

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

**RESOLUTION NO. 2013-14**

**WHEREAS**, on February 14, 2008, pursuant to Sections 5-11-1 through 5-11-27, NMSA 1978 as amended (the "Public Improvement District Act") and Village of Angel Fire, New Mexico (the "Village") Resolution No. 2007-34, the Village adopted Resolution No. 2008-07 (the "Formation Resolution") creating the Village of Angel Fire Public Improvement District No. 2007-1 (the "AFPID"); and

**WHEREAS**, the Formation Resolution authorized the Board of Directors of the District (the "Board"), among other things, to: (i) finance and construct certain public infrastructure improvements ("Improvements") upon real property in the District ("Real Property"); (ii) impose a District special levy upon the Real Property within the AFPID (the "Special Levy") to finance the Improvements; and (iii) issue bonds in an aggregate principal amount not to exceed \$24,978,5250 to finance the Improvements; and

**WHEREAS**, the Formation Resolution also approved revisions to the General Plan and the Rate and Method of Apportionment of Special Levy ("Rate and Method") subject to an election required under the Public Improvement District Act; and

**WHEREAS**, the AFPID was subsequently approved by an election of AFPID Real Property owners held on April 21, 2008; and

**WHEREAS**, a Notice of Imposition of Special Levy was recorded in the real property records of Colfax County, New Mexico on June 4, 2008; and

**WHEREAS**, by letter dated October 16, 2009, the AFPID informed certain Real Property owners that the Village and the AFPID had reserved infrastructure issues for additional review and consideration by the AFPID; and

**WHEREAS**, such additional review was delayed pending the outcome of litigation brought by various litigant lot owner ("Litigant Lot Owners"). All pending litigation has now been resolved in favor of the AFPID and against such Litigant Lot Owners. Given the Courts' decisions in favor of the AFPID and the conclusion of the litigation, the AFPID resumed the administrative hearing process designed to resolve any outstanding infrastructure issues; and

**WHEREAS**, on May 9, 2013, the Board held an administrative hearing to consider the objection of James Hamilton to the AFPID assessment on Lot 1176 Country Club 1 & 2 Amended/Reamended Subdivision; and

**WHEREAS**, on May 29, 2013, after considering Mr. Hamilton's objection, the Board found:

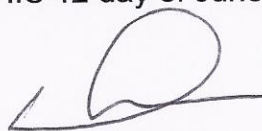
1. Mr. Hamilton's objection was first noted sometime after May 2009;
2. There is no home on Lot 1176 and thus, no electric or telecommunication service line extensions onto the lot; and
3. There was no testimony or evidence presented regarding the exact nature of the requested relief.

**WHEREAS**, accordingly, the Board decided that Mr. Hamilton's request (if any) regarding an adjustment of the AFPID assessment should be denied. A copy of the decision is attached hereto and incorporated herein by reference.

**NOW THEREFORE**, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ANGEL FIRE PUBLIC IMPROVEMENT DISTRICT:

1. Mr. Hamilton's request (if any) regarding an adjustment of the AFPID assessment is denied.
2. Pursuant to Rule 1-074 NMRA 2002, any appeal from the decision of the Board must be filed with the Eight Judicial District Court in Raton, New Mexico, within 30 days after the date of this resolution.

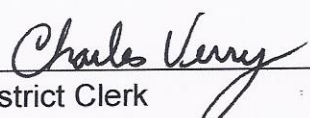
PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE ANGEL FIRE PUBLIC IMPROVEMENT DISTRICT No. 2007-1 THIS 12 day of June, 2013.



\_\_\_\_\_  
Vice Chairperson

ATTEST:

  
\_\_\_\_\_  
District Administrator

  
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District Clerk