

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

RESOLUTION NO. 2016-09

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

WHEREAS, on April 14, 2005, prior to the formation of the AFPID, Lot 1254 and Lot 1255 Country Club Unit-1 ReAmended were replatted and combined into a newly platted and designated titled "Lot 1254-Amended, Country Club Unit-1 ReAmended." Such redesignation was filed in Real Estate Records Book 16, Page 5421, records of Colfax County, New Mexico; and

WHEREAS, in August 2005, prior to the formation of the AFPID, Lot 1254-Amended, Country Club Unit-1 ReAmended was acquired by John S. and Jerrilyne M. Roberson (the Robersons); and

WHEREAS, since the inception of the AFPID in 2008, the Robersons have been erroneously assessed and paying two separate AFPID assessments, one for Lot 1254 Country Club Unit-1 ReAmended and another for Lot 1255 Country Club Unit-1 ReAmended; and

WHEREAS, the AFPID desires to (1) recognize the erroneous duplicate assessment, (2) apply the credit for the duplicate payments to Lot 1254-Amended, Country Club Unit-1 ReAmended, (3) release the AFPID lien on Lot 1254-Amended, Country Club Unit-1 ReAmended, and (4) credit the remaining Roberson overpayment to another Roberson-owned lot, i.e. Lot 1256, Country Club Unit-1 ReAmended; and

WHEREAS, given the amount of the credit due to the Robersons attributable to the dual assessment and payments made by the owner to date, the Robersons have elected to prepay the balance of the AFPID assessment due on Lot 1256, Country Club Unit-1 ReAmended; and

WHEREAS, the AFPID is agreeable to accepting a prepayment in the sum of \$17,715.35 and forever releasing the Robersons and Lot 1256, Country Club Unit-1 ReAmended from the lien and assessment of the AFPID.

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

1. John S. and Jerrilyne M. Roberson (the Robersons) are the owners of a single combined lot, Lot 1254-Amended, Country Club Unit-1 ReAmended, which combined lot was formerly known as Lots 1254 and 1255 Country Club Unit-1 ReAmended. Lots 1254 and 1255 were combined on April 14, 2005 and such redesignation was filed of record in Real Estate Records Book 16, Page 5421, records of Colfax County, New Mexico.
2. Since the inception of the AFPID in 2008, the Robersons were incorrectly levied an additional \$19,906.25 for two separate assessments instead of a single assessment that should have recognized combined Lot 1254-Amended, Country Club Unit-1 ReAmended.
3. Given the erroneous duplicate assessment, the AFPID agrees to apply the \$19,906.25 overpayment credit to the prepayment balance of \$18,810.80 on Lot 1254-Amended, Country Club Unit-1 ReAmended and forever release the AFPID lien on Lot 1254-Amended, Country Club Unit-1 ReAmended.
4. The AFPID further agrees to apply the remaining credit of \$1,095.44 (\$19,906.25 - \$18,810.80) to another Roberson-owned lot, i.e. Lot 1256, Country Club Unit-1 ReAmended.
5. Because the Robersons have elected to prepay the balance of the AFPID assessment due on Lot 1256 in the amount of \$18,810.79, the AFPID agrees to accept the Roberson's payment of \$17,715.35 (\$18,810.79 - \$1,095.44) in complete satisfaction of the AFPID assessment on Lot 1256 and forever release the AFPID lien on Lot 1256-Amended, Country Club Unit-1 ReAmended.
6. Upon receipt of the \$17,715.35 prepayment from the Robersons, the District Administrator is directed to execute and file the appropriate releases in favor of the Robersons for Lot 1254-Amended, Country Club Unit-1 ReAmended and for Lot 1256, Country Club Unit-1 ReAmended.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE ANGEL FIRE
PUBLIC IMPROVEMENT DISTRICT No. 2007-1 THIS ____ DAY OF May, 2016.

Don C. Brown
Chairperson *Pro Tem*

ATTEST:

SSollars
District Administrator

Charles Verry
District Clerk