

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

RESOLUTION NO. 2017-07

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, as a duly formed and authorized Public Improvement District, the AFPID is a political subdivision of the state, separate and apart from the Village of Angel Fire; and

WHEREAS, the AFPID was forced to take statutorily authorized foreclosure action on various lots after certain lot owners defaulted and failed to pay AFPID special levy assessments. The AFPID's foreclosure action has resulted in AFPID ownership of five lots; and

WHEREAS, the AFPID has also acquired lots by accepting deeds in lieu of foreclosure; and

WHEREAS, all AFPID-owned lots have been actively listed for sale by the AFPID since their respective acquisitions; and

WHEREAS, the AFPID may in the future acquire additional lots via foreclosure actions or acceptance of deeds in lieu of foreclosure; and

WHEREAS, as a political subdivision of the state of New Mexico, the AFPID is exempt from taxation, and as such, all AFPID-owned lots were removed from the tax rolls of Colfax County and are thus recognized as tax exempt; and

WHEREAS, despite its tax exempt status, the AFPID continues to receive Colfax County issued tax bills reflecting continuing, accrued and delinquent AFPID special levy assessments for the six (6) AFPID-owned lots; and

WHEREAS, by AFPID Resolution No. 2017-06 the Colfax County Treasurer and Assessor were directed to remove from its bills and rolls all AFPID special levee assessments from current and future AFPID-owned lots retroactive to the year of the AFPID's acquisition until such lots are sold to third parties; and

WHEREAS, the Colfax County Treasurer and Assessor have recently informed the AFPID that they are unable to remove AFPID special levee assessments previously included on the tax enrollment forms; and

WHEREAS, the AFPID's payment of AFPID special levee assessments on AFPID owned lots as reflected on current Colfax County tax bills should resolve all outstanding assessment liability on such lots; and

WHEREAS, the AFPID's payment of AFPID special levee assessments will result in that payment amount being re-distributed back to the AFPID, less Colfax County's one percent (1%) handling fee.

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

1. Decretal Paragraphs 1 and 2 of Resolution No. 2017-06 are hereby withdrawn, repealed and superseded by the provisions of this Resolution No. 2017-07.

2. The Board of Directors authorizes payment in full of the AFPID special levee assessments shown on the Colfax County Treasurer's records as of this date for the following AFPID-owned lots in the amount indicated below:

Lot	Parcel Number	Date acquired	Unpaid AFPID assessments per Colfax County (2010-2016)
Angel Fire West Village, Lot 120	1087150401219	12/31/2010	7,871.36
Country Club 1&2 Amended/Reamended, Lot 1213	1087150476025	12/31/2010	5,404.55
Country Club 1&2 Amended/Reamended, Lot 1311	1087150448089	12/31/2010	11,136.38
Chalets 2G Amended, Lot 13	1090149514173	12/31/2010	13,302.22
Chalets 2G Amended, Lot 82	1091149161005	12/31/2010	13,302.22
Angel Fire West Village, Lot 123	1087150416255	1/12/2015	3,708.45

3. The Colfax County Treasurer and Assessor are directed to refrain from posting, accruing and billing to the AFPID any AFPID special levy assessments on the above referenced lots so long as such lots are owned by the AFPID.

4. In the event the AFPID acquires, by any means whatsoever, any other lots in the future, and such lots are subject to an AFPID special levy assessment, the Colfax

County Treasurer and Assessor are further directed to refrain from posting, accruing and billing to the AFPID any AFPID special levy assessments on such lots so long as such lots are owned by the AFPID.

5. In the event the AFPID acquires other lots in the future, by any means whatsoever, and such lots are subject to an AFPID special levy assessment, the District Administrator shall provide both the Colfax County Treasurer and Assessor with the parcel number and property description of such AFPID-owned to facilitate the Treasurer's and Assessor's removal of AFPID special levy assessments on such lots for the period of time the lots are owned by the AFPID.

6. In the event the AFPID sells any AFPID-owned lot to a third party, and such lot is subject to an AFPID special levy assessment, the District Administrator shall provide both the Colfax County Treasurer and Assessor with the parcel number and property description of such AFPID-owned lot to facilitate the Treasurer's and Assessor's reinstatement and posting of the AFPID special levy assessment on that lot.

7. Neither this resolution nor the waiver or removal of any AFPID special levy assessment from AFPID-owned lots shall in any way be construed to waive or release the lien of the AFPID on any lot, now or in the future, unless the lien is expressly released by action of this Board and filed with the Colfax County Clerk.

PASSED, APPROVED AND ADOPTED THIS 9th DAY of February, 2017.

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IN THE VILLAGE OF ANGEL FIRE, NEW
MEXICO

Don A. Boyeson pro tem
Chairperson

ATTEST:

S. S. L. L. L.
District Administrator