was combined with Lot 272 to form Lot 245-A.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF PUBLIC IMPROVEMENT DISTRICT 2007-1 IN THE VILLAGE OF ANGEL FIRE, NEW MEXICO:

1. The Petrees' (Owner No. 0054305, Property Code 10891513730067340) are the owners of a single combined lot, Lot 245-A which combined lot was formerly known as Lots 245 and 272. The Petrees' and Lot 245-A were incorrectly assessed for two separate assessments instead of a single \$749 assessment.

2. The Petrees should be assessed no more than \$749.00 annually for Lot 245-A, Angel Fire Village North as the AFPID special levy. Thus, the AFPID shall only assess \$749.00 for Lot 245-A on an annual basis commencing with the 2008 Colfax County Tax Bill. This does not preclude the AFPID from reducing its special levy in the future.


3. The Colfax County Treasurer, on behalf of the AFPID, shall only assess and collect \$749.00 for Lot 245-A on an annual basis as the AFPID special levy commencing with the 2008 tax bill. This does not preclude the Colfax County Assessor or Treasurer from otherwise changing their full value, taxable value, tax rate or assessment in the usual and ordinary course of County business.

4. The Colfax County Treasurer shall forward \$749.00 of the Petree payment to the AFPID, and retain the amount of \$1,251.00 to be applied to the balance of the 2008 and 2009 Colfax County Tax Bill and PID levy.

5. The Petrees agree that they will not subdivide Lot 245-A. The Petrees further agree that they shall have no access or utility service to or from Lot 245-A from Snowbird Lane and shall only have access and utility service from Back Basin Road. All parties agree that these conditions shall be deemed covenants that run with the land and that this agreement shall be filed with the Colfax County Clerk to reflect that such conditions run with the land. A copy of such agreement is attached to this Resolution.

PASSED, APPROVED AND ADOPTED THIS 13 DAY OF January 2010.

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MEXICO



Chairperson

ATTEST:



District Administrator