RINGING OF THE BELL:

1. CALL TO ORDER:

2. ROLL CALL & PLEDGE OF ALLEGIANCE:

3. ADENDA CHANGES:

4. CONFLICTS OF INTEREST: (Council disclosures are on file w/City Clerk & Sec. of State)

5. PUBLIC COMMENT: Please limit comments to 5 minutes

6. APPROVAL OF MINUTES: October 28, 2015

7. PUBLIC HEARINGS:

   A. CB24, An Ordinance Vacating Certain Municipally Owned Tract and Certain Right-of-Way Subject to the Reservation of Easements Thereunder.

   B. Resolution 71-2015, A Resolution Adopting a Three Mile Plan for the City of Black Hawk (does not require a public hearing, but must be adopted first before annexation and rezoning)

   C. CB25, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 1 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   D. CB26, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 2 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   E. CB27, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 3 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   F. CB28, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 4 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   G. CB29, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 5 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   H. CB30, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 6 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   I. CB31, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 7 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   J. CB32, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 8 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   K. CB33, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 9 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   L. CB 34, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 10 of Contiguous Unincorporated City-Owned Property Located in Gilpin County

   M. CB 35, An Ordinance Approving and Accomplishing the Annexation of Quartz Valley/Maryland Mountain 2015 Annexation No. 11 of Contiguous Unincorporated City-Owned Property Located in Gilpin County
N. CB36, A Bill for an Ordinance Zoning Certain City-Owned Property (Quartz Valley Maryland Mountain 2015 annexation parcels) to the HARD – History Appreciation Recreation Destination District.

O. CB37, An Ordinance Repealing Section 10-133 of the Black Hawk Municipal Code

P. CB38, An Ordinance Amending Section 4-175 of the Black Hawk Municipal Code Regarding Imposition of the Transportation Device Fee

Q. CB39, An Ordinance Amending Section 4-177 by the Addition Thereto of a New Subsection (c) Providing that the City of Black Hawk Transportation Device Fee Trust Fund is and shall be Operated as an Enterprise Fund within the meaning of Colorado Law

R. 2016 Proposed Budget

8. ACTION ITEMS:


T. CITY MANAGER REPORTS: Holiday and Annual Bonus Discussion

U. CITY ATTORNEY:

V. EXECUTIVE SESSION:

W. ADJOURNMENT:

MISSION STATEMENT
The mission of the City of Black Hawk is to progressively provide cost effective programs and services of the highest quality to the community.
There was no bell ringer for today’s meeting.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, October 28, 2015, at 3:00 p.m. by Mayor Spellman.

2. ROLL CALL: Present were: Mayor Spellman, Aldermen Armbright, Bennett, Johnson, Midcap, Moates, and Torres.

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, City Clerk/Administrative Services Director Greiner, Finance Director Hillis, Community Planning and Development Administrator Linker, Public Works Director Isbester, Fire Chief Taylor, and Deputy City Clerk Martin.

PLEDGE OF ALLEGIANCE: Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: Deputy City Clerk Martin reported no changes to the agenda.

4. CONFLICTS OF INTEREST: City Attorney Hoffmann asked Council to declare any Conflicts of Interest on any issue appearing on the agenda this afternoon other than those previous disclosures and conflicts that have already been disclosed and are on file with the City Clerk and Secretary of State. There were no conflicts noted from City Council.

City Attorney Hoffmann asked the audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. The audience had no objections.

5. PUBLIC COMMENTS: Deputy City Clerk Martin confirmed that no one had signed up to speak.
6. APPROVAL OF MINUTES

October 14, 2015.

MOTION TO APPROVE

Alderman Moates MOVED the approval of the minutes with one amendment to include thanks to Mayor Spellman who wrote the narrative that Alderman Moates was able to read for the Official Best Small Town Getaway video production. The motion was SECONDED by Alderman Armbright.

MOTION PASSED

There was no discussion and the motion passed unanimously.

7. PUBLIC HEARINGS:

A. CB23, An Ordinance Approving the 2016 Operating Plan and Budget for the Black Hawk Business Improvement District (BID)

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item and stated that under the original 2001 BID Operating Plan and Budget, and State law, the City Council is required to approve the proposed budget each year. Mayor Spellman added that the only difference over last year is that the BID has agreed to raise the mill levy from 0.714 to 1.5 mils for marketing purposes.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB23, An Ordinance Approving the 2016 Operating Plan and Budget for the Black Hawk Business Improvement District open and invited anyone wanting to address the Board either “for” or “against” the proposed ordinance to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

MOTION TO APPROVE

Alderman Bennett MOVED and was SECONDED by Alderman Johnson to Approve CB23, An Ordinance Approving the 2016 Operating Plan and Budget for the Black Hawk Business Improvement District.

MOTION PASSED

There was no discussion and the motion PASSED unanimously.

8. ACTION ITEMS:

None
9. CITY MANAGER REPORTS: City Manager Lewis had nothing to report.

10. CITY ATTORNEY: City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 5 for Executive Session.

**MOTION TO ADJOURN INTO EXECUTIVE SESSION**

Alderman Bennett MOVED and was SECONDED by Alderman Johnson to adjourn into Executive Session at 3:05 p.m. to hold a conference with the City’s attorney to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiators, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

**MOTION PASSED**

There was no discussion and the motion PASSED unanimously.

**MOTION TO ADJOURN**

Alderman Bennett MOVED and was SECONDED by Alderman Johnson to adjourn the Executive Session at 3:15 p.m.

**MOTION PASSED**

There was no discussion and the motion PASSED unanimously.

13. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 3:15 p.m.

Melissa A. Greiner  David D. Spellman
City Clerk  Mayor
COUNCIL BILL 24
AN ORDINANCE VACATING A CERTAIN MUNICIPALLY OWNED TRACT AND CERTAIN RIGHT-OF-WAY, SUBJECT TO THE RESERVATION OF EASEMENTS THEREUNDER
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB24

ORDINANCE NUMBER: 2015-24

TITLE: AN ORDINANCE VACATING A CERTAIN MUNICIPALLY OWNED TRACT AND CERTAIN RIGHT-OF-WAY, SUBJECT TO THE RESERVATION OF EASEMENTS THEREUNDER

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Pursuant to C.R.S. § 43-2-303 and Section 17-67 of the Black Hawk Municipal Code, the City of Black Hawk hereby vacates those properties more particularly described in Exhibits A and B, which are attached hereto and incorporated by this reference (collectively, the “Vacated Property”).

Section 2. Pursuant to C.R.S. § 43-2-303(3), all easements located within the Vacated Property are hereby reserved for continued use.

Section 3. Pursuant to C.R.S. § 43-2-303(3), the Vacated Property is and shall be subject to, and conditioned upon execution of that specific right-of-way easement attached hereto as Exhibit C, and incorporated herein by this reference by Monarch Growth, Inc.

Section 4. Title to Exhibits A and B is hereby vested in and to Monarch Growth, Inc. pursuant to Section 17-67(e)(2)c. of the Black Hawk Municipal Code, which conveyance shall be by Quit Claim Deed, subject to the easements and reservations hereunder, and in accordance with C.R.S. § 43-2-302(1) and Section 17-67(e)(1)b.

Section 5. Pursuant to Section 17-67(e)(1)a. of the Black Hawk Municipal Code, this Ordinance shall be recorded in the Office of the Gilpin County Clerk and Recorder.

Section 6. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.
Section 7. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 8. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

__________________________________________
David D. Spellman, Mayor

ATTEST:

__________________________________________
Melissa A. Greiner, City Clerk
EXHIBIT A
TRACT "B", MONARCH CASINO FILING NO. 1
CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO

DESCRIPTION:

TRACT "B", MONARCH CASINO FILING NO. 1, CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT "B" THENCE ALONG THE SOUTHERLY LINE OF SAID TRACT N 72'00" W, 147.63 FEET, WITH ALL Bearings CONTAINED HEREBIN RELATIVE THERETO; THENCE CONTINUING ALONG SAID TRACT THE FOLLOWING FIVE (5) COURSES:

1. N 13'53'59" E, 48.33 FEET;
2. THENCE N 34'27'04" E, 38.61 FEET;
3. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 52.21 FEET, HAVING A RADIUS OF 718.60 FEET, A CENTRAL ANGLE OF 04'09'45" AND WHICH CHORD BEARS S 56'16'46" E, 52.20 FEET;
4. THENCE S 54'11'53" E, 6.45 FEET;
5. THENCE S 32'28'22" E, 108.60 FEET TO THE POINT OF BEGINNING, CONTAINING 0.18 ACRES MORE OR LESS.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
EXHIBIT B
A PORTION OF MAIN STREET RIGHT-OF-WAY
CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO

LOT 1, BLOCK 1,
MONARCH CASINO FILING NO. 1
RECEPTION NO. 152710

TRACT "B"
RECEPTION NO. 152710

DESCRIPTION:
A PARCEL OF LAND LOCATED WITHIN THE MAIN STREET RIGHT-OF-WAY, CITY OF BLACK HAWK,
COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF TRACT "B", MONARCH CASINO FILING NO. 1, WHENCE
THE SOUTHERLY LINE THEREOF BEARS N 72°00'00" W WITH ALL Bearings CONTAINED HEREIN
RELATIVE THEREO; THENCE S 12°21'00" W, 27.06 FEET; THENCE N 66°15'29" W, 27.44 FEET;
THENCE N 73°32'04" W, 43.49 FEET; THENCE N 75°33'29" W, 71.19 FEET; THENCE N 77°03'55" W,
81.60 FEET; THENCE N 13°54'36" E, 6.00 FEET TO A POINT ALONG THE SOUTHERLY LINE OF
MONARCH CASINO FILING NO. 1; THENCE ALONG THE COMMON LINE OF SAID SUBDIVISION AND THE
MAIN STREET RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

1. S 76°05'24" E, 63.64 FEET;
2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 15.71 FEET, HAVING A RADIUS OF 10.00
FEET, A CENTRAL ANGLE OF 90°00'37" AND WHICH CHORD BEARS N 58°54'18" E, 14.14 FEET;
3. THENCE N 13°53'59" E, 15.80 FEET;
4. THENCE S 72°00'00" E, 149.27 FEET TO THE POINT OF BEGINNING, CONTAINING 0.10 ACRES
MORE OR LESS.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED LAND SURVEY. IT IS
INTENDED ONLY TO DEPICT THE ATTACHED
DESCRIPTION.

C.C.S. CONSULTANTS, INC.
4860 Robb Street, Suite 206 2893 N. Monroe Avenue
Wheat Ridge, CO 80033  Loveland, CO 80538
Phone: 303.403.4706  Phone: 970.635.3031
EXHIBIT C
RIGHT-OF-WAY EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT ("Agreement") is dated this ______ day of ___________________, 2015, by Monarch Growth, Inc., with an address of 444 Main Street, Black Hawk, Colorado, ("Grantor" or “Monarch”) and the City of Black Hawk, with an address of 201 Selak Street, Black Hawk, CO 80422 ("Grantee" or the “City”).

WHEREAS, Grantee desires to acquire a perpetual and exclusive easement for the purpose of the construction and operation of City right-of-way and utility facilities as more particularly described below upon and beneath the surface of the property described in Exhibit A and B, attached hereto and incorporated herein by this reference (the "Easement Property"); and

WHEREAS, Grantor is willing to convey an easement to Grantee for the aforesaid purposes on the terms and conditions set forth below.

NOW, THEREFORE, for and in consideration of the sum of ten dollars ($10) paid by Grantee to Grantor, the covenants of Grantee herein contained, and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, the parties hereby covenant and agree as follows:

Section 1. Conveyance of Easement. Grantor does hereby grant and convey unto Grantee, its successors, assigns, lessees, licensees, and agents, a perpetual and exclusive easement upon and beneath the surface of the Easement Property for the operation of a City right-of-way and associated utility facilities so long as such facilities do not interfere with the use by Grantor of such property for subterranean grease interceptors and sand and oil interceptors and associated pipe system and equipment. Grantee shall have the right of ingress and egress, consistent with this Agreement, upon the Easement Property for the construction, reconstruction, operation, maintenance and/or removal of the right-of-way and associated utility facilities, more particularly described as follows:

a. For that property described in Exhibit A, Grantee shall have the right of ingress and egress, consistent with this Agreement, upon the Easement Property for the reconstruction and operation of a public transportation facility, including, but not limited to a facility for use by buses, and associated pedestrian and vehicular uses, as well as any underground utility facilities required by the City on its own behalf or for use by the Black Hawk Central City Sanitation District (BHCCSD), which shall be at the City’s sole discretion. Grantee’s uses of the property shall not interfere with Grantor’s use for subterranean grease interceptors and sand and oil interceptors and associated pipe system and equipment, and Grantor agrees that its use of the property shall not unreasonably interfere with Grantee’s use of the property as described herein; and
b. For that property described in Exhibit B, Grantee shall have the right of ingress and egress, consistent with this Agreement, upon the Easement Property for the operation of a public sidewalk, and associated pedestrian and vehicular uses, as well as any underground utility facilities required by the City on its own behalf or for use by the BHCCSD, which shall be at the City’s sole discretion. Grantee’s uses of the property shall not interfere with Grantor’s use of the property for a subterranean grease interceptors and sand and oil interceptors and associated pipe system and equipment, and Grantor agrees that its use of the property shall not unreasonably interfere with Grantee’s use of the property as described herein.

c. Grantor expressly reserves for itself and its successors and assigns the right to use the Easement Property for, among other similarly necessary uses, the following:

   (i). Installing, maintaining, repairing and/or replacing Grantor’s electronic signage; and

   (ii). Constructing, maintaining or repairing Grantor’s building façade or structure.

Section 2. Construction and Maintenance. Grantor shall be solely responsible for constructing and maintaining the Easement Property as public improvements under that Subdivision Agreement dated April 10, 2013, and as described herein.

Section 3. Insurance. Each party shall obtain for itself, its agents, successors, assigns, lessees, adequate workman’s compensation insurance, personal injury insurance, and property damage insurance, with limits commensurate with the hazards and risks associated with the use of the parties’ respective interests, but in no event less than the liability limits established by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq., as now in effect or as hereinafter amended. Each insurance policy shall list the other party as an additional named insured and the parties hereto shall not cancel such insurance coverage without providing thirty (30) days written notice, or ten (10) day written notice for non-payment, to the other party of the intention to cancel.

Section 4. Monarch’s Use of the Easement Property. In order to assure that Monarch’s use of the Easement Property does not interfere with the grant of the Easement herein to the City, Monarch covenants and agrees for its use of the Easement Property as follows:

   a. Monarch shall perform or cause to be performed inspection and maintenance of the grease interceptors in accordance with BHCCSD Standards and the sand and oil interceptors in accordance with the City’s rules and specifications.

   b. Provide an annual inspection report to the City each January for the previous year regarding the maintenance of the sand/oil interceptors. The report shall indicate level of sand and oil in the interceptors for each regular inspection required by the City’s rules and specifications.

---

7/9/15
c. Along with the annual inspection report identified in the previous subparagraph b, provide a proposed schedule (subject to change due to weather conditions, truck availability, and other conditions beyond Monarch’s control) for regularly scheduled inspection and maintenance in accordance with the City’s rules and specifications. Pumping and maintenance of the sand/oil interceptors shall not unreasonably interfere with the operations of any City service, or unreasonably adversely impact traffic circulation.

d. Pumping and maintenance shall only be performed Sunday through Thursday between the hours 3:00 AM and 10:00 AM.

e. Any truck used for maintenance, inspection or pumping shall not be parked on Main Street.

f. Grease interceptors must be maintained in accordance with BHCCSD standards and requirements. Sand/oil interceptors must be maintained in accordance with manufacturer recommendations, and City rules and specifications [to be provided by City to Monarch for review]. Should Monarch fail to maintain the sand/oil interceptors in accordance with such standards, the City will provide written notice of any such failure and Monarch will have twenty (20) days to remedy any such failure to maintain such facilities. If Monarch commences the remedy/cure contemplated by the preceding sentence within the twenty day limitation set forth above, but such remedy cannot be completed within such twenty day limitation, Monarch will be granted an extension to complete such remedy so long as it is diligently pursuing such remedy. In the event Monarch does not commence maintenance of the facilities as provided herein, the City shall have the right to take reasonable actions to remediate such breach, including, but not limited to, maintaining such facilities at Monarch’s cost and expense.

g. Monarch shall be responsible for cleanup of all grease, sand and oil spills due to pumping, maintenance, or repair of any interceptor on or around the Easement immediately after the maintenance activity. All surfaces shall be cleaned and restored to City standards, and all costs of repair, maintenance, restoration and/or cleanup caused by Monarch will be Monarch’s responsibility.

h. Monarch covenants and agrees not to make or permit to be made any alterations in, or additions to, the Easement without the prior written consent of the City (which consent shall not be unreasonably withheld or delayed) and its associated review agencies and to keep any such improvements thereon constructed pursuant to this section 4(f) including landscaping, wiring, pavement, if appropriate, in good repair and in a condition that will not interfere with the proper functioning of the Easement, at the expense of Monarch.

i. Nothing in this Easement Agreement shall be construed to prevent the City from taking enforcement action against Monarch in the event Monarch fails to remedy any obligation
hereunder for which the violation constitutes a violation of a City ordinance of general application.

Section 5. Notice. Any notice required under this Easement shall be in writing and mailed by certified mail to the respective parties at the address set forth below. The Public Works Director shall be the representative of the City to accept or respond to any notice or the like provided hereunder. In the event Monarch should change the address given below, Monarch shall notify the City in writing of such change of address:

The City: City of Black Hawk
P.O. Box 68
Black Hawk, CO 80422

Copy to: Black Hawk Central City Sanitation District
P.O. Box 9
Black Hawk, CO 80422

and

Monarch: Monarch Growth Inc.
3800 S. Virginia St
Reno, NV 89502

Copy to: Monarch Casino
444 Main St
Black Hawk, CO 80422

Section 6. Retained Rights. Grantor shall have all rights to the Easement Property not granted hereby.

Section 7. Miscellaneous.

a. Except as otherwise expressly provided herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.

b. This Agreement constitutes all of the agreements, understandings, and promises between the parties hereto with respect to the subject matter hereof.

c. This Agreement shall be of no force and effect until it is duly and validly executed by all parties hereto.
IN WITNESS WHEREOF, the parties hereto have executed this Agreement by their respective duly authorized officers as of the date and year first above written.

GRANTOR:

By: 

STATE OF Nevada 
COUNTY OF Washoe 

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 5th day of November, 2015, by John Farani. 

My commission expires: 5/20/19

(S E A L)

R. KOCH 
Notary Public - State of Nevada 
Appointment Recorded in Washoe County No: 15-1868-2 - Expires May 20, 2019 

CITY OF BLACK HAWK 

By: 

David D. Spellman, Mayor 

ATTEST:

Melissa A. Greiner, City Clerk
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Black Hawk Board of Aldermen shall hold a public hearing concerning a request to vacate a portion of Main Street right-of-way and a city owned tract, located on property described in Exhibit A and generally located north of and along Main Street and east of the Monarch Casino property, pursuant to the City of Black Hawk subdivision ordinance.

The public hearing is to be held before the City of Black Hawk Board of Aldermen on Wednesday, November 11, 2015 at 3:00 p.m. or as soon as possible thereafter. The public hearing shall be held in the City of Black Hawk Council Chambers located at 211 Church Street, Black Hawk, Colorado, 80422, or at such other time or place in the event these hearings are adjourned.

ALL INTERESTED PARTIES MAY ATTEND

Melissa A. Greiner
City Clerk

Exhibit A

Tract B, Monarch Casino Filing No. 1 together with a portion of Main Street right-of-way located adjacent to Monarch Casino Filing No. 1 more accurately described in the legal description and map available for viewing at the City of Black Hawk City Clerk’s office, all in Section 7, Township 3 South, Range 72 West of the 6th P.M.
EXHIBIT A
TRACT "B", MONARCH CASINO FILING NO. 1
CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO

LOT 1, BLOCK 1,
MONARCH CASINO FILING NO. 1
RECEPTION NO. 152710

DESCRIPTION:
TRACT "B", MONARCH CASINO FILING NO. 1, CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT "B" THENCE ALONG THE SOUTHERLY LINE OF SAID TRACT N 72°00’00” W, 147.63 FEET, WITH ALL Bearings CONTAINED HEREIN RELATIVE THERETO; THENCE CONTINUING ALONG SAID TRACT THE FOLLOWING FIVE (5) COURSES:

1. N 13°53’59” E, 48.33 FEET;
2. THENCE N 34°27’04” E, 38.61 FEET;
3. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 52.21 FEET, HAVING A RADIUS OF 718.60 FEET, A CENTRAL ANGLE OF 04°09’45” AND WHICH CHORD BEARS S 56°16’46” E, 52.20 FEET;
4. THENCE S 54°11’53” E, 6.45 FEET;
5. THENCE S 32°28’22” E, 108.60 FEET TO THE POINT OF BEGINNING, CONTAINING 0.18 ACRES MORE OR LESS.

NOTE:
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EXHIBIT B
A PORTION OF MAIN STREET RIGHT-OF-WAY
CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO

LOT 1, BLOCK 1,
MONARCH CASINO FILING NO. 1
RECESSION NO. 152710

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN THE MAIN STREET RIGHT-OF-WAY, CITY OF BLACK HAWK,
COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF TRACT "B", MONARCH CASINO FILING NO. 1, WHENCE
THE SOUTHERLY LINE THEREOF BEARS N 72'00"00' W WITH ALL Bearings CONTAINED HEREIN
RELATIVE THEREO; THENCE S 12'21"00' W, 27.06 FEET; THENCE N 66'15"29' W, 27.44 FEET;
THENCE N 73'32"04' W, 43.49 FEET; THENCE N 75'33"29' W, 71.19 FEET; THENCE N 77'03"55' W,
81.60 FEET; THENCE N 13'54"36' E, 6.00 FEET TO A POINT ALONG THE SOUTHERLY LINE OF
MONARCH CASINO FILING NO. 1; THENCE ALONG THE COMMON LINE OF SAID SUBDIVISION AND THE
MAIN STREET RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

1. S 76'05"24' E, 63.64 FEET;
2. THENCE ALONG THE ARC OF A CURVE TO THE LEFT 15.71 FEET, HAVING A RADIUS OF 10.00
   FEET, A CENTRAL ANGLE OF 90'00"37' AND WHICH CHORD BEARS N 58'54"18' E, 14.14 FEET;
3. THENCE N 13'53"59' E, 15.80 FEET;
4. THENCE S 72'00"00' E, 149.27 FEET TO THE POINT OF BEGINNING, CONTAINING 0.10 ACRES
   MORE OR LESS.

NOTE:
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MONUMENTED LAND SURVEY. IT IS
INTENDED ONLY TO DEPICT THE ATTACHED
DESCRIPTION.

C.C.S. CONSULTANTS, INC.
4860 Robb Street, Suite 206
Wheat Ridge, CO 80033
Phone: 303.403.4706
2893 N. Monroe Avenue
Loveland, CO 80538
Phone: 970.635.3031
SUBJECT: Vacation of platted Tract B of Monarch Casino Filing No. 1 and a portion of Main Street Right-of-way (P-15-09).

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:
MOTION TO APPROVE COUNCIL BILL 24, ORDINANCE 2015-24, AN ORDINANCE VACATING A CERTAIN MUNICIPALLY OWNED TRACT AND CERTAIN RIGHT-OF-WAY, SUBJECT TO THE RESERVATION OF EASEMENTS THEREUNDER.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
In conjunction with Monarch Growth, Inc. and the City of Black Hawk a request to vacate property located adjacent to the Monarch Casino property (444 Main Street) in Black Hawk is proposed. Please see the attached staff report related to this item.

AGENDA DATE: November 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [ X ] Yes [ ] No

STAFF PERSON RESPONSIBLE: Cynthia L. Linker, CP&D
Vincent Harris, Baseline Corporation

DOCUMENTS ATTACHED: Ordinance 2015-24, Staff Report, and Unsigned Easement Agreement with Exhibits

RECORD: [ X ] Yes [ ] No

CITY ATTORNEY REVIEW: [ X ] Yes [ ] N/A

SUBMITTED BY: REVIEWED BY:

10/23/2015
Vince Harris, Baseline Corporation Jack D. Lewis, City Manager
Staff Report
STAFF REPORT: Vacation of platted Tract B of Monarch Casino Filing No. 1 and a portion of Main Street Right-of-way (P-15-09)

For: City Council
Project: Monarch Casino
Property Address: 444 Main Street, Black Hawk, CO 80422
Applicants: City of Black Hawk
Zoning: Gaming Outstanding Lodging and Dining (GOLD) District & Monarch Casino/Hotel/Garage PUD
Prepared by: Cory Miller, Baseline Corporation
Approved by: Vincent Harris, Baseline Corporation
Reviewed by: Cynthia Linker, CP&D

BACKGROUND:

In conjunction with Monarch Growth, Inc. and the City of Black Hawk, a request to vacate property located adjacent to the Monarch Casino property (444 Main Street) in Black Hawk is proposed. This property was originally owned by the Monarch Casino but was transferred during the platting process approved in 2013 to the City of Black Hawk for the future use of a bus turnaround and Main Street right-of-way for pedestrian and trail use, parking, and utility purposes. The specific location of the property is identified in Exhibits A and B of Attachment 1 but the general position of the site is along the easternmost boundary of the new Monarch Casino parking garage that is currently under construction (see Fig. 1 below).

The Monarch Casino ownership needs to construct, install and operate underground grease and oil separators (tanks) in this immediate area (also shown in Figure 1 below) to be located beneath the proposed bus turnaround and parking areas. The location of these tanks will necessitate Monarch Casino staff and contractors to utilize the bus turnaround area and right-of-way for regular maintenance and inspection of these underground facilities.

After meeting with the Monarch Casino staff and reviewing both parties’ proposed uses for the property, the City of Black Hawk has determined that the Monarch Casino’s needs and requirements for the property will outweigh those of the City from a maintenance perspective. Therefore the City of Black Hawk staff has agreed to propose to vacate the property and deed it to the Monarch Casino. This process will first require that an ordinance be filed to effectively vacate the property. The requirements for vacating the property have been outlined below and a copy of the ordinance is included with this staff report (Attachment 2).
The proposed vacation will not change the intended municipal surface uses outlined above for the needed bus turnaround and pedestrian/utility purposes needed in the future. The City staff and Monarch ownership have prepared a Right-of-Way Easement Agreement to allow the surface of the property to function as a bus turnaround, pedestrian walkways, pedestrian trailhead, and utility access (see Red & Blue Area in Fig. 1). Approval of the agreement is a part of the ordinance being reviewed and passed before the City of Black Hawk City Council. A copy of the Easement Agreement has been included in your packet (Attachment 1).

**Figure 1:**

The area highlighted in red above is identified as Exhibit A in the attached vacation/easement agreement. According to the agreement the Grantee (the City of Black Hawk) shall have the right of ingress and egress to the property for the purposes of reconstruction and operation of a public transportation facility, including, but not limited to a facility for use by buses, and associated pedestrian and vehicular uses, as well as any underground utility facilities required by the City on its own behalf or for use by the Black Hawk-Central City Sanitation District.

The area highlighted in blue above is identified as Exhibit B in the attached agreement. According to the agreement, the Grantee (City of Black Hawk) shall have the right of ingress and egress on the property for the operation of a public transportation facility, including, but not limited to a facility for use by buses, and associated pedestrian and vehicular uses, as well as required underground utility facilities.
required by the City on its own behalf or for use by the Black Hawk-Central City Sanitation District. The City’s uses on the property shall not interfere with the Grantor’s (Monarch Growth, Inc.) use of the property for a subterranean grease interceptors, sand and oil interceptors, and associated pipe systems for each. Likewise, Monarch Growth, Inc. shall not unreasonably interfere with the City’s use of the property as described in the Agreement.

APPLICABLE CITY OF BLACK HAWK REGULATIONS:

Excerpts from:

City of Black Hawk
Municipal Code
Chapter 17 - Subdivisions

Sec. 17-67. Street plat and easement vacations.
Sec. 17-67(a) The methods and procedures to affect any and all street plat and easement vacations shall be in compliance with and subject 43-2-302 et seq., C.R.S. together with any amendments thereto.

Sec. 17-67(c)(7) At its hearing, the Board of Alderman shall consider the merits of the petition to vacate as well as all other material the Aldermen may deem pertinent thereto, including the comment of interested members of the public, and may either approve or disapprove at its sole discretion, by ordinance, the petition to vacate.

STAFF COMMENTS:
Staff has reviewed the proposed submittal on behalf of the City to vacate Tract B and a portion of Main Street right-of-way as identified above. Legal staff has met several times with legal representatives of Monarch Growth, Inc. to discuss the vacation/easement and have come to mutual agreement for a proposed dedicated easement to allow for municipal services and improvements as well as the ability for Monarch to install its needed tanks and systems. As mentioned, a copy of this proposed Easement Agreement has been included in the attached packet (Attachment 1).

Per state statutes, in the event that a roadway which constitutes the exterior boundary of a subdivision or other tract of land is vacated, title to said roadway shall vest in the owners of the land abutting the vacated roadway to the same extent that the land included within the roadway, at the time the roadway was acquired for public use, was a part of the subdivided land or was a part of the adjacent land. (C.R.S. 43-2-302(1)(a). Thus vacation of the proposed property, considered roadway by the City of Black Hawk, will grant title back to the Monarch property ownership.

In addition, state statutes indicate that no portion of a roadway upon vacation shall accrue to an abutting roadway. This would eliminate the potential interpretation that the proposed right-of-way would be titled to the Colorado Department of Transportation that also maintains adjacent property.
**FINDINGS:**
The proposed Tract B and right-of-way vacation of municipal owned lands as evidenced in the staff report above is in compliance with the rules and regulations outlined in Title 17 of the Black Hawk Municipal Code. It is the opinion of Staff that all requirements for a Vacation have been satisfied. As mentioned above the proposed vacation will reduce the burden placed on the City of Black Hawk and its residents in regards to maintenance requirements of the property. The ability to allow the Monarch Casino to make regular inspections and maintenance to their underground equipment will ensure that the grease and oil interceptor tanks and systems are functioning correctly as intended. This will continue the effort to help ensure that the health, safety, and welfare of the City of Black Hawk, its residents and people in Black Hawk are protected.

**RECOMMENDATIONS:**
1) Staff recommends City Council consider a MOTION TO APPROVE an Ordinance vacating Tract B and a portion of Main Street right-of-way as described in Exhibit A and Exhibit B of the attached ordinance, subject to and conditioned upon execution of that specific right-of-way easement attached hereto as Exhibit C.

Attachments:
1) See Ordinance No. 2015-24 with Exhibits A, B & C
RESOLUTION 71-2015
A RESOLUTION
ADOPTING A THREE-MILE PLAN FOR THE CITY OF BLACK HAWK
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

Resolution No. 71-2015  

TITLE:  A RESOLUTION ADOPTING A THREE-MILE PLAN FOR THE CITY OF BLACK HAWK

WHEREAS, C.R.S. § 31-12-105(1)(e)(I) requires that the City of Black Hawk adopt a three-mile plan for purposes of considering an annexation proposal; and

WHEREAS, the City desires to reaffirm the Intergovernmental Agreement dated September 29, 1999, between the City of Black Hawk, the City of Central, the County of Gilpin and the Black Hawk-Central City Sanitation District as its three-mile plan within the meaning of C.R.S. § 31-12-105(1)(e)(I).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. For purposes of C.R.S. § 31-12-105(1)(e)(I), the City hereby adopts and reaffirms the Intergovernmental Agreement dated September 29, 1999, between the City of Black Hawk, the City of Central, the County of Gilpin and the Black Hawk-Central City Sanitation District as the City of Black Hawk three-mile plan.

RESOLVED AND PASSED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

______________________________
Melissa A. Greiner, City Clerk
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: City of Black Hawk Three-Mile Plan.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Resolution No. 71-2015, a Resolution Adopting a Three-Mile Plan for the City of Black Hawk.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
C.R.S. § 31-12-105(1)(e)(I) requires that the City of Black Hawk adopt a three-mile plan for purposes of considering an annexation proposal, to be updated at least once annually. In the past the City has adopted and reaffirmed the Intergovernmental Agreement dated September 29, 1999, between the City of Black Hawk, the City of Central, the County of Gilpin and the Black Hawk-Central City Sanitation District as the City of Black Hawk three-mile plan.

AGENDA DATE: November 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [ X ] Yes [ ] No

STAFF PERSON RESPONSIBLE: Cynthia Linker, CP&D
Vincent Harris, Baseline Corporation

DOCUMENTS ATTACHED: Request for Council Action Form, Resolution 71-2015

RECORD: [ ] Yes [ X ] No

CITY ATTORNEY REVIEW: [ X ] Yes [ ] No

SUBMITTED BY: REVIEWED BY:
Vince Harris, Baseline Corporation Jack D. Lewis, City Manager

10/20/2015
INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT is made this 29th day of September, 1999, by and between the City of Central, Colorado ("Central"), the City of Black Hawk, Colorado ("Black Hawk"), the County of Gilpin, Colorado (the "County") and the Black Hawk-Central City Sanitation District only as to Paragraph 6 of this Agreement (the "District").

RECITALS:

A. Central and Black Hawk desire to establish growth areas for their respective cities as described herein, for the purpose of planning for and regulating the use of the land within these described growth areas, so as to provide planned and orderly use of the land which includes, but is not limited to, the establishment of roads, phased development of services and facilities, regulating the location of activities and developments which may result in significant changes in population density and protecting the environment in a manner consistent with constitutional rights.

B. Central desires to annex certain real property within the growth area for Central to the extent described herein for the purpose of providing a full service municipality, including but not limited to, certain residential, commercial and industrial uses and to facilitate the financing and development of that certain roadway commonly referred to as the southern access roadway (the "Southern Access").

C. Black Hawk supports Central's desire to annex within the growth area for Central to the extent described herein in order to establish a full service municipality so long as Central's annexations have no material effect on: (i) access into Black Hawk which includes the State Highway 119 corridor as described herein or any alternate access that is developed by Black Hawk to I-70 or State Highway 119 as described herein; (ii) the growth area for Black Hawk as described herein; or (iii) the proposed annexation into Black Hawk as described herein.

D. Central supports Black Hawk's desire to annex within the growth area for Black Hawk to the extent described herein so long as Black Hawk's annexations have no material effect on: (i) the Southern Access; (ii) the growth area for Central as described herein; or (iii) the proposed annexation into Central as described herein.

E. The County desires to support the proposed annexations and growth areas described herein of both Central and Black Hawk so long as both cities agree to the density, joint planning, open space and school impact mitigation requirements described herein.

F. In order to accomplish the development contemplated within the areas that Central and Black Hawk desire to annex, which are described in Exhibits E and H as attached hereto,
District agrees to include these areas into the service area of the District and the District further agrees to serve these areas, subject to the terms and conditions of this Agreement.

G. Central and Black Hawk may be impacted by growth in the unincorporated areas of County, which are not included within either the Central City Growth Area or the Black Hawk Growth Area as defined herein and the cities thus have an interest in the development of such areas within the County, as part of a Black Hawk/Central/Gilpin Joint Planning Area as defined herein; and

H. The County is willing to include within the terms of this Agreement, the area defined herein as the “Black Hawk/Central/Gilpin Joint Planning Area”, as defined herein, and to subject such area to the joint planning provisions of this Agreement.

I. Central, Black Hawk and the County are authorized to enter into this Intergovernmental Agreement pursuant to the Local Government Land Use Control Act, Colo. Rev. Stat. Sections 29-20-101 through 107, as amended, (the “Act”), for the purpose of planning and regulating the development of the land described herein.

J. Central, Black Hawk and the County hereto are also authorized by the Act to jointly adopt, after notice and public hearing, mutually binding and enforceable development plans for areas within their jurisdictions.

K. Central, Black Hawk and the County, after notice and public hearing, approved mutually binding and enforceable development and master plans to the extent described in this Agreement.

L. Central City, Black Hawk, the County and the District (as to Paragraph 6 only) approved a joint resolution, in which all four (4) public entities approved this Agreement, which resolutions are attached as Exhibit A, which is incorporated by this reference.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties to this Agreement agree as follows:

1. Central City Growth Area. The Central City Growth Area is described in Exhibit B, which is attached hereto and incorporated by this reference (the "Central City Growth Area"). Central may annex, within its sole discretion and pursuant to the procedures required by the Municipal Annexation Act of 1965, as amended, any and all land located within the Central City Growth Area, subject only to paragraphs 4, 7 and 10 of this Agreement. Black Hawk shall not annex any land within the Central City Growth Area.
2. **Black Hawk Growth Area.** The Black Hawk Growth Area is described in Exhibit C, which is attached hereto and incorporated by this reference (the "Black Hawk Growth Area"). Black Hawk may annex within its sole discretion and pursuant to the procedures required by the Municipal Annexation Act of 1965, as amended, any and all land located within the Black Hawk Growth Area subject only to paragraphs 5, 8 and 10 of this Agreement. Central shall not annex any land within the Black Hawk Growth Area.

3. **Black Hawk/Central/Gilpin Joint Planning Area.** The Black Hawk/Central/Gilpin Joint Planning Area is described in Exhibit D which is attached hereto and incorporated by this reference ("the Black Hawk/Central/Gilpin Joint Planning Area"). No city shall annex any land within the Black Hawk/Central/Gilpin Joint Planning Area without the written consent of Central, Black Hawk and the County. Any and all land located within the Black Hawk/Central/Gilpin Joint Planning Area shall be developed only in accordance with Paragraph 9 of this Agreement. Any and all land use decisions rendered by County or any city in the event of an authorized annexation within the Black Hawk/Central/Gilpin Joint Planning Area shall be rendered in accordance with the Master Plan for the Black Hawk/Gilpin/Central Joint Planning Area described in Paragraph 9 of this Agreement.

4. **Proland Annexation Area.** Central desires to annex the real property described Exhibit E which is attached hereto and incorporated by this reference (the "Proland Annexation Area"), which real property is located within the Central City Growth Area. The boundaries of the Proland Annexation Area are co-terminus the boundaries of the real property described Exhibit B, Parcels 4 and 5. Central desires to zone a portion of the real property contained within the Proland Annexation Area according to the terms and conditions of the development plan described in Exhibit F-1 if a golf course is developed and Exhibit F-2 if a golf course is not developed, which are attached hereto and incorporated by this reference (the "Proland Development Plan"). To the extent that the Proland Development Plan does not cover all of the real property described in Proland Annexation Area, Central and the County agree that Central may zone such property in a manner that is consistent with the residential densities that are contained in the Proland Development Plan as shown in Exhibit F-2. Central and the County agree that the Proland Development Plan shall continue to control the residential densities for the real property described in Exhibit E even after this real property is annexed into Central. The County and Black Hawk expressly consent to the annexation of the Proland Annexation Area if:

   a. the real property described in Exhibit E is zoned in a manner that is consistent with the residential densities provided in the development plan attached as Exhibit F-2 at the time of annexation;

   b. a minimum of fifteen percent (15 %) of the real property described in Exhibit E is public open space, which open space calculation may include real property being used as a golf course;
c. the impacts to the Gilpin County RE 1 School District are mitigated in the manner provided in Exhibit G, which is attached hereto and incorporated by this reference; and

d. the requirements contained in subparagraphs a, b, c, and d of this paragraph 4 are the subject of an annexation agreement between Central, the County (compliance with Paragraphs 4a, b, and c above) and the owner of the real property described in Exhibit E.

5. **Gold Mountain Annexation.** Black Hawk desires to annex the real property described in Exhibit H, which is attached hereto and incorporated by this reference (the "Gold Mountain Annexation") which real property is located within the Black Hawk Growth Area. Black Hawk desires to zone the real property contained within the Gold Mountain Annexation according to the terms and conditions of the development plan described in Exhibit I which is attached hereto and incorporated by this reference (the "Gold Mountain Development Plan"). Black Hawk and the County agree that the Gold Mountain Development Plan shall continue to control the real property described in Exhibit H even after this real property is annexed into Black Hawk. The County and Central expressly consent to the Gold Mountain Annexation if:

a. the real property described in Exhibit H is zoned in the manner provided in the development plan attached as Exhibit I at the time of annexation;

b. a minimum of fifteen percent (15%) of the real property described in Exhibit H is public open space, which open space calculation may include real property being used as a golf course;

c. the impacts to Gilpin County RE-1 School District are mitigated in the manner provided in Exhibit J which is incorporated by this reference; and

d. the requirements contained in subparagraphs a, b, c and d of this paragraph 5 are the subject of an annexation agreement between Black Hawk, the County (as to compliance with Paragraphs 5a, b and c above) and the owner of the real property described in Exhibit H.

6. **Sanitation Service to Proland and Gold Mountain Annexation Areas and the Central City and Black Hawk Growth Area.** The District agrees to expand its service area to include the real property described in Exhibits E and H of this Agreement and provide adequate sanitation service to this real property according to the development plans that are attached as Exhibits F and I to this Agreement, subject to availability of plant capacity as determined at the time of the application requesting inclusion and/or service; plan and construction review and approval according to standards adopted for the entire District; compliance with the District's Rules, Regulations and Resolutions in effect for the entire District at the time of the application requesting inclusion and/or service; and the District's ability to comply with all laws and regulations for
providing service to the real property described in Exhibits F and I by inclusion or by contract if such property is located outside the District’s boundaries. The County, Central and Black Hawk consent to the expansion of the Service Area of the District to include the real property described in Exhibits E and H and agree that such expansion does not constitute a material modification of the Service Plan of the District.

a. The District shall also serve the Black Hawk Growth Area, subject to availability of plant capacity as determined at the time of the application requesting inclusion and/or service; plan and construction review and approval according to standards adopted for the entire District; compliance with the District’s Rules, Regulations and Resolutions in effect for the entire District at the time of the application requesting inclusion and/or service; and the District’s ability to comply with all laws and regulations for providing service to real property by inclusion or by contract if such property is located outside the District’s boundaries, according to the terms and conditions of the Intergovernmental Service Agreement, as amended, between the District and Black Hawk dated October 26, 1994 (the "Black Hawk Service Agreement"). Black Hawk and the District hereto agree that the term "Service Area" as described in Section 1.07 of the Black Hawk Service Agreement shall also include the Black Hawk Growth Area as defined in this Agreement which agreement may be amended with the written consent of Central. The County and Central consent to the expansion of the Service Area of the District to include the Black Hawk Growth Area and agree that such expansion does not constitute a material modification to the service plan of the District.

b. The District shall also serve the Central City Growth Area, subject to availability of plant capacity as determined at the time of the application requesting inclusion and/or service; plan and construction review and approval according to standards adopted for the entire District; compliance with the District’s Rules, Regulations and Resolutions in effect for the entire District at the time of the application requesting inclusion and/or service; and the District’s ability to comply with all laws and regulations for providing service to real property by inclusion or by contract if such property is located outside the District’s boundaries, according to the same terms and conditions of the Intergovernmental Service Agreement between the District and Black Hawk dated October 26, 1994, as amended, (the "Central Service Agreement") which terms and conditions shall only be modified by the written agreement of Black Hawk, the District and Central. The District and Central agree that the term "Service Area" as described in Section 1.07 of the Central Service Agreement shall include the Central City Growth Area as defined in this Agreement. The County and Black Hawk consent to the expansion of the Service Area of the District to include the Central City Growth Area and agree that such expansion does not constitute a material modification to the service plan of the District.

c. Notwithstanding anything to the contrary contained herein, the District agrees to use its best efforts to serve the areas described in this Paragraph 6, including expansion
of the District's facilities that are necessary to serve such areas, using revenues that are generated through taxes, fees and landowner contribution.

d. In the event of any conflict between this paragraph 6 and the terms of the Intergovernmental Service Agreement between the District and Black Hawk dated October 26, 1994, as amended, the terms of this paragraph 6 shall govern.

7. **Joint Planning Within Central City Growth Area.** The County and Central agree that the Central City Growth Area, excluding the area included within the Proland Annexation Area shall be a joint planning area of both Central and the County, which joint planning area is described in **Exhibit K** which is attached hereto and incorporated by this reference ("Central/Gilpin Joint Planning Area"). The County and Central agree not to allow growth within the Central/Gilpin Joint Planning Area inconsistent with the Master Plan for this Joint Planning Area which is hereby adopted by both Central and the County and which is attached hereto as **Exhibit M** and incorporated by this reference (the "Central/Gilpin Joint Area Master Plan"), which Master Plan constitutes the mutually binding and enforceable comprehensive development plan contemplated by Colo. Rev. Stat. §29-20-105(2). Central and the County agree that the Central/Gilpin Joint Area Master Plan shall control the real property described in **Exhibit K** even after this real property is annexed into Central. No amendment to the Central/Gilpin Joint Area Master Plan shall be effective unless approved by both the Central City Council and the Gilpin County Board of County Commissioners as provided herein. In those parts of the Central/Gilpin Joint Area Master Plan not (or not yet) annexed into Central, all County requirements and procedures shall continue to apply, consistent with the Central/Gilpin Area Master Plan.

a. The County and Central acknowledge the importance of adoption of, and compliance with, the Central/Gilpin Joint Area Master Plan through their resolutions, ordinances or other actions.

b. The County hereby agrees to sign such documents as are reasonably necessary to complete every annexation initiated or completed by Central within the Central/Gilpin Joint Planning Area which reasonably complies with the Annexation Act, the Central/Gilpin Joint Area Master Plan and the provisions of this Agreement.

c. Black Hawk hereby agrees to consent to every annexation initiated or completed by Central within the Central/Gilpin Joint Planning Area that is consented to by the County.

d. Central hereby agrees not to annex land that is located within that portion of the Central City Growth Area described in **Exhibit L**, which is attached hereto and incorporated by this reference.
8. **Joint Planning Within the Black Hawk Growth Area.** The County and Black Hawk agree that the Black Hawk Growth Area, excluding the area included within the Gold Mountain Annexation, shall be a joint planning area of both Black Hawk and the County, which joint planning area is described in Exhibit N, which is attached hereto and incorporated by this reference ("Black Hawk/Gilpin Joint Planning Area"). The County and Black Hawk agree not to allow growth within the Black Hawk/Gilpin Joint Planning Area inconsistent with the Master Plan for this Joint Planning area which is hereby adopted by both Black Hawk and the County and which is attached hereto as Exhibit O and incorporated by this reference (the "Master Plan for the Black Hawk/Gilpin Joint Planning Area"), which constitutes the mutually binding and enforceable comprehensive development plan contemplated by Colo. Rev. Stat. §29-20-105(2). Black Hawk and the County agree that the Master Plan for the Black Hawk/Gilpin Joint Planning Area shall control the real property described in Exhibit N even after this real property is annexed into Black Hawk.

No amendment to the Master Plan for the Black Hawk/Gilpin Joint Planning Area shall be effective unless approved by both the Black Hawk City Council and the Gilpin County Board of County Commissioners as provided herein. In those parts of the Master Plan for the Black Hawk/Gilpin Joint Planning Area not (or not yet) annexed into Black Hawk, all County requirements and procedures shall continue to apply consistent with the Central/Gilpin Area Master Plan.

a. The County and Black Hawk acknowledge the importance of adoption of, and compliance with, the Master Plan for the Black Hawk/Gilpin Joint Planning Area through their resolutions, ordinances or other actions.

b. The County hereby agrees to sign such documents as are reasonably necessary to complete every annexation initiated or completed by Black Hawk within the Master Plan for the Black Hawk/Gilpin Joint Planning Area which reasonably complies with the Annexation Act, the Master Plan for the Black Hawk/Gilpin Joint Planning Area and the provisions of this Agreement.

c. Central hereby agrees to consent to every annexation initiated or completed by Black Hawk within the Master Plan for the Black Hawk/Gilpin Joint Planning Area that is consented to by the County.

d. In the event that Black Hawk annexes that part of the Black Hawk Growth Area that is located west of the Wheeler Millsite, the use of this property shall be limited to those uses described in Colo. Rev. Stat. Section 31-25-201 (1). Notwithstanding anything to the contrary contained in this Paragraph 8. (d), Black Hawk shall not annex any real property located within this area without the written consent of the property owner.

9. **Joint Planning within the Black Hawk/Central/Gilpin Joint Planning Area.**

a. The County and both cities agree not to allow growth within the Black Hawk/Central City/Gilpin Joint Planning Area described in Exhibit D, inconsistent with the
1992 Gilpin County Master Plan, adopted December 8, 1992, by the County, and hereby adopted by Black Hawk, and Central, (the “Master Plan for Black Hawk/Central/Gilpin Joint Planning Area”), which constitutes the mutually binding and enforceable comprehensive development plan contemplated by Colo. Rev. Stat. § 29-20-105(2). Black Hawk, Central and County agree that the Master Plan for Black Hawk/Central/Gilpin Joint Planning Area shall control development by the real property described in Exhibit D for the term of this Agreement. No amendment to the Master Plan for Black Hawk/Central/Gilpin Joint Planning Area shall be effective unless approved by the Black Hawk City Council, the Central City Council and the Gilpin County Board of County Commissioners, as provided herein.

b. Notwithstanding anything to the contrary contained in Paragraph 9 a. or this Agreement, Black Hawk retains the right to annex, without the consent of Central and Gilpin, that portion of the Black Hawk/Central/Gilpin Joint Planning Area that is acquired by Black Hawk, a political subdivision of the state or authority that is established for the purpose of acquiring right-of-way, for the purpose of constructing access from: (i) 1-70 to the City of Black Hawk; and (ii) State Highway 119 to Lake Gulch Road, through Russell Gulch or other location determined by the City, to access the real property described in Exhibit H or other areas of the Black Hawk Growth Area, so long as such access from State Highway 119 does not connect to the Southern Access (collectively referred to as the “Alternate Access”).

10. **Annexations Outside of Growth Areas.** Central and Black Hawk shall not annex any land located outside of their respective growth areas as defined in Exhibits B and C during the term of this Agreement, unless agreed to in writing by Central, Black Hawk and the County, except as otherwise provided in this Agreement. Central, Black Hawk and County each recognize the police power of the two cities to control access to streets that are located within each of the two cities.

11. **Extraterritorial Service.**

a. Black Hawk shall not provide any police or fire service within the Central City Growth Area, unless approved in writing by Central and the County.

b. Central shall not provide any police or fire service within the Black Hawk Growth Area or the Black Hawk/Central/Gilpin Joint Planning Area, unless approved in writing by Black Hawk and the County.

12. **Covenants Not to Interfere.**

a. Black Hawk and the County covenant not to materially interfere with the Proland Annexation Area as described herein.

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b. Black Hawk and the County covenant not to materially interfere in the permitting, financing, construction or annexation of the Southern Access and its intersection with I-70, so long as the Southern Access is constructed within Central City's Growth Area or located between the Central City Growth Area and the intersection of the Southern Access with I-70 at the Hidden Valley Interchange, including that section that is located in the Black Hawk/Central/Gilpin Joint Planning Area and Clear Creek County.

c. Central and the County covenant not to materially interfere with the Gold Mountain annexation as described herein.

d. Central and the County covenant not to materially interfere with the expansion of State Highway 119 and/or the annexation, survey, design, study, financing, construction, operation, maintenance, repair and replacement of the Alternate Access that connects Black Hawk to I-70 or connects State Highway 119 to Lake Gulch Road, through Russell Gulch or other location determined by Black Hawk to access the real property described in Exhibit H, including but not limited to the construction of a tunnel project that passes underneath the Southern Access in more than one location, notwithstanding the fact that the Alternate Access will be located within Central City's Growth Area and the Black Hawk/Central/Gilpin Joint Planning Area, so long as such access does not materially affect the construction of the Southern Access.

e. Black Hawk and the County covenant to cooperate and not interfere with the acquisition of property for public improvements for the Southern Access by Central. Central and the County covenant to cooperate and not interfere with the acquisition of property for public improvements for the Alternate Access by Black Hawk. Central and Black Hawk agree to cooperate in the construction of access between Lake Gulch Road and State Highway 119 through Russell Gulch in the event the Southern Road is not constructed.

f. Black Hawk and the County covenant not to materially interfere with the financing, construction and the acquisition of the real property necessary for the proposed water pipeline from Fall River to Central City.

13. **Term and Termination.** The parties hereto agree that the term of this Agreement shall be twenty-five (25) years. This Agreement shall be terminated before the end of the term only with the written consent of Central, Black Hawk and the County, as expressed in a joint resolution passed by a majority vote of each City Council, and the Board of County Commissioners, respectively.

14. **Remedies.** Each party hereto shall have the right to enforce each and every provision of this Agreement with the remedy of specific performance or any other remedy that exists at law or equity, including those remedies described in Colo. Rev. Stat. Section 29-20-105(2)(g).
15. **General Provisions.**

a. **Notices.** All notices, demands, requests, or other communications required under this Agreement which are in writing shall be deemed to be received only if delivered personally or mailed by registered or certified mail, return receipt requested, in a postage-paid envelope, or sent by facsimile transmission, or sent by Federal Express addressed to the party at the address it has designated below or to such other address as any party may from time to time designate to the others by notice given pursuant to this paragraph.

The address and facsimile phone number of the City of Black Hawk is:

Lynnette Hailey, City Manager  
City of Black Hawk  
P.O. Box 17  
Black Hawk, Colorado 80422  
Fax: 303-582-0848

with copy to: James S. Maloney, Esq.  
Hayes, Phillips & Maloney, P.C.  
1350 17th Street, Suite 450  
Denver, Colorado 80202  
Fax: 303-825-1269

The address and facsimile phone number of the City of Central is:

James Drinkhouse, City Manager  
141 Nevada Street/P. O. Box 249  
Central City, Colorado 80427  
Fax: 303-642-7550

with copy to: Kerry Buckey, Esq., City Attorney  
141 Nevada Street/P. O. Box 249  
Central City, Colorado 80427  
Fax: 303-642-7550

The address and facsimile phone number of Gilpin County is:

Donna Martin, Administrator  
203 Eureka Street  
P. O. Box 429  
Central City, Colorado 80427  
Fax: (303) 582-5440  
- 10 -
with copy to: James P. Petrock, Esq.
Petrock & Fendel, P.C.
1630 Welton Street, Suite 200
Denver, Colorado 80202
Fax: (303) 534-0310

The address and facsimile phone number of the Black Hawk-Central City Sanitation District is:

Lynn Venters, District Administrator
P. O. Box 362
281 Church St.
Black Hawk, Colorado 80422
Fax: (303) 582-3424

with copy to: Kim J. Seter, Esq.
Jeenogle, Norton & Seter, P.C.
5690 DTC Blvd. #300
Greenwood Village, CO 80111-3232
Fax: (303) 773-1883

Any party may change the address for notice by notice to the other parties as specified herein. Any such notice, demand, request or other communication shall be deemed to have been given upon such personal delivery, facsimile transmission, or three (3) days following when the same is mailed or sent by regular mail, or one (1) day following when the same is sent by overnight delivery.

b. **Binding on Successors.** This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties. It is specifically agreed that insolvency or bankruptcy of any party shall not terminate this Agreement.

c. **No Vested Rights.** This Agreement shall not grant any status or right to any third party, specifically any owner of any property, to make any claim as a third party beneficiary, or for deprivation of any right, violation of any vesting of rights, or inverse or other condemnation. This Agreement is for the benefit of the parties only to resolve issues between the parties.

d. **Interpretation of Agreement.** Because this Agreement is the result of mutual negotiation and drafting, in the event this Agreement is deemed to be ambiguous or vague, the parties agree with the rule of construction that "ambiguities shall be construed against the drafter" shall not apply.

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e. **Choice of Law.** This Agreement shall be interpreted and construed in accordance with the laws of the State of Colorado.

f. **Attorney Fees.** Should any party employ attorneys to enforce against any other party hereto, any provisions hereof, or to protect its interest or recover damages from any other party hereto for breach of this Agreement, the non-prevailing party in any action or part thereof agrees to pay the prevailing party all reasonable costs, damages, and expenses, including attorney fees expended or incurred in connection therewith.

g. **Invalidity of Terms.** If any term, claim, clause or provision of this Agreement shall be judged to be invalid, the validity and effect of any other term, claim, clause or provision shall not be affected; and such invalid term, claim, clause or provision shall be deemed deleted from this Agreement in a manner to give effect to the remaining terms, claims, clauses or provisions.

h. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be considered an original for all purposes, and all of which when taken together shall constitute one and the same Agreement.

i. **Authority.** Each of the undersigned represents as to itself that each has the authority to execute this Agreement.

j. **Forum Selection.** Any action brought to enforce the terms and provisions of this Agreement or alleging a breach hereof shall be brought only in the District Court in Gilpin County, Colorado.

k. **Consents/Approvals.** Wherever this Agreement calls for the consent or approval of any party hereto, with respect to which consent or approval under this Agreement is not self-executing, in order to be effective, such consent or approval shall be in the form of a Resolution duly enacted by the City Council, Board of County Commissioners or District Board as appropriate.

l. **Compliance with Law.** Nothing herein appearing shall be construed to excuse either City from compliance with all statutory procedures set forth in the Municipal Annexation Act of 1965, as amended.

m. **Recordation of Agreement.** The parties shall record this Agreement in the real estate records of Gilpin County and Clear Creek County, Colorado.

n. **Master Exhibit.** Attached as Exhibit P and incorporated by this reference is a map that depicts the general location of the real property described in Exhibits B, C, D,
K, L, and N. The parties hereto agree that Exhibit P is to be used to interpret the intent of
the parties concerning the general location of the real property described in Exhibits B, C,
D, K, L, and N.

o. Entire Agreement. This Agreement constitutes the entire understanding,
contract, and agreement between the parties as to the subject matters herein set forth, and this
Agreement only supersedes prior written or oral understandings, agreements, and
commitments, formal or informal, relative thereto between all the parties hereto. No change,
modification, alteration, or amendment to this Agreement shall be binding upon the parties
except as specifically expressed in writing, making reference to this Agreement and signed
by all of the parties hereto agreeing to be bound thereby.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date
stated above.

CITY OF BLACK HAWK, COLORADO

By: ________________________________
    Kathryn E. Eccker, Mayor

ATTEST:

______________________________
Deborah S. Yancy, City Clerk

CITY OF CENTRAL, COLORADO

By: ________________________________
    Don Mattivi, Jr., Mayor

ATTEST:

______________________________
Jennifer Nowak, City Clerk

- 13 -
COUNTY OF GILPIN, COLORADO

By: Webster H. Sill, III, Chairman
    Board of County Commissioners

ATTEST:

Judith Dornbrock, County Clerk
Susan C. Allen, Deputy

BLACK HAWK-CENTRAL SANITATION
DISTRICT (ONLY AS TO PARAGRAPH 6
OF THIS AGREEMENT)

By: David D. Spelman, Chairman
    Board of Directors

ATTEST:

Betty Mahaffey, Secretary
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STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 06 - 1999

TITLE: A RESOLUTION TO AMEND RESOLUTION No. 05 - 1999 AND TO
APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
CENTRAL, COLORADO, THE CITY OF BLACK HAWK, COLORADO, THE
COUNTY OF GILPIN, COLORADO AND THE BLACK HAWK-CENTRAL CITY
SANITATION DISTRICT IN THE FORM APPROVED BY CENTRAL CITY ON
OCTOBER 5, 1999.

WHEREAS, the Board of Alderman approved Resolution No. 05 -1999, approving the
Intergovernmental Agreement that was attached as Exhibit 1 to that resolution;

WHEREAS, this Intergovernmental Agreement was modified since the approval of
Resolution No. 05 – 1999, requiring the amendment of Resolution No. 05 – 1999, approving
such modifications;

WHEREAS, the Board of Aldermen of the City of Black Hawk desires to enter in the
Intergovernmental Agreement as approved by Central City on October 5, 1999, which is attached
as Exhibit 1 and incorporated by the reference (the “IGA”); and

WHEREAS, the Board of Aldermen of the City of Black Hawk desires to authorize the
Mayor of the City of Black Hawk to execute the IGA on behalf of the City of Black Hawk.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE
CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The Board of Aldermen of the City of Black Hawk hereby approves the IGA,
and authorizes the Mayor of the City of Black Hawk to execute the IGA on behalf of the City
of Black Hawk.

RESOLVED AND PASSED this 6th day of October, 1999.
Kathryn E. Becker, Mayor

ATTEST:

Deborah S. Yaney, City Clerk
BEFORE THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF GILPIN

RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN THE CITY OF CENTRAL, THE CITY OF BLACK HAWK,
THE COUNTY OF GILPIN, AND BLACK HAWK-CENTRAL CITY
SANITATION DISTRICT AND AUTHORIZING THE EXECUTION THEREOF
BY
APPROPRIATE COUNTY OFFICIALS

WHEREAS, the Local Government Land Use Control Act, at § 29-20-105 C.R.S. authorizes local governments to cooperate and contract with other units of government for the planning and regulation of land development through Intergovernmental agreements and to enter into mutually binding and enforceable comprehensive development plans for areas within their jurisdictions, and;

WHEREAS, orderly and controlled growth within those areas of the County of Gilpin located outside of the present municipal boundaries of the cities of Central or the City of Black Hawk is in the best interest of the public health, safety and welfare of the residents of Gilpin County, and;

WHEREAS, the IGA provides a mechanism to assure orderly and controlled growth, facilitate development which is compatible with the mountain environment of Gilpin County population, which is consistent with the Board of County Commissioners' goal of achieving a population cap for Gilpin County of fifteen thousand (15,000) people, and;

WHEREAS, the Board of County Commissioners have determined that this intergovernmental agreement attached to Exhibit "A" to this resolution accomplishes the foregoing purposes and that execution of the agreement by the Board of County Commissioners is in the best interest of the present and future residents of the County of Gilpin.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gilpin as follows:

1. That the intergovernmental agreement by and between the City of Central, the City of Black Hawk, the County of Gilpin, and the Black Hawk/Central City Sanitation District is hereby approved for execution by the Chairman of the Board of County Commissioners of Gilpin County, and said agreement, upon execution by all parties, shall become a binding legal obligation of the County of Gilpin for the term stated therein.

ADOPTED THIS 5 day of October, 1999 by a vote of 3 to 0.

EXHIBIT A
ACKNOWLEDGEMENT

STATE OF COLORADO

COUNTY OF GILPIN

The foregoing Resolution was acknowledged before me this 05th day of October, 1999, by Webster Hill, Chairperson and Susan C. Allen, County Clerk, County of Gilpin.

Witness my hand and official seal.

My commission expires: 02-19-2003

[SEAL]

SHARON E. CATE
NOTARY PUBLIC
STATE OF COLORADO

Notary Public

203 Eureka St.
Central City, CO 80427

APPROVED:

James J. Petrock, Gilpin County Attorney
BEFORE THE BOARD OF COUNTY COMMISSIONERS  
COUNTY OF GILPIN


WHEREAS, on September 28, 1999, the Board of County Commissioners duly approved an intergovernmental agreement between the City of Central, the City of Black Hawk, the County of Gilpin and the Black Hawk/Central City Sanitation District by unanimous vote; and,

WHEREAS, subsequent thereto, certain modifications to the said intergovernmental agreement have been proposed by Central City, as a condition to the execution of said agreement by the City of Central; and,

WHEREAS, all of the proposed modifications are acceptable to the Board of County Commissioners of the County of Gilpin; and,

WHEREAS, certain exhibits relating to school district impacts were not completed as of the initial date of approval of the intergovernmental agreement by the County of Gilpin and said exhibits have now been attached to the agreement,

NOW THEREFORE, be it resolved by the Board of County Commissioners of the County of Gilpin as follows:

1. That the intergovernmental agreement by and between the City of Central, the City of Black Hawk, the County of Gilpin and the Black Hawk/Central City Sanitation District, as amended in the following particulars: ¶12(b), 12(e), the addition of ¶12(f) and the attachment of exhibits G and J being school district financial impact calculations, is hereby approved for execution by the chairman of the Board of County Commissioners of Gilpin County and said agreement as amended, upon execution by all parties, shall become a binding legal obligation of the County of Gilpin for the term stated therein.

ADOPTED this ___ day of ___ by a vote of ___ to ___.
ATTEST:

Sharon E. Cote
County Clerk
Deputy

BOARD OF COUNTY COMMISSIONERS
OF GILPIN COUNTY

Chairperson

ACKNOWLEDGMENT

STATE OF COLORADO ) ) ss.
COUNTY OF GILPIN ) )

The foregoing Resolution was acknowledged before me this 12 day of October, 1999, by Webster A. Sill III, Chairperson and Sharon E. Cote, County Clerk, County of Gilpin.

My commission expires: 5/09/2003

Witness my hand and official seal.

Notary Public

[Signature]

DANA C. MARTIN

2918 DAWG HILL RD
Address

[Place]

[Date]
BEFORE THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF GILPIN

RESOLUTION AMENDING RESOLUTION No. 99-15 AS PREVIOUSLY AMENDED
BY RESOLUTION No. 99-15A, AND APPROVING A MODIFICATION
TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN
THE CITY OF CENTRAL, THE CITY OF BLACK HAWK,
THE COUNTY OF GILPIN AND BLACK HAWK/CENTRAL CITY SANITATION
DISTRICT AND AUTHORIZING EXECUTION OF THE AMENDED
INTERGOVERNMENTAL AGREEMENT BY APPROPRIATE COUNTY OFFICIALS

WHEREAS, on September 28, 1999, the Board of County Commissioners duly approved
an intergovernmental agreement between the City of Central, the City of Black Hawk, the County
of Gilpin and the Black Hawk/Central City Sanitation District by unanimous vote; and,

WHEREAS, subsequent thereto, in addition to other modifications to the said
intergovernmental agreement approved by the Board of County Commissioners on October 5, 1999,
a modification was made to ¶10 of the intergovernmental agreement; and,

WHEREAS, the said modification is acceptable to the Board of County Commissioners of
the County of Gilpin,

NOW THEREFORE, be it resolved by the Board of County Commissioners of the County
of Gilpin as follows:

1. That the intergovernmental agreement by and between the City of Central, the City
of Black Hawk, the County of Gilpin and the Black Hawk/Central City Sanitation District, as
previously amended, is hereby approved with the addition of the following wording in ¶10 “Except
as otherwise provided in this agreement, Central, Black Hawk, and the County each recognize the
police power of the two cities to control access to streets that are located in each of the two cities.”
Said agreement as so amended is hereby approved for execution by the Chairman of the Board of
County Commissioners of Gilpin County, and said agreement as amended, upon execution by all
parties, shall become a binding legal obligation of the County of Gilpin for the term stated therein.

ADOPTED this /\th day of October by a vote of 3 to 0.
ATTEST:

Deputy
County Clerk

Sharon E. Cate

BOARD OF COUNTY COMMISSIONERS
OF GILPIN COUNTY

Chairperson

ACKNOWLEDGMENT

STATE OF COLORADO )
COUNTY OF GILPIN ) ss.

The foregoing Resolution was acknowledged before me this 12th day of October, 1999, by Webster H. Sill, III, Chairperson and Sharon E. Cate, County Clerk, County of Gilpin.

My commission expires: 5/09/2003

Witness my hand and official seal.

Notary Public

DONNA C. MARTIN

Address
Golden, CO 80401
RESOLUTION NO. 86-99

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF CENTRAL, COLORADO, THE CITY OF BLACK HAWK, COLORADO, THE COUNTY OF GILPIN, COLORADO AND THE BLACK HAWK-CENTRAL CITY SANITATION DISTRICT TO PROVIDE FOR ORDELY GROWTH IN GILPIN COUNTY

WHEREAS, The City of Central (City) is a home rule city and authorized to enter into intergovernmental agreements; and

WHEREAS, the City Council of the City of Central (Council) finds that the matter of growth in Gilpin County is a matter of great concern to the City; and

WHEREAS, the Council finds that the best way to allow growth to proceed in an orderly and well-regulated manner is by having an agreement among all the governmental entities of the County; and

WHEREAS, the Council specifically finds that the agreement attached hereto is in the best interests of the City.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO:

The City of Central hereby approves the attached Intergovernmental Agreement among the City of Central, Colorado, the City of Black Hawk, Colorado, the County of Gilpin, Colorado, and the Black Hawk-Central City Sanitation District and authorizes and directs the Mayor of said City of Central to sign said agreement attesting to the City’s willingness to be bound thereby.

APPROVED THIS 26TH DAY OF OCTOBER, 1999, BY THE CITY COUNCIL OF THE CITY OF CENTRAL AT CITY HALL, 141 NEVADA STREET, CENTRAL CITY, COLORADO.

Don Mattivi, Jr., Mayor

ATTEST:

Jennifer L. Nowak, City Clerk

APPROVED AS TO FORM:

Kerry A. Bueske, City Attorney
RESOLUTION #99-3

A RESOLUTION OF THE BLACK HAWK – CENTRAL CITY SANITATION DISTRICT CONCERNING APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH CITY OF BLACK HAWK, CITY OF CENTRAL AND THE COUNTY OF GILPIN CONCERNING PROPOSED GROWTH AREAS

Whereas, the Board of Directors of the Black Hawk – Central City Sanitation District has been asked to participate in an intergovernmental agreement with the City of Central, the City of Black Hawk and the County of Gilpin establishing their agreement to proposed growth and annexation areas; and,

Whereas, the District's participation in the agreement has been limited to the provisions of paragraph 6; and,

Whereas, any commitment made by the District is limited by the availability of plant capacity at the time of any application for service, plan and construction review and approval according to standards adopted for the entire District, compliance with the District's Rules, Regulations and Resolutions in effect at the time of the application; and, the District's ability to serve the area without violating any law or regulation;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Intergovernmental Agreement made September 29, 1999 by and between the City of Central, Colorado, the City of Black Hawk, Colorado, the County of Gilpin, Colorado and the Black Hawk-Central City Sanitation District only as to paragraph 6, is approved by the Board of Directors and execution by the Chairman of the Board with attestation by the Secretary is authorized to bind the Board.

This Resolution is effective this _____ day of September, 1999.

ADOPTED THIS _____ DAY OF September, 1999.

__________________________
David Spellman, Chairman

Attest:

__________________________
By: Betty Mahaffey, Director
EXHIBIT B

This Exhibit B contains Parcels 1 through 6.

Notwithstanding anything to the contrary contained in this Exhibit B, no portion of the Central City Growth Area includes any area within the corporate boundaries of Central City as of the date of this Intergovernmental Agreement or the real property described in Exhibits C, E or H of this Agreement.
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 11 AND 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE CITY OF CENTRAL'S BOUNDARY, THENCE NORTHEASTERLY TO A POINT ALONG THE SUMMIT OF A HILL AT ELEVATION 9089 AS SHOWN HEREO; THENCE SOUTHEASTERLY TO A POINT ALONG THE WEST LINE OF SECTION 12; THENCE EAST TO THE INTERSECTION OF THE 8600 CONTOUR LINE; THENCE ALONG SAID CONTOUR LINE TO A POINT ALONG THE RIDGE OF WINNEBAGO HILL; THENCE EAST TO THE WESTERLY ANGLE POINT IN THE BLACK HAWK CITY BOUNDARY; THENCE SOUTHEAST ALONG SAID BOUNDARY TO A POINT ALONG THE NORTH LINE OF CENTRAL CITY'S BOUNDARY; THENCE ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.
EXHIBIT B
PARCEL 2

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 2 AND 11, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST ANGLE POINT OF A PARCEL OF LAND ANNEXED TO THE CITY OF CENTRAL, COUNTY OF GILPIN, UNDER RECEPTION NO. 84013, THENCE SOUTHEASTERLY ALONG THE SOUTH SIDE OF CHASE GULCH TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SECTION 2; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE SOUTHEAST CORNER THEREOF; THENCE EASTERLY ALONG THE EAST LINE OF SECTION 11 TO THE EXTENDED POINT OF INTERSECTION OF THE 8600 CONTOUR LINE AS SHOWN HEREON; THENCE NORTH-WESTERLY TO A POINT ALONG THE SUMMIT OF A HILL AT ELEVATION 9089 AS SHOWN HEREON; THENCE SOUTH-WESTERLY TO THE NORTH-WEST CORNER OF THE CITY OF CENTRAL'S BOUNDARY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID BOUNDARY TO THE POINT OF INTERSECTION WITH GILPIN COUNTY ROAD No. 3 AS SHOWN ON THE PRELIMINARY LAND SURVEY PLAT, PREPARED BY ALPINE SURVEYING COMPANY, DATED: MAY 21, 1998; THENCE NORTH-WESTERLY ALONG SAID COUNTY ROAD TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE BOODLE LODE, SURVEY No. 6111 DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., DATED: MAY 20, 1999; THENCE NORTH-EASTERLY ALONG THE SOUTHERLY LINE OF SAID LODE TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH-WESTERLY ALONG THE EAST LINE OF SAID LODE TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH-WESTERLY ALONG THE NORTH LINE OF SAID LODE TO THE POINT OF INTERSECTION WITH OLD GILPIN COUNTY ROAD No. 3 AS SHOWN ON SAID ANNEXATION MAP; THENCE NORTH-WESTERLY ALONG SAID ROAD TO THE POINT OF INTERSECTION WITH THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., RECORDED IN BOOK 673 AT PAGE 488 IN THE COUNTY OF GILPIN; THENCE ALONG THE SOUTHERLY, EASTERLY AND NORTHERLY LINES OF SAID ANNEXATION TO THE POINT OF INTERSECTION WITH COUNTY ROAD No. 3 AS SHOWN ON SAID ANNEXATION MAP; THENCE NORTH-WESTERLY ALONG SAID ROAD TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, COUNTY OF GILPIN, UNDER RECEPTION NO. 84013; THENCE NORTHERLY AND EASTERLY ALONG THE EASTERLY AND SOUTHERLY LINE OF SAID PARCEL TO THE POINT OF BEGINNING.

NOTE:

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
EXHIBIT B
PARCEL 3

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 2 AND 11, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION ALONG THE NORTHERLY LINES OF THE BOODLE LODE, SURVEY NO. 6111 AND OLD GILPIN COUNTY ROAD NO. 1 AS DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., DATED MAY 20, 1999; THENCE WESTERLY ALONG THE NORTH LINE OF SAID ROAD TO THE POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID LODE; THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF SAID LODE TO THE POINT OF INTERSECTION WITH THE LINE DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., RECORDED IN BOOK 673 AT PAGES 492 AND 493; THENCE N 83°34'00" W, 292.04 FEET; THENCE N 21°18'00" E, 642.20 FEET; THENCE N 78°32'00" W, 440.02 FEET; THENCE N 05°19'00" E, 152.34 FEET; THENCE N 70°57'47" W, 736.02 FEET; THENCE S 77°42'48" E, 999.23 FEET; THENCE N 11°12'13" E, 148.76 FEET; THENCE N 77°40'53" W, 330.74 FEET; THENCE N 21°32'13" E, 96.96 FEET; THENCE S 68°27'47" E, 325.21 FEET; THENCE N 43°26'00" E, 740.20 FEET; THENCE S 23°59'00" E, 881.50 FEET; THENCE S 44°31'00" W, 136.02 FEET; THENCE S 68°27'47" E, 98.65 FEET; THENCE S 89°57'09" E, 67.07 FEET TO THE POINT OF INTERSECTION WITH THE WESTERLY LINE OF COUNTY ROAD NO. 3 AS SHOWN ON SAID ANNEXATION MAP; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID ROAD TO THE POINT OF INTERSECTION WITH THE NORTHERLY LINE OF OLD GILPIN COUNTY ROAD NO. 1 AS SHOWN ON THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., DATED MAY 20, 1999; THENCE SOUTHEASTERLY ALONG THE NORTH LINE OF OLD GILPIN COUNTY ROAD NO. 1 TO THE POINT OF BEGINNING.
EXHIBIT B
PARCEL 4

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 11 AND 14, TOWNSHIP 3 SOUTH,
RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE
OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ALONG THE WEST LINE OF SECTION 11 AND THE
SOUTHERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO
THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC.,
RECORDED IN BOOK 673 AT PAGE 493 OF SAID GILPIN COUNTY, THENCE
SOUTHERLY ALONG THE WEST LINE OF SECTION 11 TO A POINT AS SHOWN
HEREIN; THENCE EAST TO A POINT NORTH OF PROSSER GULCH; THENCE SOUTH
TO A POINT NORTH OF NEVADA GULCH; THENCE SOUTHEASTERLY TO A POINT
ALONG THE EAST LINE OF THE CITY OF CENTRAL'S BOUNDARY; THENCE
NORTH-WESTERLY ALONG SAID BOUNDARY TO THE POINT OF INTERSECTION
WITH GILPIN COUNTY ROAD NO. 3 AS SHOWN ON THE PRELIMINARY LAND
SURVEY PLAT, PREPARED BY ALPINE SURVEYING COMPANY, DATED: MAY 21,
1998; THENCE SOUTHWESTERLY TO CORNER NO. 6 OF THE J.P. WHITNEY LODE,
M.S. 639 AS SHOWN ON SAID PLAT; THENCE: S 80°54'00" E, 150.00 FEET;
THENCE: S 80°27'00" W, 54.81 FEET; THENCE: N 67°50'00" W, 139.86 FEET;
THENCE: S 21°27'00" W, 85.78 FEET; THENCE: S 80°27'00" W, 1049.03 FEET;
THENCE: S 81°06'00" W, 233.00 FEET; THENCE: N 08°54'00" W, 10.27 FEET;
THENCE: N 78°00'00" E, 2.85 FEET; THENCE: N 12°00'00" W, 52.58 FEET;
THENCE: N 08°54'00" W, 114.06 FEET MORE OR LESS TO THE EXTENDED POINT
OF INTERSECTION WITH THE SOUTH LINE OF THE BULLION NO. 6 LODE, M.S.
16866 AS SHOWN ON SAID PLAT; THENCE ALONG THE SOUTH LINE OF SAID LODE
THENCE: S 80°50'00" W, 793.38 FEET MORE OR LESS; THENCE: N 09°50'00" E,
156.64 FEET; THENCE: N 80°50'00" E, 1130.57 FEET; THENCE: N 30°45'00" W,
36.46 FEET; THENCE: N 59°15'00" E, 490.16 FEET; THENCE: N 61°00'00" W,
24.34 FEET; THENCE: S 78°25'00" W, 1156.34 FEET; THENCE: N 13°05'00" W,
128.01 FEET; THENCE: S 78°04'00" W, 674.69 FEET; THENCE: N 11°56'00" W,
150.00 FEET; THENCE: N 78°04'00" E, 853.38 FEET; THENCE: N 26°00'00" W,
120.07 FEET; THENCE: N 64°00'00" E, 21.15 FEET; THENCE: S 81°42'00" W,
145.07 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL OF LAND
DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY
ROCKY MOUNTAIN CONSULTANTS, INC., DATED SEPTEMBER 4, 1992; THENCE
SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID ANNEXATION TO THE
SOUTH-WEST CORNER THEREOF, SAID POINT BEING THE SOUTHEASTERLY
ANGLE POINT OF THE PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE
CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC.,
RECORDED IN BOOK 673 AT PAGE 493 OF SAID GILPIN COUNTY; THENCE
SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID ANNEXATION TO THE
POINT OF BEGINNING.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

BCA GROUP
GEOMATICS AND ENGINEERING RESOURCE CENTER
11445 WEST I-70 FRONTRIDGE ROAD NORTH
SUITE 102 WHEAT RIDGE, COLORADO 80033
Ph (303) 403-4798 Fax (303) 403-8600
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 18, 19 AND 20, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND SECTIONS 13, 14, AND 24, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE CITY OF CENTRAL'S BOUNDARY, THENCE SOUTHEASTERLY TO A POINT ALONG RUSSELL GULCH AT THE 8800 CONTOUR LINE AS SHOWN HEREON; THENCE ALONG SAID CONTOUR LINE TO THE POINT OF INTERSECTION WITH THE WESTERLY LINE OF SECTION 19; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE SOUTHWEST CORNER THEREOF; THENCE ALONG THE SOUTH LINE OF SAID SECTION TO THE SOUTHEAST CORNER THEREOF; THENCE ALONG THE EAST LINE OF SAID SECTION TO THE COMMON QUARTER CORNER OF SECTIONS 19 AND 20; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 20 TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD AS SHOWN ON THE EXHIBIT, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., Job No. 1671060.00NR; THENCE NORTHERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SECTION 19; THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF INTERSECTION WITH THE WESTERLY EDGE OF LAKE GULCH ROAD; THENCE NORTHEASTERLY ALONG THE WESTERLY EDGE OF SAID ROAD TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 18; THENCE NORTHERLY ALONG SAID WEST LINE TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE BLACK HAWK CITY BOUNDARY; THENCE WESTERLY ALONG SAID SOUTHERLY BOUNDARY LINE TO THE SOUTHWEST CORNER THEREOF; THENCE NORTHERLY ALONG THE WEST LINE OF SAID CITY BOUNDARY TO THE POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF CENTRAL CITY; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTION 29, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 29, THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE POINT OF INTERSECTION WITH THE GILPIN, CLEAR CREEK COUNTY LINE; THENCE SOUTHEASTERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE NORTH-SOUTH CENTERLINE OF THE SOUTHEAST QUARTER OF SECTION 29; THENCE NORTH ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD AS SHOWN ON THE EXHIBIT PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB NO. 1671050.001R; THENCE NORTHEASTERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE COMMON LINE OF THE NORTHEAST AND SOUTHEAST QUARTERS OF SAID SECTION; THENCE WESTERLY ALONG SAID LINE TO THE CENTER OF SAID SECTION; THENCE NORTHERLY ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION TO A POINT ALONG THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD AS SHOWN ON THE EXHIBIT PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB NO. 1671050.001R; THENCE NORTHERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE NORTH-SOUTH CENTERLINE OF SAID SECTION; THENCE NORTHERLY ALONG SAID CENTERLINE TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION TO THE POINT OF BEGINNING.
This Exhibit C contains one parcel.

Notwithstanding anything to the contrary contained in this Exhibit C, no portion of the Black Hawk Growth Area includes any area within the corporate boundaries of the City of Black Hawk as of the date of this Intergovernmental Agreement or the real property described in Exhibits B, E or H of this Agreement.
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTION 36, TOWNSHIP 2 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SECTIONS 1, 2, AND 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND SECTION 8, 9, 17, AND 18, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 16, THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE SOUTHEAST CORNER OF SECTION 17; THENCE WESTERLY ALONG THE SOUTH LINE OF SECTION 17 TO THE SOUTHWEST CORNER THEREOF; THENCE WESTERLY ALONG THE SOUTH LINE OF SECTION 18 TO THE POINT OF INTERSECTION WITH THE WESTERLY EDGE OF LAKE GULCH ROAD; THENCE NORTH-WESTERLY ALONG THE WESTERLY EDGE OF LAKE GULCH ROAD TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 18; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE BLACK HAWK CITY BOUNDARY; THENCE EASTERLY ALONG SAID BOUNDARY TO THE SOUTHEAST CORNER THEREOF; THENCE NORTHERLY AND WESTERLY ALONG SAID CITY BOUNDARY TO THE NORTHERLY CORNER THEREOF; THENCE SOUTHWESTERLY ALONG SAID CITY BOUNDARY TO AN ANGLE POINT IN SAID BOUNDARY; THENCE WEST TO THE POINT OF INTERSECTION WITH THE 8800 CONTOUR LINE AS SHOWN HEREON; THENCE WESTERLY ALONG SAID CONTOUR LINE TO THE EXTENDED POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 12; THENCE NORTHERLY ALONG SAID LINE TO THE NORTHWEST CORNER THEREOF; THENCE NORTHERLY ALONG THE WEST LINE OF SECTION 1 TO A POINT ALONG THE SOUTH SIDE OF CHASE GULCH; THENCE NORTH-WESTERLY ALONG THE SOUTH SIDE OF CHASE GULCH TO THE POINT OF INTERSECTION WITH THE SOUTHEAST ANGLE POINT OF A PARCEL OF LAND ANNEXED TO THE CITY OF CENTRAL, COUNTY OF GILPIN, UNDER RECESSION NO. 841013; THENCE NORTH-WESTERLY ALONG THE EASTERLY AND NORTHERLY LINES OF SAID PARCEL TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 2; THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 2 TO THE NORTHWEST CORNER OF SECTION 1; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 1 TO A POINT, SAID POINT BEING SOUTHWEST OF MISSOURI FALLS AS SHOWN HEREON; THENCE NORTH TO THE POINT OF INTERSECTION WITH THE 8800 CONTOUR LINE; THENCE ALONG SAID CONTOUR LINE AS SHOWN HEREON TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SECTION 36; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE NORTHWEST CORNER OF SECTION 6; THENCE EASTERLY ALONG THE NORTH LINES OF SECTIONS 8 AND 5 TO THE NORTHEAST CORNER OF SAID SECTION 5; THENCE SOUTHERLY ALONG THE EAST LINES OF SECTIONS 5 AND 8 TO THE NORTHWEST CORNER OF SECTION 16 AND THE POINT OF BEGINNING.

NOTE:

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
EXHIBIT D

DESCRIPTION:
A PARCEL OF LAND LOCATED WITHIN SECTIONS 15, 16, 19, 20, 21, 22, 25, 26, 27, 28, 29, 33, 35
AND 36, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN,
STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH-WEST CORNER OF SECTION 16, THENCE EASTERLY ALONG THE NORTH LINE OF
SECTION 16 TO THE NORTH-WEST CORNER OF SECTION 15; THENCE EASTERLY ALONG THE NORTH LINE OF
SECTION 15 TO THE WEST LINE OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION;
THENCE SOUTHERLY ALONG SAID WEST LINE TO THE SOUTH-WEST CORNER OF THE NORTHEAST QUARTER OF
THE NORTHEAST QUARTER OF SAID SECTION; THENCE EASTERLY ALONG THE SOUTH LINE OF THE NORTHEAST
QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION TO THE POINT OF INTERSECTION WITH THE EAST
LINE OF SECTION 15; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE NORTH-WEST CORNER OF SECTION
22; THENCE SOUTHERLY ALONG THE EAST LINE OF SECTION 22 TO THE NORTH-WEST CORNER OF SECTION 26;
THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 26 TO THE NORTHWEST CORNER OF SECTION 25;
THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 25 TO THE POINT OF INTERSECTION WITH THE GILPIN,
JEFFERSON COUNTY LINE; THENCE SOUTHERLY ALONG SAID COUNTY LINE TO THE POINT OF INTERSECTION WITH
THE GILPIN, CLEAR CREEK COUNTY LINE; THENCE WESTERLY ALONG THE GILPIN, CLEAR CREEK COUNTY LINE TO
THE POINT OF INTERSECTION WITH THE NORTH-SOUTH CENTERLINE OF THE SOUTHEAST QUARTER OF SECTION 29;
THENCE NORTH ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE PROPOSED
SOUTHERLY ACCESS ROAD AS SHOWN ON THE EXHIBIT PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB
NO. 1671050.00R; THENCE NORTHWESTERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE
COMMON LINE OF THE NORTHEAST AND SOUTHEAST QUARTERS OF SAID SECTION; THENCE WESTERLY ALONG SAID
LINE TO THE CENTER OF SAID SECTION; THENCE NORTHERLY ALONG THE NORTH-SOUTH CENTERLINE OF SAID
SECTION TO A POINT ALONG THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD AS SHOWN ON THE
EXHIBIT PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB NO. 1671050.00R; THENCE NORTHERLY ALONG
SAID LINE TO THE POINT OF INTERSECTION WITH THE NORTH-SOUTH CENTERLINE OF SAID SECTION; THENCE
NORTHERLY ALONG SAID CENTERLINE TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE WESTERLY ALONG
THE NORTH LINE OF SAID SECTION 20 TO THE NORTHWEST CORNER THEREOF; THENCE NORTHERLY ALONG THE WEST
LINE OF SECTION 20 TO THE WEST QUARTER CORNER THEREOF; THENCE EASTERLY ALONG THE EAST-WEST
CENTERLINE OF SECTION 20 TO A POINT ALONG THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD
AS SHOWN ON THE EXHIBIT PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB NO., 1671050.00NR; THENCE
NORTHERLY ALONG SAID EASTERLY LINE TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SECTION 19;
THENCE EASTERLY ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SECTION 20; THENCE EASTERLY ALONG
THE NORTH LINE OF SECTION 20 TO THE SOUTHWEST CORNER OF SECTION 16; THENCE NORTHERLY ALONG THE WEST
LINE OF SECTION 16 TO THE POINT OF BEGINNING.

Notwithstanding anything to the contrary contained herein, the Black Hawk/Central/Gilpin Joint Planning Area
includes as a part of this Exhibit D that real property described in Exhibit A of the PRE-ANNEXATION AGREEMENT
between O.R. Goltra, an individual, and Mountain Ridge Homes, LLC, a Colorado limited liability company, and
Peter Seipp Goltra, as custodian for both Andrew Renard Goltra under the Colorado Uniform Transfers to Minors
Act and Carolyn Seipp Goltra under the Colorado Uniform Transfers to Minors Act and Central City dated June 4,
1998 and recorded June 18, 1998 in book 644, page 73 of the Gilpin County Clerk records office, as well as the
remainder of unincorporated Gilpin County which is not described in the intergovernmental agreement and the
exhibits attached thereto.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
PARCEL 4

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 11 AND 14, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ALONG THE WEST LINE OF SECTION 11 AND THE SOUTHERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., RECORDED IN BOOK 673 AT PAGE 483 OF SAID GILPIN COUNTY, THENCE SOUTHERLY ALONG THE WEST LINE OF SECTION 11 TO A POINT AS SHOWN HEREON; THENCE EAST TO A POINT NORTH OF PROSSER GULCH; THENCE SOUTH TO A POINT NORTH OF NEVADA GULCH; THENCE SOUTHEASTERLY TO A POINT ALONG THE EAST LINE OF THE CITY OF CENTRAL'S BOUNDARY; THENCE NORTHWESTERLY ALONG SAID BOUNDARY TO THE POINT OF INTERSECTION WITH GILPIN COUNTY ROAD No. 3 AS SHOWN ON THE PRELIMINARY LAND SURVEY PLAT, PREPARED BY ALPINE SURVEYING COMPANY, DATED: MAY 21, 1998; THENCE NORTHWESTERLY TO CORNER No. 8 OF THE J.P. WHITNEY LODE, M.S. 639 AS SHOWN ON SAID PLAT; THENCE: S 08°54'00" E, 150.00 FEET; THENCE: S 80°27'00" W, 54.81 FEET; THENCE: N 67°50'00" W, 139.86 FEET; THENCE: S 21°27'00" W, 85.76 FEET; THENCE: S 80°27'00" W, 1049.03 FEET; THENCE: S 81°06'00" W, 233.00 FEET; THENCE: N 08°54'00" W, 10.27 FEET; THENCE: N 78°00'00" E, 2.85 FEET; THENCE: N 12°00'00" W, 52.58 FEET; THENCE: N 08°54'00" W, 114.08 FEET MORE OR LESS TO THE EXTENDED POINT OF INTERSECTION WITH THE SOUTH LINE OF THE BULLION No. 6 LODE, M.S. 16856 AS SHOWN ON SAID PLAT; THENCE ALONG THE SOUTH LINE OF SAID LODE THENCE: S 80°50'00" W, 793.38 FEET MORE OR LESS; THENCE: N 09°50'00" E, 156.64 FEET; THENCE: N 80°50'00" E, 1130.57 FEET; THENCE: N 30°45'00" W, 36.46 FEET; THENCE: N 59°15'00" E, 490.16 FEET; THENCE: N 61°00'00" W, 24.34 FEET; THENCE: S 78°28'00" W, 1156.34 FEET; THENCE: N 13°05'00" W, 128.01 FEET; THENCE: S 78°04'00" W, 674.69 FEET; THENCE: N 11°56'00" W, 150.00 FEET; THENCE: N 78°04'00" W, 853.38 FEET; THENCE: N 28°00'00" W, 120.07 FEET; THENCE: N 64°00'00" E, 21.15 FEET; THENCE: S 81°42'00" W, 145.07 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., DATED SEPTEMBER 4, 1992; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID ANNEXATION TO THE SOUTHWEST CORNER THEREOF, SAID POINT BEING THE SOUTHEASTERLY ANGLE POINT OF THE PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., RECORDED IN BOOK 673 AT PAGE 483 OF SAID GILPIN COUNTY; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID ANNEXATION TO THE POINT OF BEGINNING.
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 18, 19 AND 20, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND SECTIONS 13, 14, AND 24, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE CITY OF CENTRAL'S BOUNDARY, THENCE SOUTHEASTERLY TO A POINT ALONG RUSELL GULCH AT THE 8800 CONTOUR LINE AS SHOWN HEREON; THENCE ALONG SAID CONTOUR LINE TO THE POINT OF INTERSECTION WITH THE WESTERLY LINE OF SECTION 19; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE SOUTHWEST CORNER THEREOF; THENCE ALONG THE SOUTH LINE OF SAID SECTION TO THE SOUTHEAST CORNER THEREOF; THENCE ALONG THE EAST LINE OF SAID SECTION TO THE COMMON QUARTER CORNER OF SECTIONS 19 AND 20; THENCE ALONG THE SOUTH LINE OF THE NORTH-WEST QUARTER OF SECTION 20 TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD AS SHOWN ON THE EXHIBIT, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB NO. 1671050.00NF; THENCE NORTHERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SECTION 19; THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF INTERSECTION WITH THE WESTERLY EDGE OF LAKE GULCH ROAD; THENCE NORTH-WESTERLY ALONG THE WESTERLY EDGE OF SAID ROAD TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 18; THENCE NORTHERLY ALONG SAID WEST LINE TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE BLACK HAWK CITY BOUNDARY; THENCE WESTERLY ALONG SAID SOUTHERLY BOUNDARY LINE TO THE SOUTHWEST CORNER THEREOF; THENCE NORTHERLY ALONG THE WEST LINE OF SAID CITY BOUNDARY TO THE POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF CENTRAL CITY; THENCE NORTH-WESTERLY ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.
NOTE: LAND USES SHOWN ARE CONCEPTUAL & SUBJECT TO CHANGE AS MORE DATA IS DEVELOPED.

EXHIBIT F-2
As calculated by Gilpin County School District RE-1 on the attached Tables 1A and 1B, Gilpin County School District RE-1 experiences a cost of more than $1,200 to provide school sites for each new single family home constructed within its boundary. Further, the cost to provide school buildings approximates an additional $9,530 (1998 dollars) per home, based upon the existing instructional program. This cost excludes provision of the furniture, fixtures and equipment (FF&E) necessary to make the schools functional. On average, FF&E (desks, library shelves, kitchen equipment, etc.) adds about 15 percent to the construction costs and is typically included in bond elections. However, these costs are excluded from the fiscal calculations for various reasons, such as the ease of relocating FF&E among facilities.

Over time, new homes will contribute toward retirement of debt issued to purchase land and build schools. Consequently, credit is given for those payments to avoid double taxation. The net present value of these credits approaches $3,900, assuming an average market value of $200,000 per home and that the School District will seek bonded debt to the maximum allowed by state statute. Thus, a tax levy of 16.00 mills is applied rather than the 8.33 mills currently being assessed. Even after adjusting for this credit, the calculation still shows a net unmet cost to all remaining taxpayers of nearly $5,650 per new residential unit.

The School District respectfully requests that each new development be required to provide adequate land dedication or cash-in-lieu of land. In addition, because unmet capital construction costs represent a very substantial burden for our relatively small base of mutual constituents, it is requested that new development be asked to mitigate this general subsidy as well. Black Hawk, Central City and Gilpin County will cooperate with Gilpin County School District RE-1 and the residential development community to establish a uniform and fair mechanism for calculating and mitigating school impacts.
Table 1B. Land Use Impact Statement — District Capital Cost Implications

<table>
<thead>
<tr>
<th>Facility Costs Attributable to the Project</th>
<th>School Type</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>C.</td>
<td>Elementary</td>
<td>Middle</td>
<td>Senior High</td>
<td>Total</td>
</tr>
<tr>
<td>1. Proportionate facility capacity required</td>
<td>0.061</td>
<td>0.058</td>
<td>0.037</td>
<td>146,753</td>
</tr>
<tr>
<td>(from Part B)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Size of prototype facilities (in Sq. Ft.)</td>
<td>67,732</td>
<td>33,866</td>
<td>48,355</td>
<td>146,753</td>
</tr>
<tr>
<td>3. Facility space required by the project</td>
<td>4,158</td>
<td>1,957</td>
<td>2,568</td>
<td></td>
</tr>
<tr>
<td>(Item C1 x Item C2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Average construction cost as of 10/75</td>
<td>102.75</td>
<td>113.00</td>
<td>118.75</td>
<td></td>
</tr>
<tr>
<td>(per Sq. Ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Construction cost outlay required by the</td>
<td>427,235</td>
<td>221,108</td>
<td>304,971</td>
<td>953,314</td>
</tr>
<tr>
<td>project (Item C3 x Item C4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Gross infrastructure cost per unit</td>
<td>4,272</td>
<td>2,211</td>
<td>3,059</td>
<td>9,533</td>
</tr>
<tr>
<td>(Item C5 + C6 Total / Total Units)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Gross cost plus furniture, fixtures and</td>
<td>4,913</td>
<td>2,543</td>
<td>3,507</td>
<td>10,963</td>
</tr>
<tr>
<td>equipment (add 15 percent)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

D. Contributions and Credits

1. Net present value of future tax payments
   a. Average market value of homes**   $ 200,000
   b. Residential assessment rate     9.74%
   c. Average assessed value (D1a x D1b) $ 19,490
   d. Bond redemption fund levy (mills) 16.00
   e. Animal tax payment (D1c x D1d)   $ 311.68
   f. Net present value of D1c; assumes 22 years @ 5.0%
      interest rate (no payments for first two years) $3,834

2. Other contributions and credits
   Total Value
   Per Unit Credit
   0.

3. Total contributions and credits
   (Item D1 + Item D2) $ 2,884

E. Net unmet school capital costs per unit

1. Capital (Item C5 minus Item D3) $ 5,649
2. Land (from Table 1, part B)     1,232
3. Total unmet costs (Item E1 + Item E2) $ 6,881

*: Based upon an LRA Partners survey of a number of Front Range schools constructed in recent years. Excludes costs for furniture, fixtures and equipment.

**: Data are from interviews with local realtors estimating average prices for new single family homes in Gilpin County. Gilpin County Assessor's data for homes built in 1995, 1996, 1997 and 1998 (part year) suggest average market values approximate $124,798 for tax assessment purposes.
Table 1A. Single Family Detached – School District Enrollment and Site Implications

Example: 100 Unit Single Family Detached Development

<table>
<thead>
<tr>
<th>Housing Unit Type by Area</th>
<th>Unit Code</th>
<th>Urban Dwelling Units</th>
<th>Number of Student Generation</th>
<th>Rate of Students to Generation</th>
<th>Number of Students</th>
<th>Rate of Students to Generation</th>
<th>Number of Students</th>
<th>Total Number of Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family – detached</td>
<td>0</td>
<td>100</td>
<td>0.170</td>
<td>0.180</td>
<td>8</td>
<td>0.105</td>
<td>11</td>
<td>36</td>
</tr>
<tr>
<td>0</td>
<td>0.170</td>
<td></td>
<td>0.180</td>
<td>0.105</td>
<td></td>
<td>0.105</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>0.170</td>
<td></td>
<td>0.180</td>
<td>0.105</td>
<td></td>
<td>0.105</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>0.170</td>
<td></td>
<td>0.180</td>
<td>0.105</td>
<td></td>
<td>0.105</td>
<td></td>
<td></td>
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<tr>
<td>0</td>
<td>0.170</td>
<td></td>
<td>0.180</td>
<td>0.105</td>
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<td>0.105</td>
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<td></td>
</tr>
<tr>
<td>0</td>
<td>0.170</td>
<td></td>
<td>0.180</td>
<td>0.105</td>
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<td>0.105</td>
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<td></td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>17</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

B. Facilities Requirements

<table>
<thead>
<tr>
<th>School Type</th>
<th>Students (From Part A)</th>
<th>Current Facility Capacity (in Acres)</th>
<th>Site Size (in Acres)</th>
<th>Proportion of Capacity</th>
<th>Acreage</th>
<th>Land Cost Per Acre</th>
<th>Cash-in-Lieu Amount to Request</th>
<th>Cash-in-Lieu Per Unit</th>
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*: Yields based upon housing counts from the Gilpin County Assessor's Office, unpublished data and enrollment data from District Re-1.

^: Estimated based upon recent School District experience and interviews with local realtors, September 1999. Assumes fully-developed parcel.

Note: Acreage and facility capacity requirements are based upon existing district sites and structures. Totals may not add because of rounding.
Gold Mountain Development

Beginning at the point of intersection of the centerline of existing Lake Gulch Road with line 6-5 of the Great Britian Lode, Mineral Survey No. 18776;
thence along said line 6-5 of the said Great Britian Lode, to corner no. 5 of the said Great Britian Lode;
thence along line 5-4 of the said Great Britian Lode, to the point of intersection with line 3-4 of the Blow Out Lode, Mineral Survey No. 18776;
thence along said line 3-4 of the said Blow Out Lode, to corner no. 4 of the said Blow Out Lode;
thence along line 4-5 of the said Blow Out Lode, to corner no. 5 of the said Blow Out Lode;
thence along line 5-6 of the said Blow Out Lode, to the point of intersection with line 3-4 of the East Clay County Lode, Mineral Survey No. 18776;
thence along said line 3-4 of the said East Clay County Lode, to corner no. 3 of the said East Clay County Lode;
thence along line 3-4 of the said East Clay County Lode, to corner no. 4 of said East Clay County Lode;
thence westerly to corner no. 3 of the Clay County No. 3 Lode, Mineral Survey No. 18838;
thence along line 3-4 of the said Clay County No. 3 Lode, to corner no. 4 of the said Clay County No. 3 Lode;
thence along line 4-5 of the said Clay County No. 3 Lode, to the point of intersection of line 1-4 of the Caledonia Lode, Mineral Survey No. 519 extended southeasterly with said line 4-5 of the Clay County No. 3 Lode;
thence along said extended line, to the point of intersection with line 2-3 of the Teddy R. Lode, Mineral Survey No. 15922;
thence continuing along said extended line, to corner no. 4 of the said Caledonia Lode;
thence along line 4-1 of the said Caledonia Lode, to corner no. 1 of the said Caledonia Lode;
thence along line 1-2 of the said Caledonia Lode, to the point of intersection with the said centerline of existing Lake Gulch Road;
thence along the said centerline of existing Lake Gulch Road to the Point of Beginning.
Parcel Description

A parcel of land located in Section 18, Township 3 South, Range 72 West of the 6th Principal Meridian, County of Gilpin, State of Colorado, being more particularly described as follows:

Commencing at the East ¼ corner of Section 13, Township 3 South, Range 73 West of the 6th Principal Meridian, being a US BLM standard brass cap, stamped "T3S R73W R72W ¼ S13 1980" from whence the southeast corner of said Section 13, being a US BLM standard brass cap, stamped "T3S R73W R72W CC S13 S24 1980" bears S 00° 07' 50" W a distance of 2635.26 feet, said line forming the basis of bearings for this description; thence S 36° 16' 21" W, a distance of 5011.09 feet to the point of intersection with line 5-6 of the Golden Gad Lode, Mineral Survey No. 13048 and the east-west centerline of the Northwest ¼ of said Section 18, the Point of Beginning:

thence N 89° 47' 47" E along the said east-west centerline, a distance of 75.54 feet to the point of intersection with line 1-2 of the Caledonia Lode, Mineral Survey no 519, being a US BLM standard aluminum cap;

thence N 49° 30' 11" E along said line 1-2, a distance of 369.87 feet to corner no. 2 of the said Caledonia Lode, being a found original stone;

thence S 40° 20' 00" E along line 2-3 of the said Caledonia Lode, a distance of 100.13 feet to the point of intersection with line 1-2 of the Clay County Lode, Mineral Survey no. 360;

thence N 27° 49' 21" E along line 1-2 of the said Clay County Lode, a distance of 318.68 feet to corner no. 2 of the said Clay County Lode, being a 2" aluminum cap, PLS 20140;

thence S 52° 32' 13" E along line 2-3 of the said Clay County Lode, a distance of 151.27 feet to corner no. 3 of the said Clay County Lode, being a US BLM standard aluminum cap;

thence S 27° 50' 26" W along line 3-4 of the said Clay County Lode, a distance of 387.25 feet to the point of intersection with line 6-1 of the East Clay County Lode, Mineral Survey No. 18776;

thence S 89° 59' 05" E along said line 6-1 of the East Clay County Lode and along line 1-2 of the Blow Out Lode, Mineral Survey no. 18776, a distance of 265.84 feet to corner no. 2 of the said Blow Out Lode;

thence S 19° 46' 26" W along line 2-3 of the said Blow Out Lode, a distance of 8.76 feet to the point of intersection with the east-west centerline of the northeast ¼ of said Section 18, being a 2" aluminum cap, PLS 20140;

thence N 89° 32' 31" E along said east-west line, a distance of 208.50 feet to the point of intersection with line 2-1 of the Great Britian Lode, Mineral Survey no. 18776, being a US BLM standard aluminum cap;

thence N 29° 18' 30" E along said line 2-1 of the Great Britian Lode, a distance of 18.93 feet to corner no. 1 of the said Great Britian Lode, being a found original stone;

thence S 89° 54' 22" E along line 1-8 of the said Great Britian Lode, a distance of 172.09 feet to corner no. 8 of the said Great Britian Lode, being a found original stone;

thence S 29° 23' 45" W along line 8-7 of the said Great Britian Lode, a distance of 18.08 feet to the point of intersection with the said east-west centerline of the northeast ¼ of said Section 18, being a US BLM standard aluminum cap;

thence N 89° 27' 41" E along said east-west line, a distance of 474.33 feet to the point of intersection with line 16-15 of the Gold Tunnel No. 21 Lode, Mineral Survey no. 4589, being a US BLM standard aluminum cap;

thence S 43° 56' 56" W along said line 16-15 of the Gold Tunnel No. 21 Lode, a distance of 81.48 feet to corner no. 15 of the said Gold Tunnel No. 21 Lode, being a found original stone;

thence S 46° 21' 54" E along line 15-14 of the said Gold Tunnel No. 21 Lode, a distance of 150.01 feet to corner no. 14 of the said Gold Tunnel No. 21 Lode, being a found original stone;

thence N 43° 56' 02" E along line 14-13 of the said Gold Tunnel No. 21 Lode, a distance of 227.59 feet to the point of intersection with the said east-west centerline of the Northeast 1/4, being a US BLM standard aluminum cap;

thence N 89° 31' 23" E along the said east-west line, a distance of 892.31 feet to the point of intersection with line 20-19 of the Gold Tunnel No. 14 Lode, Mineral Survey no. 4589, being a US BLM standard aluminum cap;
thence S 00°45'43" E along said line 20-19 of the Gold Tunnel No. 14 Lode, a distance of 229.04 feet to the point of intersection with line 2-3 of the Intermediate Lode, Mineral Survey no. 786, being a US BLM standard aluminum cap;
thence N 57°49'04" E along said line 2-3 of the Intermediate Lode, a distance of 175.67 feet to the point of intersection with line 18-17 of the said Gold Tunnel No. 14 Lode, being a US BLM standard aluminum cap;
thence N 01°27'33" W along said line 18-17 of the Gold Tunnel No. 14 Lode, a distance of 136.59 feet to the point of intersection with the said east-west centerline of the Northeast ¼ of Section 18, being a US BLM standard aluminum cap;
thence N 87°35'35" E along said east-west line, a distance of 164.54 feet to the point of intersection with line 2-3 of the East Williams Lode, Mineral Survey no. 588, being a US BLM standard aluminum cap;
thence N 47°20'05" E along said line 2-3 of the East Williams Lode, a distance of 1295.97 feet to corner no. 3 of the said East Williams Lode, being a US BLM standard aluminum cap;
thence S 42°35'21" E along line 3-4 of the said East Williams Lode, a distance of 38.76 feet to the point of intersection with line 1-6 of the Morgan Placer, Mineral Survey no. 228;
thence S 09°09'44" E along said line 1-6 of the Morgan Placer, a distance of 136.27 feet to the point of intersection with line 4-1 of the said East Williams Lode;
thence S 47°20'23" W along said line 4-1 of the East Williams Lode, a distance of 1039.52 feet to the point of intersection with the said easement line of the Northeast ¼ of Section 18, being a US BLM standard aluminum cap;
thence N 87°27'54" E along said east-west line, a distance of 734.59 feet to the point of intersection with line 2-1 of the Mary Miller Lode, Mineral Survey no. 969, being a US BLM standard aluminum cap;
thence S 44°30'22" W along said line 2-1 of the said Mary Miller Lode, a distance of 886.05 feet to corner no. 1 of the said Mary Miller Lode, being a found original stone;
thence S 45°26'07" E along line 1-4 of the said Mary Miller Lode, a distance of 40.34 feet to the point of intersection with line 2-1 of the Little Mattie Lode, Mineral Survey no. 970, being a found original stone;
thence N 44°28'46" W along said line 2-1 of the Little Mattie Lode, a distance of 1401.79 feet to the a point of intersection with line 3-2 of the Golden Crown Lode, Mineral Survey No. 12610, being a US BLM standard aluminum cap;
thence S 82°40'01" W along said line 3-2 of the said Golden Crown Lode, a distance of 263.50 feet to the point of intersection with line 4-1 of the Golden Medal Lode, Mineral Survey No. 12610;
thence S 42°25'30" W along said line 4-1 of the Golden Medal Lode, a distance of 233.25 feet to the point of intersection with line 1-4 of the said Golden Crown Lode;
thence N 82°37'52" E along said line 1-4 of the Golden Crown Lode, a distance of 435.12 feet to the point of intersection with line 1-4 of the said Little Mattie Lode, being a US BLM standard aluminum cap;
thence S 45°21'04" E along said line 1-4 of the Little Mattie Lode, a distance of 35.54 feet to corner no. 4 of the said Little Mattie, being a US BLM standard aluminum cap;
thence N 44°38'48" E along line 4-3 of the said Little Mattie, a distance of 45.74 feet to the point of intersection with said line 1-4 of the Golden Crown Lode, being a US BLM standard aluminum cap;
thence N 82°32'43" E along said line 1-4 of the Golden Crown Lode, a distance of 231.32 feet to corner no. 4 of the Golden Crown Lode, being a US BLM standard aluminum cap;
thence N 07°45'16" W along line 4-3 of the said Golden Crown Lode, a distance of 150.16 feet to corner no. 3 of the said Golden Crown Lode, being a US BLM standard aluminum cap;
thence S 82°37'02" W along said line 3-2 of the Golden Crown Lode, a distance of 38.90 feet to the point of intersection with line 4-3 of the said Little Mattie Lode, being a US BLM standard aluminum cap;
thence N 44°29'09" E along said line 4-3 of the Little Mattie Lode, a distance of 1210.80 feet to corner no. 3 of the said Little Mattie Lode, being a found original stone;
thence N 45°23'20" W along line 3-2 of the said Little Mattie Lode, a distance of 40.23 feet to the point of intersection with line 4-3 of the said Mary Miller Lode, being a found original stone;
thence N 44°28'29" E along said line 4-3 of the Mary Miller Lode, a distance of 980.04 feet to the point of intersection with the easterly line of said Section 18;
thence S 01°03'00" E along said easterly line, a distance of 1273.98 to the West 1/16th corner common to Section 17 and said Section 18, being a US BLM standard brass cap;
thence S 00°21'55" E continuing along said easterly line, a distance of 111.97 feet to the point of intersection with line 1-2 of the Mascot Lode, Mineral Survey no. 845;
thence S 55°25'40" W along said line 1-2 of the Mascot Lode, a distance of 100.55 feet to corner no. 2 of the said Mascot Lode, being a US BLM standard aluminum cap;
thence S 34°54'36" E along line 2-3 of the said Mascot Lode, a distance of 146.65 feet to the point of intersection with the said easterly line of Section 18;
thence S 00°24'04" E along the said easterly line, a distance of 1034.51 feet to the South 1/16th corner common to said Section 18 and Section 17;
thence S 88°35'15" W along the northerly line of the Southeast ¼ of the Southeast ¼ of said Section 18, a distance of 1307.80 feet to the Southeast 1/16th corner, Section 18, being a US BLM standard brass cap;
thence S 00°00'13" W along the easterly line of the Southeast ¼ of the Southeast ¼ of said Section 18, a distance of 1312.03 feet to the East 1/16th corner common to said Section 18 and Section 19, being a 2.5" brass cap, LS 7234;
thence N 89°44'17" W along the southerly line of said Section 18, a distance of 408.59 feet to a point on the centerline on Lake Gulch Road;
thence along the said centerline the following twenty-six (26) courses:
thence N 52°32'10" W, a distance of 45.43 feet to a point;
thence N 44°53'13" W, a distance of 87.57 feet to a point;
thence N 49°09'08" W, a distance of 158.64 feet to a point;
thence N 57°20'55" W, a distance of 58.01 feet to a point;
thence N 61°28'38" W, a distance of 22.81 feet to a point;
thence N 61°39'09" W, a distance of 33.15 feet to a point;
thence N 60°16'48" W, a distance of 30.12 feet to a point;
thence N 63°19'05" W, a distance of 29.37 feet to a point;
thence N 59°18'04" W, a distance of 25.67 feet to a point;
thence N 58°03'45" W, a distance of 31.26 feet to a point;
thence N 54°46'58" W, a distance of 26.71 feet to a point;
thence N 54°37'49" W, a distance of 25.99 feet to a point;
thence N 52°04'36" W, a distance of 28.04 feet to a point;
thence N 44°08'01" W, a distance of 31.05 feet to a point;
thence N 32°05'32" W, a distance of 28.59 feet to a point;
thence N 33°47'37" W, a distance of 11.97 feet to a point;
thence N 11°08'36" E, a distance of 24.02 feet to a point;
thence N 10°04'56" E, a distance of 25.33 feet to a point;
thence N 11°03'12" E, a distance of 31.79 feet to a point;
thence N 11°50'43" E, a distance of 31.25 feet to a point;
thence N 09°29'42" E, a distance of 29.98 feet to a point;
thence N 10°22'47" E, a distance of 30.53 feet to a point;
thence N 13°18'52" E, a distance of 16.06 feet to a point;
thence N 11°54'56" E, a distance of 29.93 feet to a point;
thence N 14°06'12" E, a distance of 47.29 feet to a point;
thence N 13°41'03" E, a distance of 16.88 feet to the point of intersection with line 2-3 of the Rickard Lode, Mineral Survey no. 16283;
thence N 67°04'27" E along said line 2-3 of the said Rickard Lode, a distance of 958.84 feet to corner no. 3 of the said Rickard Lode, being a found original stone;
thence N 23°02'09" W along line 3-4 of the said Rickard Lode, a distance of 150.08 feet to corner no. 4 of the said Rickard Lode, being a found original stone;
thence S 67°06'19" W along line 4-1 of the said Rickard Lode, a distance of 153.52 feet to the northeast corner of BLM Lot no. 219, being a US BLM standard aluminum cap;
thence S 29°39'14" E along the easterly line of said BLM Lot 219, a distance of 131.25 feet to the southeasterly corner of said BLM Lot 219, being a found original stone;
thence S 60°16'49" W along the southerly line of said BLM Lot 219, a distance of 150.24 feet to the southwesterly corner of said BLM Lot 219, being a found original stone;
thence N 29°41'13" W along the westerly line of said BLM Lot 219, a distance of 149.01 feet to the northwesterly corner of said BLM Lot 219 and a point on said line 4-1 of the Rickard Lode, being a US BLM standard aluminum cap;
thence S 67°01'03" W along said line 4-1 of the Rickard Lode, a distance of 516.10 feet to a point on the said centerline of Lake Gulch Road;
thence along the said centerline the following forty-nine (49) courses;
thence N 31°13'11" E, a distance of 36.04 feet to a point;
thence N 37°13'45" E, a distance of 33.44 feet to a point;
thence N 41°40'02" E, a distance of 35.51 feet to a point;
thence N 43°22'45" E, a distance of 38.25 feet to a point;
thence N 40°01'56" E, a distance of 29.18 feet to a point;
thence N 34°24'43" E, a distance of 29.19 feet to a point;
thence N 28°41'22" E, a distance of 44.10 feet to a point;
thence N 24°29'21" E, a distance of 28.15 feet to a point;
thence N 16°17'42" E, a distance of 35.40 feet to a point;
thence N 06°12'17" E, a distance of 36.96 feet to a point;
thence N 02°47'46" E, a distance of 27.69 feet to a point;
thence N 00°03'20" W, a distance of 32.01 feet to a point;
thence N 01°13'29" E, a distance of 32.51 feet to a point;
thence N 00°41'58" E, a distance of 31.05 feet to a point;
thence N 04°13'02" W, a distance of 31.18 feet to a point;
thence N 07°44'55" W, a distance of 31.30 feet to a point;
thence N 18°09'05" W, a distance of 30.15 feet to a point;
thence N 38°37'56" W, a distance of 30.86 feet to a point;
thence N 53°47'50" W, a distance of 25.70 feet to a point;
thence N 75°08'14" W, a distance of 32.48 feet to a point;
thence N 85°37'54" W, a distance of 29.46 feet to a point;
thence S 89°52'43" W, a distance of 27.36 feet to a point;
thence N 87°06'51" W, a distance of 31.36 feet to a point;
thence N 85°25'50" W, a distance of 33.63 feet to a point;
thence N 83°57'02" W, a distance of 32.91 feet to a point;
thence N 82°55'20" W, a distance of 27.67 feet to a point;
thence N 84°02'37" W, a distance of 25.59 feet to a point;
thence N 85°10'50" W, a distance of 29.26 feet to a point;
thence N 85°57'08" W, a distance of 28.93 feet to a point;
thence N 85°47'52" W, a distance of 28.60 feet to a point;
thence N 81°25'50" W, a distance of 29.48 feet to a point;
thence N 76°41'49" W, a distance of 29.94 feet to a point;
thence N 73°08'35" W, a distance of 29.11 feet to a point;
thence N 70°53'21" W, a distance of 28.45 feet to a point;
thence N 69°40'34" W, a distance of 29.76 feet to a point;
thence N 69°16'06" W, a distance of 30.61 feet to a point;
thence N 69°23'31" W, a distance of 31.54 feet to a point;
thence N 69°00'03" W, a distance of 30.20 feet to a point;
thence N 67°48'40" W, a distance of 31.60 feet to a point;
thence N 68°24'20" W, a distance of 27.75 feet to a point;
thence N 62°37'03" W, a distance of 30.37 feet to a point;
thence N 58°52'23" W, a distance of 25.77 feet to a point;
thence N 54°58'57" W, a distance of 28.13 feet to a point;
thence N 57°56'49" W, a distance of 29.57 feet to a point;
thence N 61°34'17" W, a distance of 31.96 feet to a point;
thence N 66°40'06" W, a distance of 27.70 feet to the point of intersection with line 1-4 of the Washington Day Lode, Mineral Survey no. 11885;
thence N 39°22'07" E along said line 1-4 of the Washington Day Lode, a distance of 527.20 feet to the point of intersection with line 1-4 of the Golden Crown Lode, Mineral Survey no. 12610, being a US BLM standard aluminum cap;
thence N 82°42'26" E along said line 1-4 of the Golden Crown Lode, a distance of 32.26 feet to the point of intersection with line 2-3 of the Gold Medal Lode, Mineral Survey no. 12610, being a US BLM standard aluminum cap;
thence N 42°27'54" E along said line 2-3 of the Gold Medal Lode, a distance of 233.64 feet to the point of intersection with line 3-2 of the said Golden Crown Lode;
thence S 82°29'35" W along said line 3-2 of the Golden Crown Lode, a distance of 179.19 feet to the point of intersection with line 4-3 of the said Washington Day Lode, being a US BLM standard aluminum cap;
thence N 44°37'53" W along said line 4-3 of the Washington Day Lode, a distance of 62.48 feet to corner no. 3 of the said Washington Day Lode;
thence S 39°08'19" W along line 3-2 of the said Washington Day Lode, a distance of 72.23 feet to the point of intersection with said line 3-2 of the Golden Crown Lode, being a US BLM standard aluminum cap;
thence S 82°33'52" W along line 3-2 of the Golden Crown Lode, a distance of 271.73 feet to the point of intersection with line 6-1 of the Gold Coin Lode, Mineral Survey no. 12610, being a US BLM standard aluminum cap;
thence S 54°53'56" W along said line 6-1 of the Gold Coin Lode, a distance of 52.49 feet to corner no. 1 of the said Gold Coin Lode, being a found original stone;
thence N 34°39'49" W along line 1-2 of the said Gold Coin Lode, a distance of 27.59 feet to the point of intersection with said line 3-2 of the Golden Crown Lode, being a US BLM standard aluminum cap;
thence S 83°05'55" W along said line 3-2 of the Golden Crown Lode, a distance of 29.35 feet to the point of intersection with line 4-3 of the South Justice Lode, Mineral Survey No. 8326, being a US BLM standard aluminum cap;
thence N 44°35'18" E along said line 4-3 of the South Justice Lode, a distance of 31.09 feet to corner no. 3 of the said South Justice Lode, being a found original stone;
thence N 45°17'47" W along line 3-2 of the said South Justice Lode, a distance of 149.13 feet to corner no. 2 of the said South Justice Lode, being a found original stone;
thence S 44°32'32" W along line 2-1 of the said South Justice Lode, a distance of 356.84 feet to the point of intersection with the said centerline of Lake Gulch Road;
thence along the said centerline the following five (5) courses:
thence N 42°43'23" W, a distance of 28.90 feet to a point;
thence N 43°58'04" W, a distance of 27.71 feet to a point;
thence N 45°20'47" W, a distance of 27.24 feet to a point;
thence N 49°06'25" W, a distance of 25.95 feet to a point;
thence N 51°35'16" W, a distance of 20.62 feet to the point of intersection with line 2-1 of the Williams Lode, Mineral Survey no. 728;
thence N 54°04'43" E along said line 2-1 of the Williams Lode, a distance of 132.83 feet to corner no. 1 of the said Williams Lode, being a 2" aluminum cap, PLS 20140;
thence N 33°16'15" W along line 1-4 of the said Williams Lode, a distance of 149.89 feet to corner no. 4 of the said Williams Lode, being a US BLM standard aluminum cap;
thence S 54°05'45" W along line 4-3 of the said Williams Lode, a distance of 199.46 feet to the point of intersection with the said centerline of Lake Gulch Road;
thence along the said centerline the following twenty-three (23) courses:
thence N 37°52'45" W, a distance of 27.12 feet to a point;
thence N 30°56'40" W, a distance of 25.29 feet to a point;
thence N 29°24'22" W, a distance of 27.05 feet to a point;
thence N 33°48'48" W, a distance of 26.53 feet to a point;
thence N 38°52'14" W, a distance of 36.92 feet to a point;
thence N 46°02'34" W, a distance of 25.10 feet to a point;
thence N 47°57'34" W, a distance of 35.02 feet to a point;
thence N 47°25'27" W, a distance of 31.48 feet to a point;
thence N 43°51'36" W, a distance of 32.02 feet to a point;
thence N 39°40'26" W, a distance of 30.33 feet to a point;
thence N 41°30'58" W, a distance of 32.43 feet to a point;
thence N 41°29'04" W, a distance of 32.28 feet to a point;
thence N 41°52'51" W, a distance of 35.57 feet to a point;
thence N 42°17'50" W, a distance of 25.42 feet to a point;
thence N 44°56'55" W, a distance of 26.03 feet to a point;
thence N 47°16'09" W, a distance of 32.63 feet to a point;
thence N 44°25'34" W, a distance of 32.05 feet to a point;
thence N 45°18'29" W, a distance of 22.22 feet to a point;
thence N 45°05'49" W, a distance of 33.04 feet to a point;
thence N 45°20'14" W, a distance of 34.59 feet to a point;
thence N 46°33'23" W, a distance of 33.95 feet to a point;
thence N 47°24'34" W, a distance of 33.32 feet to a point;
thence N 46°05'49" W, a distance of 13.32 feet to the point of intersection with line 6-5 of the said Great
Britian Lode;

thence continuing along the said centerline the following thirty-five (35) courses:
thence N 46°05'49" W, a distance of 18.74 feet to a point;
thence N 46°14'32" W, a distance of 33.40 feet to a point;
thence N 47°33'12" W, a distance of 34.49 feet to a point;
thence N 52°10'05" W, a distance of 33.14 feet to a point;
thence N 56°45'33" W, a distance of 31.70 feet to a point;
thence N 62°36'41" W, a distance of 30.31 feet to a point;
thence N 66°27'41" W, a distance of 30.51 feet to a point;
thence N 64°57'54" W, a distance of 31.69 feet to a point;
thence N 66°59'32" W, a distance of 31.43 feet to a point;
thence N 64°12'09" W, a distance of 30.64 feet to a point;
thence N 60°47'03" W, a distance of 32.56 feet to a point;
thence N 58°55'55" W, a distance of 32.15 feet to a point;
thence N 58°32'09" W, a distance of 30.75 feet to a point;
thence N 57°47'48" W, a distance of 29.60 feet to a point;
thence N 57°52'07" W, a distance of 29.62 feet to a point;
thence N 57°16'49" W, a distance of 30.38 feet to a point;
thence N 58°36'20" W, a distance of 28.98 feet to a point;
thence N 58°48'15" W, a distance of 27.27 feet to a point;
thence N 57°04'54" W, a distance of 26.65 feet to a point;
thence N 54°32'13" W, a distance of 33.03 feet to a point;
thence N 54°36'48" W, a distance of 27.34 feet to a point;
thence N 53°32'16" W, a distance of 27.13 feet to a point;
thence N 51°16'35" W, a distance of 28.49 feet to a point;
thence N 51°09'16" W, a distance of 29.77 feet to a point;
thence N 52°05'43" W, a distance of 32.21 feet to a point;
thence N 50°32'27" W, a distance of 30.44 feet to a point;
thence N 48°45'27" W, a distance of 32.06 feet to a point;
thence N 48°19'15" W, a distance of 29.88 feet to a point;
thence N 44°59'11" W, a distance of 33.03 feet to a point;
thence N 38°27'56" W, a distance of 35.03 feet to a point;
thence N 34°37'33" W, a distance of 33.44 feet to a point;
thence N 32°21'41" W, a distance of 29.28 feet to a point;
thence N 30°53'34" W, a distance of 34.24 feet to a point;
thence N 29°02'31" W, a distance of 37.91 feet to a point;
thence N 28°29'34" W, a distance of 24.18 to the point of intersection with line 1-2 of the Caledonia
Lode;

thence N 49°30'16" E along said line 1-2 of the Caledonia Lode, a distance of 736.02 feet to the point of
intersection with line 6-5 of the said Golden Gad Lode;
thence N 31°35'53" W along said line 6-5 of the Golden Gad Lode, a distance of 49.46 feet to the Point of Beginning, said parcel containing 10079817 square feet or 231.40 acres, more or less;

And excepting therefrom the following parcels of land:

A portion of the Mingo No. 3 Lode, Mineral Survey No. 15824 being more particularly described as follows:

Commencing at the said East ¼ corner of Section 13, thence N 48°06'35" E a distance of 5265.52 feet to corner no. 4 of the Mingo No. 3 Lode, Mineral Survey No. 15824, being a found original stone, the Point of Beginning;
thence N 77°57'00" E along line 4-5 of the said Mingo No. 3 Lode, a distance of 155.39 feet to the point of intersection with line 2-1 of the Tariff Lode, Mineral Survey No. 966, being a US BLM standard aluminum cap;
thence S 47°00'00" W along said line 2-1 of the Tariff Lode, a distance of 161.43 feet to the point of intersection with line 3-4 of the said Mingo No. 3 Lode, being a US BLM standard aluminum cap;
thence N 23°35'00" W along said line 3-4 of the Mingo No. 3 Lode, a distance of 84.73 feet to the Point of Beginning, said parcel containing 6450 square feet or 0.15 acres more or less.

And

A portion of the Mingo No. 3 Lode, Mineral Survey No. 15824 being more particularly described as follows:

Commencing at the said East ¼ corner of Section 13, thence N 48°06'35" E a distance of 5265.52 feet to corner no. 4 of the Mingo No. 3 Lode, Mineral Survey No. 15824;
thence N 77°57'00" E along line 4-5 of the said Mingo No. 3 Lode, a distance of 183.87 feet to the point of intersection with line 2-3 of the said Tariff Lode the Point of Beginning;
thence N 77°58'31" E along said line 4-5 of the said Mingo No. 3 Lode, a distance of 499.32 feet to corner no. 5 of the said Mingo No. 3 Lode, being a found original stone;
thence N 66°23'39" E along line 5-6 of the said Mingo No. 3 Lode, a distance of 818.67 feet to corner no. 6 of the said Mingo No. 3 Lode, being a found original stone;
thence S 23°29'25" E along line 6-1 of the said Mingo No. 3 Lode, a distance of 150.43 feet to corner no. 1 of the said Mingo No. 3 Lode, being a found original stone;
thence S 66°21'43" W along line 1-2 of the said Mingo No. 3 Lode, a distance of 833.69 feet to corner no. 2 of the said Mingo No. 3 Lode, being a found original stone;
thence S 78°02'11" W along line 2-3 of the said Mingo No. 3 Lode, a distance of 502.12 feet to the point of intersection with line 4-3 of the said Tariff Lode;
thence N 46°57'35" E along said line 4-3 of the said Tariff Lode, a distance of 66.62 feet to corner no. 3 of the said Tariff Lode, being a US BLM standard aluminum cap;
thence N 42°58'12" W along said line 3-2 of the Tariff Lode, a distance of 135.30 feet to the Point of Beginning, said parcel containing 195391 square feet or 4.49 acres, more or less.

And

All of the St. Peter Lode, Mineral Survey No. 12504, together with all of the Crown Lode, Mineral Survey No. 12504, said parcel containing 348474 square feet or 8.00 acres, More or less.

And

All of the Mountain Boy Lode, Mineral Survey No. 976, together with all of the Marble Lode, Mineral Survey No. 993, said parcel containing 367165 square feet or 8.43 acres, more or less.
A parcel of land being located within the Town of Black Hawk and bound by the said Clay County Lode, Mineral Survey no. 360 and said Caledonia Lode Mineral Survey no. 519 and the said east-west centerline of the Northwest ¼ of Section 18, being more particularly described as follows:
Commencing at the Center-North 1/16th Corner of said Section 18, thence N 89°32'31" E along the said east-west centerline of the Northwest 1/4, a distance of 47.63 feet to the point of intersection with line 3-4 of the said Caledonia Lode, the Point of Beginning;
thence S 89°32'31" W along said east-west centerline, a distance of 29.33 feet to the point of intersection with line 1-2 of the said Clay County Lode;
thence N 49°29'47" E along said line 1-2 of the said Clay County Lode, a distance of 69.93 feet to the point of intersection with said line 3-4 of the Caledonia Lode;
thence S 27°49'21" W along said line 3-4, a distance of 51.09 feet to the point of beginning, said parcel containing 660 square feet or 0.02 acres, more or less.

And

A portion of Gold Tunnel No. 14 Lode, Mineral Survey No. 4559 being more particularly described as follows:
Commencing at the said East ¼ corner of Section 13, N 57°43'09" E, a distance of 6743.01 feet to corner no. 19 of the said Gold Tunnel No. 14 Lode, being a found original stone, the Point of Beginning;
thence N 01°11'50" W along line 19-20 of the said Gold Tunnel No. 14 Lode, a distance of 51.11 feet to the point of intersection with line 1-4 of the Intermediate Lode, Mineral Survey no. 786, being a US BLM standard aluminum cap;
thence N 57°49'00"E along said line 1-4 of the Intermediate Lode, a distance of 175.74 feet to the point of intersection with line 17-18 of the said Gold Tunnel No. 14 Lode, being a US BLM standard aluminum cap;
thence S 00°43'48" E along said line 17-18 of the Gold Tunnel No. 14 Lode, a distance of 142.51 feet to corner no. 18 of the said Gold Tunnel Lode, being a found original stone;
thence S 89°09'24" W along line 18-19 of the said Gold Tunnel Lode, a distance of 149.50 feet to the point of beginning, said parcel containing 14502 or 0.33 acres, more or less.

Said exceptions total 932642 square feet or 21.41 acres, more or less.
As calculated by Gilpin County School District RE-1 on the attached Tables 1A and 1B, Gilpin County School District RE-1 experiences a cost of more than $1,200 to provide school sites for each new single family home constructed within its boundary. Further, the cost to provide school buildings approximates an additional $9,530 (1998 dollars) per home, based upon the existing instructional program. This cost excludes provision of the furniture, fixtures and equipment (FF&E) necessary to make the schools functional. On average, FF&E (desks, library shelves, kitchen equipment, etc.) adds about 15 percent to the construction costs and is typically included in bond elections. However, these costs are excluded from the fiscal calculations for various reasons, such as the ease of relocating FF&E among facilities.

Over time, new homes will contribute toward retirement of debt issued to purchase land and build schools. Consequently, credit is given for those payments to avoid double taxation. The net present value of these credits approaches $3,900, assuming an average market value of $200,000 per home and that the School District will seek bonded debt to the maximum allowed by state statute. Thus, a tax levy of 16.00 mills is applied rather than the 8.33 mills currently being assessed. Even after adjusting for this credit, the calculation still shows a net unmet cost to all remaining taxpayers of nearly $5,650 per new residential unit.

The School District respectfully requests that each new development be required to provide adequate land dedication or cash-in-lieu of land. In addition, because unmet capital construction costs represent a very substantial burden for our relatively small base of mutual constituents, it is requested that new development be asked to mitigate this general subsidy as well. Black Hawk, Central City and Gilpin County will cooperate with Gilpin County School District RE-1 and the residential development community to establish a uniform and fair mechanism for calculating and mitigating school impacts.
## Table 1B. Land Use Impact Statement — District Capital Cost Implications

### C. Facility Costs Attributable to the Project

<table>
<thead>
<tr>
<th>School Type</th>
<th>Elementary</th>
<th>Middle</th>
<th>Senior High</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Proportionate facility capacity required (from Part B)</td>
<td>0.061</td>
<td>0.058</td>
<td>0.057</td>
<td>-</td>
</tr>
<tr>
<td>2. Size of prototype facilities (in Sq. Ft.)</td>
<td>67,732</td>
<td>33,866</td>
<td>43,153</td>
<td>146,753</td>
</tr>
<tr>
<td>3. Facility space required by the project (Item C1 x Item C2 in Sq. Ft.)</td>
<td>4,158</td>
<td>1,957</td>
<td>2,508</td>
<td>-</td>
</tr>
<tr>
<td>4. Average construction cost as of 10/96 (per Sq. Ft.)</td>
<td>$102.75</td>
<td>$113.00</td>
<td>$118.75</td>
<td>-</td>
</tr>
<tr>
<td>5. Construction cost outlay required by the project (Item C3 x Item C4)</td>
<td>$427,235</td>
<td>$221,108</td>
<td>$304,971</td>
<td>$953,314</td>
</tr>
<tr>
<td>6. Gross infrastructure cost per unit (Item C5 + C6 Total / Total Units)</td>
<td>$4,272</td>
<td>$2,211</td>
<td>$3,050</td>
<td>$9,533</td>
</tr>
<tr>
<td>7. Gross cost plus furniture, fixtures, and equipment (add 15 percent)</td>
<td>$4,912</td>
<td>$2,543</td>
<td>$3,507</td>
<td>$10,963</td>
</tr>
</tbody>
</table>

### D. Contributions and Credits

1. Net present value of future tax payments
   a. Average market value of homes**
      $200,000
   b. Residential assessment rate
      9.74%
   c. Average assessed value (D1a x D1b)
      $12,490
   d. Bond redemption fund levy (mills)
      16.00
   e. Annual tax payment (D1c x D1d)
      $311.68
   f. Net present value of D1e; assumes 77 years @ 5.0% interest rate; no payments in first two years
      $3,624

2. Other contributions and credits
   a. $-

3. Total contributions and credits
   (Item D1 + Item D2)
   $2,884

### E. Net unmet school capital costs per unit

1. Capital (Item C6 minus Item C3)
   $5,649
2. Land (from Table 1, part A)
   $1,222
3. Total unmet costs (Item E1 + Item E2)
   $6,871

---

** Based upon an LKA Partners survey of a number of Front Range schools constructed in recent years. Excludes costs for furniture, fixtures and equipment.

** Based upon interviews with local realtors estimating average prices for new single family homes in Gilpin County. Gilpin County Assessor’s data for homes built in 1995, 1996, 1997 and 1998 (per year) suggest average market values approximate $124,798 for tax assessment purpose.
# Table 1A. Single Family Detached – School District Enrollment and Site Implications

## A. Student Generation Estimates

**Example 100 Unit Single Family Detached Development**

<table>
<thead>
<tr>
<th>Housing Unit Type by Area</th>
<th>Number of Dwellings</th>
<th>Student Generation Rate*</th>
<th>Number of Students</th>
<th>Senior High (9-12)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area</strong></td>
<td><strong>Unit Code</strong></td>
<td><strong>Units</strong></td>
<td><strong>Elementary (K-5)</strong></td>
<td><strong>Middle (6-8)</strong></td>
</tr>
<tr>
<td>Single family - detached</td>
<td>0</td>
<td>100</td>
<td>0.170</td>
<td>17</td>
</tr>
<tr>
<td>0</td>
<td>0.170</td>
<td>-</td>
<td>0.080</td>
<td>-</td>
</tr>
<tr>
<td>0</td>
<td>0.170</td>
<td>-</td>
<td>0.080</td>
<td>-</td>
</tr>
<tr>
<td>0</td>
<td>0.170</td>
<td>-</td>
<td>0.080</td>
<td>-</td>
</tr>
<tr>
<td>0</td>
<td>0.170</td>
<td>-</td>
<td>0.080</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
<td><strong>17</strong></td>
<td><strong>8</strong></td>
<td><strong>11</strong></td>
</tr>
</tbody>
</table>

## B. Facilities Requirements

<table>
<thead>
<tr>
<th>School Type</th>
<th>Students (From Part A)</th>
<th>Current Facility Capacity</th>
<th>Site Size (in Acres)</th>
<th>Proportion of Facility Capacity</th>
<th>Acreage</th>
<th>Land Cost Per Acre*</th>
<th>Cash-in-Liout Amount to Request</th>
<th>Cash-in-Liout Per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary</td>
<td>17</td>
<td>277</td>
<td>11</td>
<td>0.061</td>
<td>0.68</td>
<td>$30,000</td>
<td>$20,258</td>
<td>$203</td>
</tr>
<tr>
<td>Middle</td>
<td>8</td>
<td>138</td>
<td>20</td>
<td>0.058</td>
<td>1.16</td>
<td>$30,000</td>
<td>$34,667</td>
<td>347</td>
</tr>
<tr>
<td>Senior High</td>
<td>11</td>
<td>185</td>
<td>40</td>
<td>0.057</td>
<td>2.28</td>
<td>$30,000</td>
<td>$68,250</td>
<td>683</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>36</td>
<td></td>
<td></td>
<td></td>
<td>4.11</td>
<td>$123,175</td>
<td>$1,232</td>
<td></td>
</tr>
</tbody>
</table>

* Yields based upon housing counts from the Gilpin County Assessor's Office, unpublished data and enrollment data from District Re-1.

^ Estimated based upon recent School District experience and interviews with local realtors, September 1999. Assumes fully developed parcel.

Notes: Acreage and facility capacity requirements are based upon existing district sizes and structures. Totals may not add because of rounding.
EXHIBIT K
PARCEL 1

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 11 AND 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE CITY OF CENTRAL'S BOUNDARY, THENCE NORTHEASTERLY TO A POINT ALONG THE SUMMIT OF A HILL AT ELEVATION 9089 AS SHOWN HEREON; THENCE SOUTHEASTERLY TO A POINT ALONG THE WEST LINE OF SECTION 12; THENCE EAST TO THE INTERSECTION OF THE 8600 CONTOUR LINE; THENCE ALONG SAID CONTOUR LINE TO A POINT ALONG THE RIDGE OF WINNEBAGO HILL; THENCE EAST TO THE WESTERLY ANGLE POINT IN THE BLACK HAWK CITY BOUNDARY; THENCE SOUTHEAST ALONG SAID BOUNDARY TO A POINT ALONG THE NORTH LINE OF CENTRAL CITY'S BOUNDARY; THENCE ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
EXHIBIT K
PARCEL 1

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
EXHIBIT K
PARCEL 2

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 2 AND 11, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST ANGLE POINT OF A PARCEL OF LAND ANNEXED TO THE CITY OF CENTRAL, COUNTY OF GILPIN, UNDER RECEPTION NO. 84013, THENCE SOUTHEASTERLY ALONG THE SOUTH SIDE OF CHASE GULCH TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SECTION 2; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE SOUTHEAST CORNER THEREOF; THENCE EASTERLY ALONG THE EAST LINE OF SECTION 11 TO THE EXTENDED POINT OF INTERSECTION OF THE 8800 CONTOUR LINE AS SHOWN HEREON; THENCE NORTHWESTERLY TO A POINT ALONG THE SUMMIT OF A HILL AT ELEVATION 9089 AS SHOWN HEREON; THENCE SOUTHWESTERLY TO THE NORTHWEST CORNER OF THE CITY OF CENTRAL'S BOUNDARY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID BOUNDARY TO THE POINT OF INTERSECTION WITH GILPIN COUNTY ROAD NO. 3 AS SHOWN ON THE PRELIMINARY LAND SURVEY PLAT, PREPARED BY ALPINE SURVEYING COMPANY, DATED: MAY 21, 1998; THENCE NORTHWESTERLY ALONG SAID COUNTY ROAD TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE BOODLE LODGE, SURVEY NO. 6111 DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., DATED: MAY 20, 1999; THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LODGE TO THE SOUTHEAST CORNER THEREOF; THENCE NORTHWESTERLY ALONG THE EAST LINE OF SAID LODGE TO THE NORTHEAST CORNER THEREOF; THENCE SOUTHWESTERLY ALONG THE NORTH LINE OF SAID LODGE TO THE POINT OF INTERSECTION WITH OLD GILPIN COUNTY ROAD NO. 3 AS SHOWN ON SAID ANNEXATION MAP; THENCE NORTHWESTERLY ALONG SAID ROAD TO THE POINT OF INTERSECTION WITH THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., RECORDED IN BOOK 673 AT PAGE 488 IN THE COUNTY OF GILPIN; THENCE ALONG THE SOUTHERLY, EASTERLY AND NORTHERLY LINES OF SAID ANNEXATION TO THE POINT OF INTERSECTION WITH COUNTY ROAD NO. 3 AS SHOWN ON SAID ANNEXATION MAP; THENCE NORTHWESTERLY ALONG SAID ROAD TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, COUNTY OF GILPIN, UNDER RECEPTION NO. 84013; THENCE NORTHERLY AND EASTERLY ALONG THE EASTERLY AND SOUTHERLY LINE OF SAID PARCEL TO THE POINT OF BEGINNING.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
EXHIBIT K
PARCEL 2

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

BCA GROUP
GEOMATICS AND ENGINEERING RESOURCE CENTER
18445 WEST I-70 FRONTAGE ROAD NORTH
SUITE 82, WHEAT RIDGE, COLORADO 80033
PH (303) 463-4755 FAX (303) 463-0800

SHEET 2 OF 2
EXHIBIT K
PARCEL 3

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 2 AND 11, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION ALONG THE NORTHERLY LINES OF THE BOODLE LODE, SURVEY NO. 6111 AND OLD GILPIN COUNTY ROAD NO. 1 AS DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., DATED MAY 20, 1999; THENCE WESTERLY ALONG THE NORTH LINE OF SAID ROAD TO THE POINT OF INTERSECTION WITH THE NORTHERLY LINE OF SAID LODE; THENCE SOUTHWESTERLY ALONG THE NORTH LINES OF SAID LODE TO THE POINT OF INTERSECTION WITH THE LINE DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., RECORDED IN BOOK 6173 AT PAGES 492 AND 493; THENCE N 83°34'00" W, 292.04 FEET; THENCE N 21°18'00" E, 642.20 FEET; THENCE N 78°32'00" W, 440.02 FEET; THENCE N 06°19'00" E, 152.34 FEET; THENCE N 70°57'47" W, 739.02 FEET; THENCE S 77°42'48" E, 999.23 FEET; THENCE N 11°12'13" E, 148.76 FEET; THENCE N 77°40'53" W, 330.74 FEET; THENCE N 21°32'13" E, 96.95 FEET; THENCE S 66°27'47" E, 325.21 FEET; THENCE N 43°26'00" E, 740.20 FEET; THENCE S 23°59'00" E, 801.50 FEET; THENCE S 44°31'00" W, 136.02 FEET; THENCE S 66°27'47" E, 98.65 FEET; THENCE S 89°57'09" E, 67.07 FEET TO THE POINT OF INTERSECTION WITH THE WESTERLY LINE OF COUNTY ROAD NO. 3 AS SHOWN ON SAID ANNEXATION MAP; THENCE SOUTHERLY ALONG THE WESTERLY LINES OF SAID ROAD TO THE POINT OF INTERSECTION WITH THE NORTHERLY LINE OF OLD GILPIN COUNTY ROAD NO. 1 AS SHOWN ON THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., DATED MAY 20, 1999; THENCE SOUTHEASTERLY ALONG THE NORTH LINES OF OLD GILPIN COUNTY ROAD NO. 1 TO THE POINT OF BEGINNING.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

BCCA GROUP
GEOMATICS AND ENGINEERING RESOURCE CENTER
11445 WEST I-70 FRONTAGE ROAD NORTH
SUITE 107, WHEAT RIDGE, COLORADO 80033
PH (303) 403-4706 FAX (303) 403-6600

Sheet 1 of 2
EXHIBIT K
PARCEL 4

DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 11 AND 14, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ALONG THE WEST LINE OF SECTION 11 AND THE SOUTHERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., RECORDED IN BOOK 673 AT PAGE 493 OF SAID GILPIN COUNTY, THEN TO THE SOUTHERLY LINE OF THE WEST LINE OF SECTION 11 TO A POINT AS SHOWN HEREON; THEN TO A POINT NORTH OF PROSSER GULCH; THEN TO A POINT NORTH OF NEVADA GULCH; THEN TO A POINT EASTERLY TO A POINT ALONG THE EAST LINE OF THE CITY OF CENTRAL'S BOUNDARY; THEN TO A POINT SOUTHWESTERLY ALONG SAID BOUNDARY TO THE POINT OF INTERSECTION WITH GILPIN COUNTY ROAD NO. 3 AS SHOWN ON THE PRELIMINARY LAND SURVEY PLAT, PREPARED BY ALPINE SURVEYING COMPANY, DATED: MAY 21, 1998; THEN TO A POINT SOUTHWESTERLY TO CORNER NO. 6 OF THE J.P. WHITNEY LODE, M.S. 639 AS SHOWN ON SAID PLAT; THEN TO A POINT EASTERLY 150.00 FEET; THEN TO A POINT WESTERLY 54.81 FEET; THEN TO A POINT SOUTHWESTERLY 138.86 FEET; THEN TO A POINT SOUTHWESTERLY 1049.03 FEET; THEN TO A POINT SOUTHWESTERLY 233.00 FEET; THEN TO A POINT NORTHEASTERLY 10.27 FEET; THEN TO A POINT EASTERLY 2.85 FEET; THEN TO A POINT SOUTHWESTERLY 52.58 FEET; THEN TO A POINT SOUTHWESTERLY 114.08 FEET MORE OR LESS TO THE EXTENDED POINT OF INTERSECTION WITH THE SOUTH LINE OF THE BULLION NO. 6 LODE, M.S. 16856 AS SHOWN ON SAID PLAT; THEN TO A POINT SOUTHWESTERLY 793.38 FEET MORE OR LESS; THEN TO A POINT SOUTHWESTERLY 158.64 FEET; THEN TO A POINT SOUTHWESTERLY 1130.57 FEET; THEN TO A POINT SOUTHWESTERLY 36.46 FEET; THEN TO A POINT SOUTHWESTERLY 490.16 FEET; THEN TO A POINT SOUTHWESTERLY 24.34 FEET; THEN TO A POINT SOUTHWESTERLY 1156.34 FEET; THEN TO A POINT SOUTHWESTERLY 13.06 FEET; THEN TO A POINT SOUTHWESTERLY 128.01 FEET; THEN TO A POINT SOUTHWESTERLY 574.69 FEET; THEN TO A POINT SOUTHWESTERLY 150.00 FEET; THEN TO A POINT SOUTHWESTERLY 853.38 FEET; THEN TO A POINT SOUTHWESTERLY 120.07 FEET; THEN TO A POINT SOUTHWESTERLY 21.16 FEET; THEN TO A POINT SOUTHWESTERLY 145.07 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., DATED SEPTEMBER 4, 1992; THEN TO A POINT SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID ANNEXATION TO THE SOUTHWEST CORNER THEREOF, SAID POINT BEING THE SOUTHEASTERLY ANGLE POINT OF THE PARCEL OF LAND DESCRIBED IN THE ANNEXATION TO THE CITY OF CENTRAL, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., RECORDED IN BOOK 673 AT PAGE 493 OF SAID GILPIN COUNTY; THEN TO A POINT SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID ANNEXATION TO THE POINT OF BEGINNING.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 18, 19 AND 20, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND SECTIONS 13, 14, AND 24, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE CITY OF CENTRAL'S BOUNDARY, THENCE SOUTHEASTERLY TO A POINT ALONG RUSSELL GULCH AT THE 8800 CONTOUR LINE AS SHOWN HEREON; THENCE ALONG SAID CONTOUR LINE TO THE POINT OF INTERSECTION WITH THE WESTERLY LINE OF SECTION 19; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE SOUTHWEST CORNER THEREOF; THENCE ALONG THE SOUTH LINE OF SAID SECTION TO THE SOUTHEAST CORNER THEREOF; THENCE ALONG THE EAST LINE OF SAID SECTION TO THE COMMON QUARTER CORNER OF SECTIONS 19 AND 20; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 20 TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD AS SHOWN ON THE EXHIBIT, PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB NO. 1671050.00NR; THENCE NORTHERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SECTION 18; THENCE EAST ALONG SAID NORTH LINE TO THE POINT OF INTERSECTION WITH THE WESTERLY EDGE OF LAKE GULCH ROAD; THENCE NORTHWesterLY ALONG THE WESTERLY EDGE OF SAID ROAD TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 18; THENCE NORTHERLY ALONG SAID WEST LINE TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE BLACK HAWK CITY BOUNDARY; THENCE WESTERLY ALONG SAID SOUTHERLY BOUNDARY LINE TO THE SOUTHWEST CORNER THEREOF; THENCE NORTHERLY ALONG THE WEST LINE OF SAID CITY BOUNDARY TO THE POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF CENTRAL CITY; THENCE NORTHWesterLY ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING.

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
EXHIBIT K
PARCEL 5
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTION 29, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH-WEST CORNER OF SECTION 29, THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE POINT OF INTERSECTION WITH THE GILPIN, CLEAR CREEK COUNTY LINE; THENCE SOUTHEASTERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE NORTH-SOUTH CENTERLINE OF THE SOUTHEAST QUARTER OF SECTION 29; THENCE NORTH ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD AS SHOWN ON THE EXHIBIT PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB NO. 1671050.00JR; THENCE NORTH-WESTERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE COMMON LINE OF THE NORTHEAST AND SOUTHEAST QUARTERS OF SAID SECTION; THENCE WESTERLY ALONG SAID LINE TO THE CENTER OF SAID SECTION; THENCE NORTHERLY ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION TO A POINT ALONG THE EASTERLY LINE OF THE PROPOSED SOUTHERLY ACCESS ROAD AS SHOWN ON THE EXHIBIT PREPARED BY ROCKY MOUNTAIN CONSULTANTS, INC., JOB NO. 1671050.00JR; THENCE NORTHERLY ALONG SAID LINE TO THE POINT OF INTERSECTION WITH THE NORTH-SOUTH CENTERLINE OF SAID SECTION; THENCE NORTHERLY ALONG SAID CENTERLINE TO THE NORTH QUARTER CORNER OF SAID SECTION; THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION TO THE POINT OF BEGINNING.

NOTE:
THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTIONS 11 AND 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE CITY OF CENTRAL'S BOUNDARY, THENCE NORTHEASTERLY TO A POINT ALONG THE SUMMIT OF A HILL AT ELEVATION 9089 AS SHOWN HEREON; THENCE SOUTHEASTERLY TO A POINT ALONG THE WEST LINE OF SECTION 12; THENCE EAST TO THE INTERSECTION OF THE 8600 CONTOUR LINE; THENCE ALONG SAID CONTOUR LINE TO A POINT ALONG THE RIDGE OF WINNEBAGO HILL; THENCE EAST TO THE WESTERLY ANGLE POINT IN THE BLACK HAWK CITY BOUNDARY; THENCE SOUTHEAST ALONG SAID BOUNDARY TO A POINT ALONG THE NORTH LINE OF CENTRAL CITY'S BOUNDARY; THENCE ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.
1992 Gilpin County Master Plan Summary
(1992 Gilpin County Master Plan, adopted 12/8/92)

The 1992 Gilpin County Master Plan, hereby referred to as "the plan" shall guide development over all joint planning jurisdictions.

Figure 2 from the plan graphically depicts desirable land uses. Narrative descriptions of those land uses are contained throughout the plan.

The plan recognizes that commercial and residential growth south of Central and Black Hawk is inevitable and indeed should be allowed to develop (page 13). Relatively greater residential densities (page 22) and commercial development (page 14) should be concentrated within the city's boundaries and their respective growth areas. Commercial corridors along major thoroughfares accessing the cities are encouraged (page 15).

The remainder of that region south of the city's growth areas is identified as a Resource Area. Development of these areas, although not discouraged, should be cognizant of our mining history, (page 22). Clustered planned unit development with decreasing densities from the city fringes southward is encouraged (page 20). Minimum average densities for all residential development outside the cities should be 3 acres per dwelling (page 19).
Figure 2.
Recommended Overall Land Use Patterns
1992 Gilpin County Master Plan
Both village and town centers need to be limited in size. For example, commercial development should in general be within one-fourth mile of the middle of village centers and within one-half mile of the middle of the town centers. Commercial development on lots adjacent to existing village and town center commercial zoning will be encouraged, and development between the two town centers will be viewed more favorably than growth on the outer perimeters.

The general locations of these commercial land use types are shown on Figure 2. New development proposals which are consistent with this Plan will be viewed more favorably than those that are not.

As they develop, the town and village centers are also intended to help retain the overall rural small-town social fabric of the area. The centers can provide a range of private and public services and facilities and businesses where residents will see and be seen as they transact daily business. The concentration of these kinds of uses over time into cohesive clusters may help the economic viability of some types of businesses. In contrast, the current situation is often that businesses are relatively isolated and each has to develop its own separate market base. Each of the several commercial land use types is described in more detail, below.

1. Black Hawk and Central City - Town Centers. Gilpin County has traditionally had the two town centers of Black Hawk and Central City which have provided services and jobs for area residents. However, the historic town centers in which goods, services and jobs were available are now the areas where gambling is legal. In the near future most, if not all, of the previous town-center activities have been or will be displaced by gambling-related activity. It is likely that gambling-related activity within these cores will eventually displace most of the other functions, except some public and quasi-public functions. Thus, it is recommended that new town center type areas should be allowed to develop adjacent to and south of the existing Black Hawk and Central City town centers, along County Road 6.

The new town centers areas are also areas in which major fringe parking lots serving the gambling industry should be developed. Other commercial businesses should be encouraged to locate adjacent to and near
parking lot perimeters with connecting roads. Although some open space needs to be incorporated in these areas, this is a historic mining area that has all the associated dangers of old mines for the curious and unknowing visitor; further, the right to mine in the general area should be protected and casual trespass on mining property and activities should be minimized.

Given the potential conflict between current rights to develop and historical rights to mine, it is important that all non-mining development be well planned. This means that annexation or a site-specific master plan will be required prior to non-mining commercial development within the mineral resource area that lies south of Central City and Black Hawk.

2. County Village Centers. Gilpin County has traditionally had village centers spaced across the County on both sides of the town centers. At different times and to varying degrees, the village centers have provided goods, services, and employment. As the County grows, there will be opportunities for new commercial development. To promote development consistent with the Overall Principles of this Plan, as well as to foster the strongest local economy, new commercial activity should be encouraged to locate within recognized village centers. The recommended village centers are shown on Figure 2 and include Dory Hill (the area around the KOA), Brascher Park, Sierra Pines, Rollinsville, Pinedale, and Russell Gulch.

Generally, village centers are located at or near intersections along the arterial roadways. Not coincidentally, these areas are also historical areas of commercial activity. Over time, local circulation systems can perhaps be developed in and about some of the larger centers. For example, supplemental or frontage roads could be developed between adjacent activities which will allow for a minimum of arterial road cuts and buffering by landscaping will help maintain the rural mountain motif. These centers should be compact, perhaps extending no more than one-fourth to one-half mile in any direction.
B. Residential Land Use

THE COUNTY WILL ENCOURAGE A MIX OF HOUSING TYPES TO PROVIDE NEEDED HOUSING AND GREATER MARKET AND SERVICE OPPORTUNITIES.

Appropriate residential growth is that which can occur in a way that is consistent with the Overall Principles and Goals of this Plan. The Plan recognizes two general types of residential land use: rural residential and moderate density residential. The general location of these two types of residential land use is shown in Figure 2. New residential developments that are consistent with this Plan will be viewed more favorably than those that are not.

1. Rural Residential. Rural residential land use represents the predominant current use within the county, i.e., single family dwellings on moderately large lots. New, low-density rural residential development is encouraged; first, within established subdivisions, and second, adjacent to existing subdivisions. In general, the minimum average density should be about three acres per dwelling unit.

Currently there are about 80 subdivisions; it is estimated that about 70% of the current subdivided lots are vacant. In some instances the lot sizes are too small to allow for a well and septic system. The county should encourage the consolidation of small lots to bring them up to current zoning, water and sanitation standards. Further, to limit new subdivisions, the county should encourage building within the current subdivisions.

The limited agricultural activity that occurs in conjunction with the noncommercial keeping of horses and other livestock contributes to the existing rural character of the community. Horses and other animals should continue to be permitted in rural residential areas, subject to limitations that preserve the residential nature of the site and minimize adverse impacts on
adjacent lands.

2. Moderate Density Residential. As population and employment increase, it is expected that there will be more of a market for different residential land use types, perhaps with smaller average acreage per dwelling unit. Moderate-density housing that is consistent with the Overall Principles and Goals of this Plan should be encouraged. Moderate-density housing development should be designed to take into account such factors as visual unobtrusiveness, preservation of natural features, availability of public and private services and compatibility with established land uses and forms.

In particular, moderate-density residential development may be appropriate in or near the town centers of Black Hawk and Central City. Densities could be highest immediately adjacent to the centers and transition downward to blend with the general surrounding pattern of rural development. There may also be other locations in the county in which moderate-density housing may be appropriate. For example, the conservation of open space could be encouraged by permitting cluster housing, i.e., by allowing moderate-density development on one part of a site if the balance of the site is preserved as open space. In general, such clusters of houses should be placed along major arterials and preferably near identified village centers.

3. Subdivisions. New residential development should fit its site and minimize impacts on any neighboring development. New subdivisions and developments should preserve forest stands where possible, and reforestation should be required where feasible. Such developments should be required to provide a buffer between current or potential adjacent uses. In addition, other County principles and goals should be reflected in the site specific development plans. For example, it is important to preserve wildlife habitat on the specific tract and, in addition, to consider the connection of that habitat to wildlife habitat on adjacent tracts and wildlife movement corridors. Similarly, some or all of a subdivision green space area(s) should connect to adjacent green space if possible.
where occurrences are found. All land use planning at the local level must recognize the importance of mineral exploration and development, the temporary nature of the environmental impacts under current federal and State oversight, and the ability and willingness of private industry to pursue mineral exploration and development in a responsible way.

It is incumbent on the county to prevent the unthinking placement of potentially valuable and vital resources beyond reach by assigning permanent land uses, such as commercial or residential, to areas where surface access for mineral extraction is required. Traditionally, mining in the county has referred to subsurface "hard-rock" mining for precious and semiprecious metals and rare earths. The traditional mining was chiefly conducted underground, and only the extracts of the mined ores were transported out of the county following milling or other treatment.

The identified resource areas are intended to encompass much, if not all, of the significant hard-rock mineral resource area that has long been the primary mining district. Within the unincorporated portions of the county, the traditional mineral resource areas should continue to be recognized and respected. Any development south of the Central City/Black Hawk, such as for the new town centers discussed above, should be developed in accord with a site-specific master plan or should be within the corporate limits of one of those cities or within areas annexed to those cities. Although residential should remain a use-by-right in any zoning district or resource area, such use should be limited to relatively large "estate" parcels. Further, given the primary emphasis of land use, the "darn fool clause" applies to the builder of residences in areas where mining, agriculture or forest activity are likely. Mining activities are subject to federal, State and county permits and regulations. County commercial development regulations should provide for the separation of mining from adjacent uses. Surface mining, other than that for rock, sand, gravel and peat, should be permitted where the mining activity does not require the removal of large quantities of raw materials, but rather extracts are
DESCRIPTION:

A PARCEL OF LAND LOCATED WITHIN SECTION 36, TOWNSHIP 2 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SECTIONS 1, 2, AND 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN AND SECTION 5, 6, 17, AND 18, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 16, THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE SOUTHEAST CORNER OF SECTION 17; THENCE WESTERLY ALONG THE SOUTH LINE OF SECTION 17 TO THE SOUTHWEST CORNER THEREOF; THENCE WESTERLY ALONG THE SOUTH LINE OF SECTION 18 TO THE POINT OF INTERSECTION WITH THE WESTERLY EDGE OF LAKE GULCH ROAD; THENCE NORTHWESTERLY ALONG THE WESTERLY EDGE OF LAKE GULCH ROAD TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 16; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE BLACK HAWK CITY BOUNDARY; THENCE EASTERLY ALONG SAID BOUNDARY TO THE SOUTHEAST CORNER THEREOF; THENCE NORTHERLY AND WESTERLY ALONG SAID CITY BOUNDARY TO THE NORTHERLY CORNER THEREOF; THENCE SOUTHWESTERLY ALONG SAID CITY BOUNDARY TO AN ANGLE POINT IN SAID BOUNDARY; THENCE WEST TO THE POINT OF INTERSECTION WITH THE 8800 CONTOUR LINE AS SHOWN HEREON; THENCE WESTERLY ALONG SAID CONTOUR LINE TO THE EXTENDED POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 12; THENCE NORTHERLY ALONG SAID LINE TO THE NORTHWEST CORNER THEREOF; THENCE NORTHERLY ALONG THE WEST LINE OF SECTION 1 TO A POINT ALONG THE SOUTH SIDE OF CHASE GULCH; THENCE NORTHWESTERLY ALONG THE SOUTH SIDE OF CHASE GULCH TO THE POINT OF INTERSECTION WITH THE SOUTHEAST ANGLE POINT OF A PARCEL OF LAND ANNEXED TO THE CITY OF CENTRAL, COUNTY OF GILPIN, UNDER RECESSION NO. 84013; THENCE NORTHWESTERLY ALONG THE EASTERLY AND NORTHERLY LINES OF SAID PARCEL TO THE POINT OF INTERSECTION WITH THE WEST LINE OF SECTION 2; THENCE NORTHERLY ALONG SAID WEST LINE TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 2 TO THE NORTHWEST CORNER OF SECTION 1; THENCE EASTERLY ALONG THE NORTH LINE OF SECTION 1 TO A POINT, SAID POINT BEING SOUTHWEST OF MISSOURI FALLS AS SHOWN HEREON; THENCE NORTH TO THE POINT OF INTERSECTION WITH THE 8800 CONTOUR LINE; THENCE ALONG SAID CONTOUR LINE AS SHOWN HEREON TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SECTION 36; THENCE SOUTHERLY ALONG SAID EAST LINE TO THE NORTHWEST CORNER OF SECTION 6; THENCE EASTERLY ALONG THE NORTH LINES OF SECTIONS 6 AND 5 TO THE NORTHEAST CORNER OF SAID SECTION 5; THENCE SOUTHERLY ALONG THE EAST LINES OF SECTIONS 6 AND 8 TO THE NORTHWEST CORNER OF SECTION 16 AND THE POINT OF BEGINNING.

NOTE:
This exhibit does not represent a monumented land survey. It is intended only to depict the attached description.
1992 Gilpin County Master Plan Summary
(1992 Gilpin County Master Plan, adopted 12/8/92)

The 1992 Gilpin County Master Plan, hereby referred to as "the plan" shall guide development over all joint planning jurisdictions.

Figure 2 from the plan graphically depicts desirable land uses. Narrative descriptions of those land uses are contained throughout the plan.

The plan recognizes that commercial and residential growth south of Central and Black Hawk is inevitable and indeed should be allowed to develop (page 13). Relatively greater residential densities (page 22) and commercial development (page 14) should be concentrated within the city's boundaries and their respective growth areas. Commercial corridors along major thoroughfares accessing the cities are encouraged (page 15).

The remainder of that region south of the city's growth areas is identified as a Resource Area. Development of these areas, although not discouraged, should be cognizant of our mining history. (page 22). Clustered planned unit development with decreasing densities from the city fringes southward is encouraged (page 20). Minimum average densities for all residential development outside the cities should be 3 acres per dwelling (page 19).
Figure 2.
Recommended Overall Land Use Patterns
1992 Gilpin County Master Plan
Both village and town centers need to be limited in size. For example, commercial development should in general be within one-fourth mile of the middle of village centers and within one-half mile of the middle of the town centers. Commercial development on lots adjacent to existing village and town center commercial zoning will be encouraged, and development between the two town centers will be viewed more favorably than growth on the outer perimeters.

The general locations of these commercial land use types are shown on Figure 2. New development proposals which are consistent with this Plan will be viewed more favorably than those that are not.

As they develop, the town and village centers are also intended to help retain the overall rural small-town social fabric of the area. The centers can provide a range of private and public services and facilities and businesses where residents will see and be seen as they transact daily business. The concentration of these kinds of uses over time into cohesive clusters may help the economic viability of some types of businesses. In contrast, the current situation is often that businesses are relatively isolated and each has to develop its own separate market base. Each of the several commercial land use types is described in more detail, below.

1. Black Hawk and Central City - Town Centers. Gilpin County has traditionally had the two town centers of Black Hawk and Central City, which have provided services and jobs for area residents. However, the historic town centers in which goods, services and jobs were available are now the areas where gambling is legal. In the near future most, if not all, of the previous town-center activities have been or will be displaced by gambling-related activity. It is likely that gambling-related activity within these cores will eventually displace most all of the other functions, except some public and quasi-public functions. Thus, it is recommended that new town center type areas should be allowed to develop adjacent to and south of the existing Black Hawk and Central City town centers, along County Road 6.

The new town centers areas are also areas in which major fringe parking lots serving the gambling industry should be developed. Other commercial businesses should be encouraged to locate adjacent to and near
parking lot perimeters with connecting roads. Although some open space needs to be incorporated in these areas; this is a historic mining area that has all the associated dangers of old mines for the curious and unknowing visitor; further, the right to mine in the general area should be protected and casual trespass on mining property and activities should be minimized.

Given the potential conflict between current rights to develop and historical rights to mine, it is important that all non-mining development be well planned. This means that annexation or a site-specific master plan will be required prior to non-mining commercial development within the mineral resource area that lies south of Central City and Black Hawk.

2. County Village Centers. Gilpin County has traditionally had village centers spaced across the County on both sides of the town centers. At different times and to varying degrees, the village centers have provided goods, services, and employment. As the County grows there will be opportunities for new commercial development. To promote development consistent with the Overall Principles of this Plan, it is to foster the strongest local economy, new commercial activity should be encouraged to locate within recognized village centers. The recommended village centers are shown on Figure 2. and include Dory Hill (the area around the KOA), Breacher Park, Sierra Pines, Rollinsville, Pinedale, and Russell Gulch.

Generally, village centers are located at or near intersections along the arterial roadways. Not coincidentally, these areas are also historical areas of commercial activity. Over time, local circulation systems can perhaps be developed in and about some of the larger centers. For example, supplemental or frontage roads could be developed between adjacent activities which will allow for a minimum of arterial road cuts and buffering by landscaping will help maintain the rural mountain motif. These centers should be compact, perhaps extending no more than one-fourth to one-half mile in any direction.
B. Residential Land Use

The county will encourage a mix of housing types to provide needed housing and greater market and service opportunities.

Appropriate residential growth is that which can occur in a way that is consistent with the Overall Principles and Goals of this Plan. The Plan recognizes two general types of residential land use: rural residential and moderate density residential. The general location of these two types of residential land use is shown in Figure 2. New residential developments that are consistent with this Plan will be viewed more favorably than those that are not.

1. Rural Residential. Rural residential land use represents the predominant current use within the county, i.e., single family dwellings on moderately large lots. New, low-density rural residential development is encouraged; first, within established subdivisions, and second, adjacent to existing subdivisions. In general, the minimum average density should be about three acres per dwelling unit.

Currently there are about 80 subdivisions; it is estimated that about 70% of the current subdivided lots are vacant. In some instances the lot sizes are too small to allow for a well and septic system. The county should encourage the consolidation of small lots to bring them up to current zoning, water and sanitation standards. Further, to limit new subdivisions, the county should encourage building within the current subdivisions.

The limited agricultural activity that occurs in conjunction with the noncommercial keeping of horses and other livestock contributes to the existing rural character of the community. Horses and other animals should continue to be permitted in rural residential areas, subject to limitations that preserve the residential nature of the site and minimize adverse impacts on
adjacent lands.

2. Moderate Density Residential. As population and employment increase, it is expected that there will be more of a market for different residential land use types, perhaps with smaller average acreage per dwelling unit. Moderate-density housing that is consistent with the Overall Principles and Goals of this Plan should be encouraged. Moderate-density housing development should be designed to take into account such factors as visual unobtrusiveness, preservation of natural features, availability of public and private services and compatibility with established land uses and forms.

In particular, moderate-density residential development may be appropriate in or near the town centers of Black Hawk and Central City. Densities could be highest immediately adjacent to the centers and transition downward to blend with the general surrounding pattern of rural development. There may also be other locations in the county in which moderate-density housing may be appropriate. For example, the conservation of open space could be encouraged by permitting cluster housing, i.e., by allowing moderate-density development on one part of a site if the balance of the site is preserved as open space. In general, such clusters of houses should be placed along major arterials and preferably near identified village centers.

3. Subdivisions. New residential development should fit its site and minimize impacts on any neighboring development. New subdivisions and developments should preserve forest stands where possible, and reforestation should be required where feasible. Such developments should be required to provide a buffer between current or potential adjacent uses. In addition, other County principles and goals should be reflected in the site specific development plans. For example, it is important to preserve wildlife habitat on the specific tract and, in addition, to consider the connection of that habitat to wildlife habitat on adjacent tracts and wildlife movement corridors. Similarly, some or all of a subdivision green space area(s) should connect to adjacent green space if possible.
where occurrences are found. All land use planning at the local level must recognize the importance of mineral exploration and development, the temporary nature of the environmental impacts under current federal and State oversight, and the ability and willingness of private industry to pursue mineral exploration and development in a responsible way.

It is incumbent on the county to prevent the unthinking placement of potentially valuable and vital resources beyond reach by assigning permanent land uses, such as commercial or residential, to areas where surface access for mineral extraction is required. Traditionally, mining in the county has referred to subsurface "hard-rock" mining for precious and semiprecious metals and rare earths. The traditional mining was chiefly conducted underground, and only the extracts of the mined ores were transported out of the county following milling or other treatment.

The identified resource areas are intended to encompass much, if not all, of the significant hard-rock mineral resource area that has long been the primary mining district. Within the unincorporated portions of the county, the traditional mineral resource areas should continue to be recognized and respected. Any development south of the Central City/Black Hawk, such as for the new town centers discussed above, should be developed in accord with a site-specific master plan or should be within the corporate limits of one of those cities or within areas annexed to those cities. Although residential should remain a use-by-right in any zoning district or resource area, such use should be limited to relatively large "estate" parcels. Further, given the primary emphasis of land use, the "darn fool clause" applies to the builder of residences in areas where mining, agriculture, or forest activity are likely. Mining activities are subject to federal, State and county permits and regulations. County commercial development regulations should provide for the separation of mining from adjacent uses. Surface mining, other than that for rock, sand, gravel, and peat, should be permitted where the mining activity does not require the removal of large quantities of raw materials, but rather extracts are
RECEIPTION #102588  MAP FILE # G-99
DATE OF RECORDING 11-23-99  DOCUMENT DATE 9-29-99
TIME OF RECORDING 11:50 A
GRANTOR  Gilpin County
GRANTOR  Black Hawk City, Central City of
GRANTEE  Gilpin County, Black Hawk City, Central City of

DESCRIPTION OF PROPERTY:
SECTION  TOWNSHIP  RANGE  OR
LOT  BLOCK  CITY OR SUBDIVISION

EXHIBIT P

MAP REC SHEET
COUNCIL BILL 25 THROUGH COUNCIL BILL 35
ORDINANCES APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 1 THROUGH ANNEXATION NO. 11 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB25
ORDINANCE NUMBER: 2015-25

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 1 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interest of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 1, THE BEN CRENSHAW NO. 2, SURVEY NO. 4800, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, recorded in Book 557, Pages 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 41°20'23" W, 4428.70 FEET TO CORNER NO. 2 OF SAID SURVEY NO. 4800 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4) COURSES:

1. N 33°04'06" W, 150.00 FEET;
2. THENCE N 56°55'54" E, 1420.00 FEET;
3. THENCE S 33°04'06" E, 150.00 FEET;
4. THENCE S 56°55'54" W, 1420.00 FEET TO THE POINT OF BEGINNING; CONTAINING 4.89 ACRES MORE OR LESS.
TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 2 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interest of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 2, THE SARAH E, SURVEY NO. 19075, LOCATED WITHIN SECTIONS 1 AND 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 20°55'16" W, 1928.89 FEET TO CORNER NO. 1 OF SAID SURVEY NO. 19075 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING SIX (6) COURSES:

1. S 56°59'54" W, 705.97 FEET;
2. THENCE S 65°20'04" W, 793.37 FEET;
3. THENCE N 33°14'16" W, 152.42 FEET;
4. THENCE N 65°25'47" E, 805.22 FEET;
5. THENCE N 56°59'54" E, 695.07 FEET;
6. THENCE S 33°00'06" E, 149.38 FEET TO THE POINT OF BEGINNING, CONTAINING 5.16 ACRES MORE OR LESS.
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK  

COUNCIL BILL NUMBER: CB27  
ORDINANCE NUMBER: 2015-27  

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 3 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY  

WHEREAS, the City of Black Hawk owns the real property described in attached Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;  

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.  

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:  

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.  

Section 2. The City of Black Hawk owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.  

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black Hawk.  

Section 4. Considering all of the foregoing, and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interest of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

                                _________________________________
                                David D. Spellman, Mayor

ATTEST:

                                _________________________________
                                Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 3, THE KINNEY TUNNEL LODE, SURVEY NO. 310, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST AND SECTION 6, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 13°01'24" E, 2407.76 FEET TO CORNER NO. 3 OF SAID SURVEY NO. 310 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4) COURSES:

1. N 28°37'00" W, 50.00 FEET;
2. THENCE N 61°23'00" E, 1600.00 FEET;
3. THENCE S 28°37'00" E, 50.00 FEET;
4. THENCE S 61°23'00" W, 1600.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.84 ACRES MORE OR LESS.
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB28  
ORDINANCE NUMBER: 2015-28

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 4 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interest of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

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Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 4, THE ROBERT EMMETT, SURVEY NO. 4696, LOCATED WITHIN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 19°26'55" W, 539.66 FEET TO CORNER NO. 2 OF SAID SURVEY NO. 4696 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING TEN (10) COURSES:

1. N 53°45'00" E, 120.28 FEET;
2. THENCE N 42°30'00" E, 168.60 FEET;
3. THENCE N 30°00'00" E, 254.34 FEET;
4. THENCE N 41°00'00" E, 339.14 FEET;
5. THENCE S 28°30'00" E, 53.38 FEET;
6. THENCE S 41°00'00" W, 315.64 FEET;
7. THENCE S 30°00'00" W, 255.00 FEET;
8. THENCE S 42°30'00" W, 179.00 FEET;
9. THENCE S 53°45'00" W, 132.00 FEET;
10. THENCE N 28°30'00" W, 50.45 FEET TO THE POINT OF BEGINNING, CONTAINING 1.01 ACRES MORE OR LESS.
TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 5 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interest of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

________________________________________________________________________

David D. Spellman, Mayor

ATTEST:

________________________________________________________________________

Melissa A. Greiner, City Clerk
COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 70°39'19" W, 1644.59 FEET TO CORNER NO. 1 OF SAID SURVEY NO. 681 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4) COURSES:

1. S 77°12'00" W, 1500.00 FEET;
2. THENCE N 12°48'00" W, 150.00 FEET;
3. THENCE N 77°12'00" E, 1500.00 FEET;
4. THENCE S 12°48'00" E, 150.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.17 ACRES MORE OR LESS.
TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 6 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interest of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

__________________________________________
David D. Spellman, Mayor

ATTEST:

__________________________________________
Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 6, A PORTION OF THE ONONDAGA CHIEF, SURVEY NO. 15506, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 35°41'15" W, 5670.27 FEET TO A POINT ALONG LINE 2-3 OF SAID SURVEY NO. 15506 AND THE POINT OF BEGINNING; THENCE N 36°20'55" W, 150.00 FEET TO A POINT ALONG LINE 1-4 OF SAID SURVEY NO. 15506; THENCE ALONG THE COMMON LINE WITH SAID SURVEY NO. 15506, N 53°39'05" E, 195.58 FEET TO CORNER 9 OF THE NUGGET PLACER, SURVEY NO. 8558; THENCE S 87°44'25" E, 240.39 FEET TO CORNER 6 OF SAID SURVEY NO. 8558 AND A POINT ALONG LINE 2-3 OF SAID SURVEY NO. 15506; THENCE ALONG THE COMMON LINE WITH SAID SURVEY NO. 15506, S 53°39'05" W, 383.43 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES MORE OR LESS.
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB31
ORDINANCE NUMBER: 2015-31

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 7 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interest of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

______________________________________________________________
David D. Spellman, Mayor

ATTEST:

______________________________________________________________
Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 7, THE TUCKER EXT. SURVEY NO. 14484, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00′05″ E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 54°42′19″ W, 3499.17 FEET TO CORNER 1 OF SAID SURVEY NO. 14484 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY NO. 14484 THE FOLLOWING FIVE (5) COURSES:

1. S 67°15′00″ W, 415.60 FEET;
2. THENCE S 83°51′00″ W, 262.52 FEET;
3. THENCE N 22°45′00″ W, 75.00 FEET;
4. THENCE N 67°15′00″ E, 667.18 FEET;
5. THENCE S 22°44′58″ E, 150.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.08 ACRES MORE OR LESS.
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB32
ORDINANCE NUMBER: 2015-32

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE
ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015
ANNEXATION NO. 8 OF CONTIGUOUS UNINCORPORATED CITY-
OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached
Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County
of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself
concerning the eligibility for annexation of that property described on attached Exhibit A and
concerning the conformance of the proposed annexation to the applicable law and the annexation
policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK,
GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of
that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin,
State of Colorado, meets all requirements of law and the annexation policy of the City of Black
Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the
property described on the attached Exhibit A, and said property is not solely a public street or
right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the
area to be annexed shall become subject to the municipal laws of the State of Colorado
pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black
Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that
annexation of this property to the City of Black Hawk will serve the best interest of the City of
Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory
described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the
City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

_______________________________
Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 8, A PORTION OF THE EAST KEYSTONE AND BUCKEYE, SURVEY NO. 9607, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 58°59'30" W, 4138.79 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF SAID EAST KEYSTONE, SURVEY NO. 9607, THE WEST LINE OF SAID SECTION 1 AND BEING THE POINT OF BEGINNING; THENCE ALONG SAID SECTION N 00°10'41" E, 319.17 FEET TO THE NORTHERLY LINE OF SAID BUCKEYE, SURVEY NO. 9607; THENCE ALONG SAID SURVEY NO. 9607 THE FOLLOWING FIVE (5) COURSES:

1. N 70°15'00" E, 80.15 FEET;
2. THENCE S 19°45'00" E, 150.00 FEET;
3. THENCE N 70°14'54" E, 107.92 FEET;
4. THENCE S 09°30'00" E, 152.50 FEET;
5. THENCE S 70°15'00" W, 269.73 FEET TO THE POINT OF BEGINNING, CONTAINING 1.25 ACRES MORE OR LESS.
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB33  
ORDINANCE NUMBER: 2015-33

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE 
ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 
ANNEXATION NO. 9 OF CONTIGUOUS UNINCORPORATED CITY-
OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached 
Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County 
of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself 
concerning the eligibility for annexation of that property described on attached Exhibit A and 
concerning the conformance of the proposed annexation to the applicable law and the annexation 
policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, 
GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of 
that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, 
State of Colorado, meets all requirements of law and the annexation policy of the City of Black 
Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the 
property described on the attached Exhibit A, and said property is not solely a public street or 
right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the 
area to be annexed shall become subject to the municipal laws of the State of Colorado 
pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black 
Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that 
annexation of this property to the City of Black Hawk will serve the best interest of the City of 
Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory 
described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the 
City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

________________________________
David D. Spellman, Mayor

ATTEST:

________________________________
Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 9, A PORTION OF THE CARMICHAEL, SURVEY NO. 5574, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 48°04'55" W, 4762.88 FEET TO THE SOUTHERLY LINE OF SAID CARMICHAEL, SURVEY NO. 5574, THE WEST LINE OF SAID SECTION 1 AND THE POINT OF BEGINNING; THENCE ALONG SAID SECTION N 00°10'41" E, 176.42 FEET TO THE NORTHERLY LINE OF SAID CARMICHAEL, SURVEY NO. 5574; THENCE ALONG SAID SURVEY NO. 5574 THE FOLLOWING THREE (3) COURSES:

1. N 58°25'04" E, 1255.78 FEET;
2. THENCE S 31°34'56" E, 150.00 FEET;
3. THENCE S 58°25'04" W, 1348.64 FEET TO THE POINT OF BEGINNING, CONTAINING 4.48 ACRES MORE OR LESS.
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK  

COUNCIL BILL NUMBER: CB34  
ORDINANCE NUMBER: 2015-34  

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE  
ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015  
ANNEXATION NO. 10 OF CONTIGUOUS UNINCORPORATED CITY- 
OWNED PROPERTY LOCATED IN GILPIN COUNTY  

WHEREAS, the City of Black Hawk owns the real property described in attached  
Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County  
of Gilpin, State of Colorado;  

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself  
concerning the eligibility for annexation of that property described on attached Exhibit A and  
concerning the conformance of the proposed annexation to the applicable law and the annexation  
policy of the City of Black Hawk, Colorado.  

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK,  
GILPIN COUNTY:  

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of  
that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin,  
State of Colorado, meets all requirements of law and the annexation policy of the City of Black  
Hawk, and therefore, said annexation is hereby approved and made effective.  

Section 2. The City of Black Hawk owns one hundred percent (100%) of the  
property described on the attached Exhibit A, and said property is not solely a public street or  
right-of-way.  

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the  
area to be annexed shall become subject to the municipal laws of the State of Colorado  
pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black  
Hawk.  

Section 4. Considering all of the foregoing, and based on the conviction that  
annexation of this property to the City of Black Hawk will serve the best interest of the City of  
Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory  
described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the  
City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

_______________________________
Melissa A. Greiner, City Clerk
EXHIBIT A


COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 70°46'30" W, 567.85 FEET MORE OR LESS TO THE INTERSECTION OF THE SOUTHERLY LINE OF THE SECOND DISCOVERY OF THE VIRGINIA, SURVEY NO. 240 AND THE SOUTHERLY LINE OF THE VIRGINIA, SURVEY NO. 467 AND BEING THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY NO. 467 S 57°50'00" W, 351.22 FEET TO THE POINT OF INTERSECTION WITH THE BLACK HAWK GROWTH BOUNDARY; THENCE ALONG SAID GROWTH BOUNDARY THE FOLLOWING TWO (2) COURSES:

1. N 90°00'00" W, 333.06 FEET;
2. THENCE N 06°13'08" E, 41.83 FEET TO A POINT ALONG THE NORTHERLY LINE OF THE ARAPAHOE, SURVEY NO. 468;

THENCE ALONG THE NORTHERLY LINE OF SAID SURVEY NO. 468 N 69°20'00" E, 95.64 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE GOLDEN GATE, SURVEY NO. 12681; THENCE ALONG THE SOUTHERLY LINE OF SAID SURVEY NO. 12681 S 73°00'00" W, 92.82 FEET TO THE POINT OF INTERSECTION WITH SAID BLACK HAWK GROWTH BOUNDARY; THENCE ALONG SAID GROWTH BOUNDARY N 06°13'08" E, 144.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE CENTRE, SURVEY NO. 899; THENCE ALONG THE SOUTHERLY LINE OF SAID SURVEY NO. 899 S 67°30'55" E, 535.09 FEET TO THE POINT OF INTERSECTION WITH THE QUEEN OF THE WEST, SURVEY NO. 425; THENCE ALONG SAID SURVEY NO. 425 THE FOLLOWING TWO (2) COURSES:

1. N 22°08'00" W, 10.37 FEET;
2. THENCE N 68°29'49" E, 162.43 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH SAID SECOND DISCOVERY OF THE VIRGINIA, SURVEY NO. 240; THENCE ALONG SAID SURVEY NO. 240 THE FOLLOWING TWO (2) COURSES:

1. S 34°04'00" W, 249.01 FEET MORE OR LESS;
2. THENCE S 56°11'03" E, 129.23 FEET TO THE POINT OF BEGINNING, CONTAINING 3.60 ACRES MORE OR LESS.
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK  

COUNCIL BILL NUMBER: CB35  
ORDINANCE NUMBER: 2015-35  

TITLE: AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 11 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

WHEREAS, the City of Black Hawk owns the real property described in attached Exhibit A, which is contiguous unincorporated territory situated, lying, and being in the County of Gilpin, State of Colorado;

WHEREAS, the City Council of the City of Black Hawk, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the City of Black Hawk, Colorado.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The annexation by and to the City of Black Hawk, State of Colorado, of that property described in attached Exhibit A, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk, and therefore, said annexation is hereby approved and made effective.

Section 2. The City of Black Hawk owns one hundred percent (100%) of the property described on the attached Exhibit A, and said property is not solely a public street or right-of-way.

Section 3. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to cities, and to all ordinances, resolutions, rules, and regulations of the City of Black Hawk.

Section 4. Considering all of the foregoing, and based on the conviction that annexation of this property to the City of Black Hawk will serve the best interest of the City of Black Hawk and the owner(s) of the territory to be annexed, the unincorporated territory described in Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the City of Black Hawk, Colorado.
Section 5. The City Clerk shall file, for recording, three (3) certified copies of the Annexation Ordinance and three (3) copies of the Annexation Map with the Clerk and Recorder of the County of Gilpin, State of Colorado.

Section 6. The Annexation Map showing the boundaries of the newly annexed territory, as above described, shall be kept on file in the office of the Gilpin County Clerk and Recorder.

Section 7. The City Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 8. This annexation shall become effective within thirty (30) days of the publication date of this Ordinance except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

________________________________
Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 11, THE VIRGINIA EXTENSION, SURVEY NO. 11016, LOCATED WITHIN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 19°23'44" W, 536.55 FEET TO CORNER NO. 6 OF SAID SURVEY NO. 11016 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING SIX (6) COURSES:

1. S 27°17'00" E, 49.91 FEET;
2. THENCE S 63°56'00" W, 214.67 FEET;
3. THENCE S 54°43'00" E, 5.24 FEET;
4. THENCE S 62°43'00" W, 137.79 FEET;
5. THENCE N 27°17'00" W, 50.00 FEET;
6. THENCE N 62°43'00" E, 350.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.39 ACRES MORE OR LESS.
REQUEST FOR COUNCIL ACTION

SUBJECT: Quartz Valley / Maryland Mountain 2015 Annexations 1 through 11 (P-15-21)

RECOMMENDATION: Staff recommends the following motions to the Mayor and Board of Aldermen:

MOTION TO APPROVE Council Bill No. 25, a bill for Ordinance 2015-25 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 1 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 26, a bill for Ordinance 2015-26 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 2 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 27, a bill for Ordinance 2015-27 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 3 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 28, a bill for Ordinance 2015-28 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 4 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 29, a bill for Ordinance 2015-29 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 5 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 30, a bill for Ordinance 2015-30 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 6 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 31, a bill for Ordinance 2015-31 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 7 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY
MOTION TO APPROVE Council Bill No. 32, a bill for Ordinance 2015-32 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 8 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 33, a bill for Ordinance 2015-33 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 9 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 34, a bill for Ordinance 2015-34 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 10 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

MOTION TO APPROVE Council Bill No. 35, a bill for Ordinance 2015-35 APPROVING AND ACCOMPLISHING THE ANNEXATION OF QUARTZ VALLEY/MARYLAND MOUNTAIN 2015 ANNEXATION NO. 11 OF CONTIGUOUS UNINCORPORATED CITY-OWNED PROPERTY LOCATED IN GILPIN COUNTY

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
Since the last annexations were approved in 2013, the City has acquired additional parcels in the Quartz Valley/Maryland Mountain area. The additional parcels are proposed to be annexed to the City to “fill in many of the gaps.” The City of Black Hawk is the sole owner of these parcels intended to be annexed located throughout the area annexed in 2013. Colorado State Statutes and the City of Black Hawk Municipal Code outline a specific process for annexation of land owned by a municipality. The City Council may annex city-owned territory by ordinance.

In this case there are eleven (11) proposed annexations, titled Quartz Valley/Maryland Mountain 2015 Annexations No. 1 through 11. Each annexation individually meets state standards for contiguity to the current City boundary.

AGENDA DATE: November 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [ X ] Yes [ ] No

STAFF PERSON RESPONSIBLE: Cynthia L. Linker, CP&D Vincent Harris, Baseline Corporation

DOCUMENTS ATTACHED: Staff Report, Courtesy Notice, 11 Ordinances, and 11 Annexation Maps

RECORD: [ X ] Yes [ ] No
CITY ATTORNEY REVIEW: [ X ]Yes [ ] N/A

SUBMITTED BY: Vince Harris, Baseline Corporation 10/20/2015

REVIEWED BY: Jack D. Lewis, City Manager
BACKGROUND:
In April 2013, the City of Black Hawk increased its territory by approximately 436 acres by approving the Quartz Valley/Maryland Mountain annexations (Ordinances 2013-18, 2013-19, 2013-20, 2013-21, and 2013-22). Further, in May 2015 the City approved an ordinance disconnecting a small portion of land from the City. Approximately 4.12 acres was removed from the city (Ordinance 2015-9).

Since the 2013 annexations were approved, the City has acquired additional parcels in the Quartz Valley/Maryland Mountain area. The additional parcels are proposed to be annexed to the City to “fill in many of the gaps.” Some of the annexations will annex enclaves of unincorporated territory. The rest of the annexations will extend the City’s boundaries while remaining within the agreed upon Growth Area Boundary per the 1999 Intergovernmental Agreement (IGA) with Central City and Gilpin County.

The City of Black Hawk is the sole owner of these parcels intended to be annexed located throughout the area annexed in 2013. The parcels are located in unincorporated Gilpin County. Colorado State Statutes and the City of Black Hawk Municipal Code outline a specific process for annexation of land owned by a municipality. The City Council may annex city-owned territory by ordinance.

In this case there are eleven (11) proposed annexations. Each annexation is made up of portions of a single or multiple mining claims owned by the City. Each annexation must individually meet state standards for contiguity to the current City boundary. The perimeter of each annexation must border the City limits by a ratio of at least 1/6th of the boundary of the proposed annexation.

The Quartz Valley/Maryland Mountain 2015 Annexations consist of eleven (11) proposed annexation ordinances:

<table>
<thead>
<tr>
<th>Property Name</th>
<th>Annexation Name</th>
<th>Area (acres)</th>
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</thead>
<tbody>
<tr>
<td>The Sarah E, Survey No. 19075</td>
<td>QV/MM 2015 Annex. No. 2</td>
<td>5.16</td>
</tr>
<tr>
<td>The Kinney Tunnel Survey No. 310</td>
<td>QV/MM 2015 Annex. No. 3</td>
<td>1.84</td>
</tr>
<tr>
<td>The Robert Emmett, Survey No. 4696</td>
<td>QV/MM 2015 Annex. No. 4</td>
<td>1.01</td>
</tr>
<tr>
<td>The Robert G. Ingersoll, Survey No. 681</td>
<td>QV/MM 2015 Annex. No. 5</td>
<td>5.17</td>
</tr>
<tr>
<td>Description</td>
<td>Survey Numbers</td>
<td>Area (Acres)</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------</td>
<td>----------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>A portion of the Onondaga Chief, Survey No. 15506</td>
<td>QV/MM 2015 Annex. No. 6</td>
<td>1.00</td>
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<tr>
<td>Tucker Ext. Survey No. 14484</td>
<td>QV/MM 2015 Annex. No. 7</td>
<td>2.08</td>
</tr>
<tr>
<td>A portion of the East Keystone and Buckeye, Survey No. 9607</td>
<td>QV/MM 2015 Annex. No. 8</td>
<td>1.25</td>
</tr>
<tr>
<td>A portion of the Carmichael, Survey No. 5574</td>
<td>QV/MM 2015 Annex. No. 9</td>
<td>4.48</td>
</tr>
<tr>
<td>The Virginia Extension, Survey No. 11016</td>
<td>QV/MM 2015 Annex. No. 11</td>
<td>0.39</td>
</tr>
</tbody>
</table>

Total area annexed = 30.87 acres (more or less)

Proposed Quartz Valley/Maryland Mountain 2015 Annexations are shown in red.
This image is for illustrative purposes only – please refer to the official annexation maps after this staff report.
Proposed Quartz Valley / Maryland Mountain 2015 Annexations are shown in red. This image is for illustrative purposes only – please refer to the official annexation maps after this staff report.

**APPLICABLE STATE STATUTES:**
Excerpts from:

**Title 31. Government – Municipal**
**Article 12. Annexation – Consolidation – Disconnection**
**Part 1. Municipal Annexation Act of 1965**

**31-12-106. Annexations of enclaves, partly surrounded land, and municipally owned land**
31-12-106(3) Annexation of unincorporated municipally owned land. When the municipality is the sole owner of the area that it desires to annex, which area is eligible for annexation in accordance with section 30 (1) (c) of article II of the state constitution and sections 31-12-104 (1) (a) and 31-12-105, the governing body may by ordinance annex said area to the municipality without notice and hearing as provided in sections 31-12-108 and 31-12-109. The annexing ordinance shall state that the area proposed to be annexed is owned by the annexing municipality and is not solely a public street or right-of-way.
31-12-104. Eligibility for annexation
(1) No unincorporated area may be annexed to a municipality unless one of the conditions set forth in section 30 (1) of article II of the state constitution first has been met. An area is eligible for annexation if the provisions of section 30 of article II of the state constitution have been complied with and the governing body, at a hearing as provided in section 31-12-109, finds and determines:

(a) That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality. ... Subject to the requirements imposed by section 31-12-105 (1) (e), contiguity may be established by the annexation of one or more parcels in a series, which annexations may be completed simultaneously and considered together for the purposes of the public hearing required by sections 31-12-108 and 31-12-109...

(b) That a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality. The fact that the area proposed to be annexed has the contiguity with the annexing municipality required by paragraph (a) of this subsection (1) shall be a basis for a finding of compliance with these requirements...

Colorado Constitution
Article II

Section 30. Right to vote or petition on annexation – enclaves
Sec. 30(1) No unincorporated area may be annexed to a municipality unless one of the following conditions first has been met:
(c) The area is entirely surrounded by or is solely owned by the annexing municipality.

APPLICABLE CITY OF BLACK HAWK REGULATIONS:
Excerpts from:

City of Black Hawk
Municipal Code
Chapter 16 - Zoning

Sec. 16-365. Rezoning procedures, amendments to zoning ordinance and special review use permits.
Sec. 16-365 (b) All territory annexed to the City shall be zoned in accordance with the zoning classifications established by this Chapter and in accordance with the procedures in this Section for rezoning. All annexed land shall be zoned at the time of annexation as required by this Chapter.

City of Black Hawk
Home Rule Charter
Article VIII: Miscellaneous

Section 8. Annexation and Zoning.
In all proceedings for the annexation of territory to the City, the City Council shall require concurrent zoning of the same.
STAFF COMMENTS:
The City Surveyor prepared the eleven annexation maps for the Quartz Valley / Maryland Mountain 2015 Annexations. Staff then reviewed the maps against State and City standards. State standards of contiguity and authority to petition for annexation have been met.

A courtesy notice was sent to the City of Central and Gilpin County in accordance with the 1999 Growth Area Intergovernmental Agreement.

Annexing the land into Black Hawk will extend the applicable city services to these properties, including police and fire protection.

In accordance with State standards and Black Hawk regulations, staff recommends that City Council pass ordinances approving the Quartz Valley / Maryland Mountain 2015 Annexations No. 1 THROUGH No. 11 inclusive, and annexing said territory shown on the maps thereof into the City of Black Hawk.

FINDINGS:
City Council may approve, conditionally approve, or deny a request to annex territory into the City of Black Hawk. To support this proposal, the following findings can be used:

1. The annexation by and to the City of Black Hawk, State of Colorado, of the subject property, situated, lying, and being in the County of Gilpin, State of Colorado, meets all requirements of law and the annexation policy of the City of Black Hawk.
2. The City of Black Hawk owns one hundred percent (100%) of the subject property and said property is not solely a public street or right-of-way.
3. Pursuant to the Colorado Municipal Annexation Act of 1965, C.R.S. § 31-12-101, et seq., the City of Black Hawk possesses the authority to annex real property to its territory.
4. C.R.S. § 31-12 authorizes the City of Black Hawk to annex municipally owned property by ordinance, without notice and hearing.

RECOMMENDATION:
Staff recommends that City Council consider a MOTION TO APPROVE an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 1 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council consider a MOTION TO APPROVE an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 2 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council consider a MOTION TO APPROVE an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 3 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council consider a MOTION TO APPROVE an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 4 and annexing said territory shown on the map thereof into the City of Black Hawk; AND
That City Council consider a **MOTION TO APPROVE** an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 5 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council consider a **MOTION TO APPROVE** an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 6 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council consider a **MOTION TO APPROVE** an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 7 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council consider a **MOTION TO APPROVE** an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 8 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council consider a **MOTION TO APPROVE** an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 9 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council consider a **MOTION TO APPROVE** an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 10 and annexing said territory shown on the map thereof into the City of Black Hawk; AND

That City Council considers a **MOTION TO APPROVE** an ordinance approving the Quartz Valley / Maryland Mountain 2015 Annexation No. 11 and annexing said territory shown on the map thereof into the City of Black Hawk.

**Attachments:**
- Quartz Valley / Maryland Mountain 2015 Annexation No. 1 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 2 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 3 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 4 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 5 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 6 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 7 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 8 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 9 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 10 Map
- Quartz Valley / Maryland Mountain 2015 Annexation No. 11 Map
- Copy of courtesy notice to Central City and Gilpin County
Applicant’s Submittal
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION No. 4
THE ROBERT EMMETT SURVEY NO. 4696, LOCATED WITHIN
SECTION 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST, OF THE SIXTH PRINCIPAL MERIDIAN
COUNTY OF GILPIN, STATE OF COLORADO

SURVEYOR'S CERTIFICATE

L. ROBERT EMMETT, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, HERETOFORTH CERTIFIES THAT THE MAP AS SHOWN HERETO WAS MADE IN
ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND PREPARED UNDER MY
RESPECTIVE LICENSE AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION
AND BELIEF, REPRESENTS WHAT IT ALLEGES TO BE THE PERIMETER AND BOUNDARY OF SAID PARCEL AS CONCEIVED TO THE PRESENT CITY OF BLACK HAWK.

APPROVED AND ADOPTED THIS ______ DAY OF _______ 2015, BY THE BOARD
OF ALDERMEN OF THE CITY OF BLACK HAWK, LOCATED IN GILPIN COUNTY, COLORADO.

CITY OF BLACK HAWK

CITY AND Recorder's Certificate

ADVERTISED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF GILPIN COUNTY AT CEDAR CITY, COLORADO, THIS _______ DAY OF
_______, 2015, IN BOOK, PAGE

CITY COUNTY CLERK AND RECORDER

PREPARED FOR THE CITY OF BLACK HAWK
October 21, 2015

Mr. Daniel Miera, City Manager
City of Central
PO Box 249
Central City, Colorado 80427

Mr. Roger Baker, County Administrator
County of Gilpin
PO Box 429
Central City, Colorado 80427

Re: Courtesy Notice of Annexation
Pursuant to Intergovernmental Agreement
dated September 29, 1999

Dear Daniel and Roger:

Please let this correspondence serve as a courtesy notice of the intent by the City of Black Hawk to annex certain property within the Black Hawk Growth Area as that term is defined in Paragraph 2 of the Intergovernmental Agreement between the City of Central, Colorado, the City of Black Hawk, Colorado, the County of Gilpin, Colorado, and the Black Hawk-Central City Sanitation District (as to Paragraph 6) dated September 29, 1999 (the “Growth IGA”).

The property proposed to be annexed is entirely within the Black Hawk Growth Area. A description of the property proposed to be annexed is attached to this correspondence.

In addition, please note that in accordance with the Growth IGA, that additional property located west of the Wheeler Mill Site is contemplated to be used for park and recreational purposes, including open space and water storage and associated recreation activities, consistent with C.R.S. § 31-25-201(1). Please also be aware that all of the property proposed to be annexed is municipally owned, and thus the City intends to annex the property by ordinance pursuant to C.R.S. § 31-12-106(3). As of now, the City intends to consider the annexation ordinance at its regular meeting on November 11, 2015. If you have any
comments, the City would appreciate receiving such comments no later than November 4, 2015.

Because the property is municipally owned, and the proposed annexation contemplates uses consistent with § C.R.S. 31-25-201(1), there is no specific consent required under the above-referenced Growth IGA. Thus, the City of Black Hawk believes there are no documents reasonably necessary to complete the above-referenced annexation which require consent from Central City and Gilpin County.

To the extent that you believe the consent of either the County or Central City is required pursuant to the Growth IGA, the City would respectfully request that you adopt a resolution consistent with Paragraph 15.k.

If you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

[Signature]

Jack D. Lewis, City Manager

CC: Corey Hoffmann, City Attorney, City of Black Hawk
    Marcus McAskin, City Attorney, City of Central
    Jim Petrock, Gilpin County Attorney

Enc: Property Description
COUNCIL BILL 36
A BILL FOR AN ORDINANCE ZONING CERTAIN CITY-OWNED PROPERTY (QUARTZ VALLEY/MARYLAND MOUNTAIN 2015) TO THE HARD - HISTORY APPRECIATION RECREATION DESTINATION DISTRICT
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB36
ORDINANCE NUMBER: 2015-36

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN CITY-OWNED PROPERTY (QUARTZ VALLEY/MARYLAND MOUNTAIN 2015) TO THE HARD - HISTORY APPRECIATION RECREATION DESTINATION DISTRICT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Findings of Fact.

A. Application has been made by the City to zone the City-owned property known as the Quartz Valley/Maryland Mountain 2015 Property (the “Property”) within the City of Black Hawk, Colorado, which is more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, to be within the History Appreciation Recreation Destination District (HARD).

B. Public notice has been given of such rezoning by one publication in a newspaper of general circulation within the City and the official newspaper of the City at least fifteen (15) days before the public hearing of such amendment.

C. Notice of such proposed hearing was posted on the property for fifteen (15) consecutive days prior to said hearing.

D. A need exists for rezoning the Property described in Exhibit A pursuant to Sections 16-121 and 16-122 of the City of Black Hawk Zoning Ordinance to the extent provided herein.

Section 2. The Property described in Exhibit A is hereby rezoned to History Appreciation Recreation Destination District (HARD).

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning changes.

Section 4. Safety Clause. The Board of Aldermen hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public
convenience and welfare. The Board of Aldermen further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 5. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 6. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

__________________________________________________
David D. Spellman, Mayor

ATTEST:

__________________________________________________
Melissa A. Greiner, City Clerk
EXHIBIT A

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 1, THE BEN CRENSHAW NO. 2, SURVEY NO. 4800, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 41°20'23" W, 4428.70 FEET TO CORNER NO. 2 OF SAID SURVEY NO. 4800 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4) COURSES:

1. N 33°04'06" W, 150.00 FEET;
2. THENCE N 56°55'54" E, 1420.00 FEET;
3. THENCE S 33°04'06" E, 150.00 FEET;
4. THENCE S 56°55'54" W, 1420.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 4.89 ACRES MORE OR LESS; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 2, THE SARAH E, SURVEY NO. 19075, LOCATED WITHIN SECTIONS 1 AND 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 20°55'16" W, 1928.89 FEET TO CORNER NO. 1 OF SAID SURVEY NO. 19075 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING SIX (6) COURSES:

1. S 56°59'54" W, 705.97 FEET;
2. THENCE S 65°20'04" W, 793.37 FEET;
3. THENCE N 33°14'16" W, 152.42 FEET;
4. THENCE N 65°25'47" E, 805.22 FEET;
5. THENCE N 56°59'54" E, 695.07 FEET;
6. THENCE S 33°00'06" E, 149.38 FEET TO THE POINT OF BEGINNING,

CONTAINING 5.16 ACRES MORE OR LESS; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 3, THE KINNEY TUNNEL LODE, SURVEY NO. 310, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST AND SECTION 6, TOWNSHIP 3 SOUTH,
RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 13°01'24" E, 2407.76 FEET TO CORNER NO. 3 OF SAID SURVEY NO. 310 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4) COURSES:

1. N 28°37'00" W, 50.00 FEET;
2. THENCE N 61°23'00" E, 1600.00 FEET;
3. THENCE S 28°37'00" E, 50.00 FEET;
4. THENCE S 61°23'00" W, 1600.00 FEET TO THE POINT OF BEGINNING,
CONTAINING 1.84 ACRES MORE OR LESS; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 4, THE ROBERT EMMETT, SURVEY NO. 4696, LOCATED WITHIN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 19°26'55" W, 539.66 FEET TO CORNER NO. 2 OF SAID SURVEY NO. 4696 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING TEN (10) COURSES:

1. N 53°45'00" E, 120.28 FEET;
2. THENCE N 42°30'00" E, 168.60 FEET;
3. THENCE N 30°00'00" E, 254.34 FEET;
4. THENCE N 41°00'00" E, 339.14 FEET;
5. THENCE S 28°30'00" E, 53.38 FEET;
6. THENCE S 41°00'00" W, 315.64 FEET;
7. THENCE S 30°00'00" W, 255.00 FEET;
8. THENCE S 42°30'00" W, 179.00 FEET;
9. THENCE S 53°45'00" W, 132.00 FEET;
10. THENCE N 28°30'00" W, 50.45 FEET TO THE POINT OF BEGINNING,
CONTAINING 1.01 ACRES MORE OR LESS; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 5, THE ROBERT G. INGERSOLL, SURVEY NO. 681, LOCATED WITHIN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 70°39'19" W, 1644.59 FEET TO CORNER NO. 1 OF SAID SURVEY NO. 681 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4) COURSES:

1. S 77°12'00" W, 1500.00 FEET;
2. THENCE N 12°48'00" W, 150.00 FEET;
3. THENCE N 77°12'00" E, 1500.00 FEET;
4. THENCE S 12°48'00" E, 150.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.17 ACRES MORE OR LESS; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 6, A PORTION OF THE ONONDAGA CHIEF, SURVEY NO. 15506, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 35°41'15" W, 5670.27 FEET TO A POINT ALONG LINE 2-3 OF SAID SURVEY NO. 15506 AND THE POINT OF BEGINNING; THENCE N 36°20'55" W, 150.00 FEET TO A POINT ALONG LINE 1-4 OF SAID SURVEY NO. 15506; THENCE ALONG THE COMMON LINE WITH SAID SURVEY NO. 15506, N 53°39'05" E, 195.58 FEET TO CORNER 9 OF THE NUGGET PLACER, SURVEY NO. 8558; THENCE S 87°44'25" E, 240.39 FEET TO CORNER 6 OF SAID SURVEY NO. 8558 AND A POINT ALONG LINE 2-3 OF SAID SURVEY NO. 15506; THENCE ALONG THE COMMON LINE WITH SAID SURVEY NO. 15506, S 53°39'05" W, 383.43 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES MORE OR LESS.; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 7, THE TUCKER EXT. SURVEY NO. 14484, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120,
WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 54°42'19" W, 3499.17 FEET TO CORNER 1 OF SAID SURVEY NO. 14484 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY NO. 14484 THE FOLLOWING FIVE (5) COURSES:

1. S 67°15'00" W, 415.60 FEET;
2. THENCE S 83°51'00" W, 262.52 FEET;
3. THENCE N 22°45'00" W, 75.00 FEET;
4. THENCE N 67°15'00" E, 667.18 FEET;
5. THENCE S 22°44'58" E, 150.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.08 ACRES MORE OR LESS; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 8, A PORTION OF THE EAST KEYSTONE AND BUCKEYE, SURVEY NO. 9607, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 58°59'30" W, 4138.79 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF SAID EAST KEYSTONE, SURVEY NO. 9607, THE WEST LINE OF SAID SECTION 1 AND BEING THE POINT OF BEGINNING; THENCE ALONG SAID SECTION N 00°10'41" E, 319.17 FEET TO THE NORTHERLY LINE OF SAID BUCKEYE, SURVEY NO. 9607; THENCE ALONG SAID SURVEY NO. 9607 THE FOLLOWING FIVE (5) COURSES:

1. N 70°15'00" E, 80.15 FEET;
2. THENCE S 19°45'00" E, 150.00 FEET;
3. THENCE N 70°14'54" E, 107.92 FEET;
4. THENCE S 09°30'00" E, 152.50 FEET;
5. THENCE S 70°15'00" W, 269.73 FEET TO THE POINT OF BEGINNING, CONTAINING 1.25 ACRES MORE OR LESS; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 9, A PORTION OF THE CARMICHAEL, SURVEY NO. 5574, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N
48°04'55" W, 4762.88 FEET TO THE SOUTHERLY LINE OF SAID CARMICHAEL, SURVEY NO. 5574, THE WEST LINE OF SAID SECTION 1 AND THE POINT OF BEGINNING; THENCE ALONG SAID SECTION N 00°10'41" E, 176.42 FEET TO THE NORTHERLY LINE OF SAID CARMICHAEL, SURVEY NO. 5574; THENCE ALONG SAID SURVEY NO. 5574 THE FOLLOWING THREE (3) COURSES:

1. N 58°25'04" E, 1255.78 FEET;
2. THENCE S 31°34'56" E, 150.00 FEET;
3. THENCE S 58°25'04" W, 1348.64 FEET TO THE POINT OF BEGINNING, CONTAINING 4.48 ACRES MORE OR LESS; and


COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 70°46'30" W, 567.85 FEET MORE OR LESS TO THE INTERSECTION OF THE SOUTHERLY LINE OF THE SECOND DISCOVERY OF THE VIRGINIA, SURVEY NO. 240 AND THE SOUTHERLY LINE OF THE VIRGINIA, SURVEY NO. 467 AND BEING THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY NO. 467 S 57°50'00" W, 351.22 FEET TO THE POINT OF INTERSECTION WITH THE BLACK HAWK GROWTH BOUNDARY; THENCE ALONG SAID GROWTH BOUNDARY THE FOLLOWING TWO (2) COURSES:

1. N 90°00'00" W, 333.06 FEET;
2. THENCE N 06°13'08" E, 41.83 FEET TO A POINT ALONG THE NORTHERLY LINE OF THE ARAPAHOE, SURVEY NO. 468;

THENCE ALONG THE NORTHERLY LINE OF SAID SURVEY NO. 468 N 69°20'00" E, 95.64 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE GOLDEN GATE, SURVEY NO. 12681; THENCE ALONG THE SOUTHERLY LINE OF SAID SURVEY NO. 12681 S 73°00'00" W, 92.82 FEET TO THE POINT OF INTERSECTION WITH SAID BLACK HAWK GROWTH BOUNDARY; THENCE ALONG SAID GROWTH BOUNDARY N 06°13'08" E, 144.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE CENTRE, SURVEY NO. 899; THENCE ALONG THE SOUTHERLY LINE OF SAID SURVEY NO. 899 N 67°30'55" E, 535.09 FEET TO THE POINT OF INTERSECTION WITH THE QUEEN OF THE WEST, SURVEY NO. 425; THENCE ALONG SAID SURVEY NO. 425 THE FOLLOWING TWO (2) COURSES:
1. N 22°08'00" W, 10.37 FEET;
2. THENCE N 68°29'49" E, 162.43 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH SAID SECOND DISCOVERY OF THE VIRGINIA, SURVEY NO. 240; THENCE ALONG SAID SURVEY NO. 240 THE FOLLOWING TWO (2) COURSES:

1. S 34°04'00" W, 249.01 FEET MORE OR LESS;
2. THENCE S 56°11'03" E, 129.23 FEET TO THE POINT OF BEGINNING, CONTAINING 3.60 ACRES MORE OR LESS; and

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 11, THE VIRGINIA EXTENSION, SURVEY NO. 11016, LOCATED WITHIN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 19°23'44" W, 536.55 FEET TO CORNER NO. 6 OF SAID SURVEY NO. 11016 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING SIX (6) COURSES:

1. S 27°17'00" E, 49.91 FEET;
2. THENCE S 63°56'00" W, 214.67 FEET;
3. THENCE S 54°43'00" E, 5.24 FEET;
4. THENCE S 62°43'00" W, 137.79 FEET;
5. THENCE N 27°17'00" W, 50.00 FEET;
6. THENCE N 62°43'00" E, 350.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.39 ACRES MORE OR LESS.
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Black Hawk Board of Aldermen shall hold a public hearing concerning the initial zoning of newly annexed land to the History Appreciation Recreation Destination (HARD) zoning district, located on property described in Exhibit A and generally located west and south of SH 119, pursuant to the City of Black Hawk zoning ordinance.

The public hearing is to be held before the City of Black Hawk Board of Aldermen on Wednesday, November 11, 2015 at 3:00 p.m. or as soon as possible thereafter. The public hearing shall be held in the City of Black Hawk Council Chambers located at 211 Church Street, Black Hawk, Colorado, 80422, or at such other time or place in the event these hearings are adjourned.

ALL INTERESTED PARTIES MAY ATTEND

Melissa A. Greiner
City Clerk

Exhibit A

All that land shown on the Quartz Valley / Maryland Mountain 2015 Annexation Maps Nos. 1 through 11 inclusive, more accurately described in the legal descriptions posted at the City of Black Hawk City Clerk’s office at 201 Selak Street.
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Initial Zoning Quartz Valley/Maryland Mountain 2015 Annexations 1 through 11 (P-15-21).

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:
MOTION TO APPROVE Council Bill No. 36 – Ordinance 2016-36, a Bill for an Ordinance Zoning Certain City-Owned Property (Quartz Valley/Maryland Mountain 2015) to the HARD – History Appreciation Recreation Destination District.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
The City of Black Hawk is the sole owner of parcels located near and throughout the Quartz Valley/Maryland Mountain Annexation area which was annexed to the City in 2013. This new set of properties is proposed to be annexed into the City of Black Hawk by Ordinance at the November 11, 2015 City Council meeting. Per the City of Black Hawk City Charter and Municipal Code, when land is annexed into the City it must be subsequently zoned as well. Approximately 30.87 acres are planned to be annexed through the Quartz Valley/Maryland Mountain 2015 Annexations No. 1 through No. 11.

Staff recommends that the property be zoned into the History Appreciation Recreation Destination (HARD) zoning district. All of the property being annexed is adjacent to other property previously zoned to the HARD district.

AGENDA DATE: November 11, 2015
WORKSHOP DATE: N/A
FUNDING SOURCE: N/A
DEPARTMENT DIRECTOR APPROVAL: [ X ] Yes [ ] No
STAFF PERSON RESPONSIBLE: Cynthia Linker, CP&D
Vincent Harris, Baseline Corporation

DOCUMENTS ATTACHED: Ordinance 2015-36, Public Hearing Notice, Staff Report, and Legal Description

RECORD: [ X ] Yes [ ] No
CITY ATTORNEY REVIEW: [ X ] Yes [ ] N/A

SUBMITTED BY: REVIEWED BY:
Vince Harris, Baseline Corporation
Jack D. Lewis, City Manager
BACKGROUND:
The City of Black Hawk is the sole owner of parcels located near and throughout the Quartz Valley/Maryland Mountain Annexation area which was annexed to the City in 2013. This new set of properties is proposed to be annexed into the City of Black Hawk by Ordinance at the November 11, 2015 City Council meeting.

Per the City of Black Hawk City Charter and Municipal Code, when land is annexed into the City it must be subsequently zoned as well. Approximately 30.87 acres are planned to be annexed through the Quartz Valley/Maryland Mountain 2015 Annexations No. 1 through No. 11.

Per the recommendation of the City Attorney and discussion with other City Staff, it is recommended that the property be zoned into the History Appreciation Recreation Destination (HARD) zoning district. All of the property being annexed is adjacent to other property zoned HARD.

The HARD zoning district is for land that is owned by the City for a public use. The permitted uses in the district include public office buildings, public parking lots, nature center/picnic area/trailhead, trails (hard or soft surface), water storage facilities, including reservoirs allowing for passive and active recreation, and public pedestrian malls, including retail facilities on said malls, regardless of whether such facilities are publicly owned so long as they are dedicated to a public use.

APPLICABLE CITY OF BLACK HAWK REGULATIONS:
Excerpts from:

City of Black Hawk
Municipal Code
Chapter 16 - Zoning

Sec. 16-365. Rezoning procedures, amendments to zoning ordinance and special review use permits.
Sec. 16-365 (b) All territory annexed to the City shall be zoned in accordance with the zoning classifications established by this Chapter and in accordance with the procedures in this Section for rezoning. All annexed land shall be zoned at the time of annexation as required by this Chapter.
Sec. 16-121. Purpose and objectives.
(a) Purpose. The purpose of the HARD zoning district is to accommodate and allow for areas owned by, dedicated to, purchased, or acquired by the City, or dedicated to a public use, which allows for the City to provide recreation, both passive and active, and destination activities for the residents and visitors of the City. In addition, the purpose of the HARD zoning district is to accommodate and allow for areas intentionally left free from development, for the preservation of wildlife corridors/habitats, scenic viewsheds, cultural and historical areas, landmarks, and natural resources, including forest lands, range lands, agricultural lands, and lakes, reservoirs, and water storage facilities allowing for passive and active recreation.

(b) Objectives. The objectives of the HARD zoning district are to allow for such uses that are dedicated to serving the public, and to minimize the adverse impacts and adjacent uses and the community. In addition, the objectives of the HARD zoning district are to allow for such uses that are dedicated to serving the public and may include passive recreational activities, as well as active recreational activities such as mountain biking, hiking, and water sports associated with lakes, reservoirs, and water storage facilities.

Sec. 16-122. Use regulations.
(a) Permitted principal uses.
(1) Public office buildings;
(2) Public parking lots;
(3) Nature center/picnic area/trailhead;
(4) Trails (hard or soft surface);
(5) Water storage facilities, including reservoirs allowing for passive and active recreation;
(6) Public pedestrian malls, including retail facilities on said malls, regardless of whether such facilities are publicly owned so long as they are dedicated to a public use.
(7) Marijuana establishments, retail, medical or dual

City of Black Hawk
Home Rule Charter
Article VIII: Miscellaneous

Section 8. Annexation and Zoning.
In all proceedings for the annexation of territory to the City, the City Council shall require concurrent zoning of the same.

STAFF COMMENTS:
Staff believes that the appropriate zoning district for the newly annexed land is the HARD district. All adjacent property that is already annexed to the City of Black Hawk is zoned HARD.

The maps below illustrate the existing and proposed zoning districts in the area. Currently, all of the land annexed in 2013 is zoned HARD. Other nearby zone districts include Environmental Character Preservation (ECP) to the south and east of Maryland Mountain, Commercial/Business Services
(CBS) along a portion of Hwy 119, and **Limited Industrial (LI)** with a **PUD** overlay on the north side (the Wheeler Millsite, PUD Ord. 98-26).

**Existing Zoning Map:**
Proposed Zoning Map:
All the proposed newly annexed areas are highlighted with a red boundary and shown as zoned HARD (bright green).

Staff recommends that City Council pass an Ordinance zoning all the territory in the Quartz Valley/ Maryland Mountain 2015 Annexations No. 1 THROUGH No. 11 inclusive, into the History Appreciation Recreation Destination (HARD) Zoning District.
**FINDINGS:**
City Council may *approve, conditionally approve, or deny* a request to zone land in the City of Black Hawk. To support this proposal, the following findings can be used:

1. Application has been made by the City to zone the City-owned property known as the Quartz Valley/Maryland Mountain 2015 Properties (the “Property”) within the City of Black Hawk, Colorado, which is more particularly described in the ordinance to be within the History Appreciation Recreation Destination District (HARD).
2. Public notice has been given of such rezoning by one publication in a newspaper of general circulation within the City and the official newspaper of the City at least fifteen (15) days before the public hearing of such amendment.
3. Notice of such proposed hearing was posted on the property for fifteen (15) consecutive days prior to said hearing.
4. A need exists for rezoning the Property pursuant to Sections 16-121 and 16-122 of the City of Black Hawk Zoning Ordinance to the extent provided herein.

**RECOMMENDATION:**
Staff recommends City Council consider a **MOTION TO APPROVE** an Ordinance zoning all the territory in the Quartz Valley/Maryland Mountain 2015 Annexations No. 1, No. 2, No. 3, No. 4, No. 5, No. 6, No. 7, No. 8, No. 9, No. 10, and No. 11, as more fully described in the ordinance, into the History Appreciation Recreation Destination (HARD) Zoning District.

Attachments:
- Legal Descriptions
LEGAL DESCRIPTIONS

QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 1, THE BEN CRENSHAW NO. 2, SURVEY NO. 4800, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 41°20'23" W, 4428.70 FEET TO CORNER NO. 2 OF SAID SURVEY NO. 4800 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4) COURSES:

1. N 33°04'06" W, 150.00 FEET;
2. THENCE N 56°55'54" E, 1420.00 FEET;
3. THENCE S 33°04'06" E, 150.00 FEET;
4. THENCE S 56°55'54" W, 1420.00 FEET TO THE POINT OF BEGINNING;
CONTAINING 4.89 ACRES MORE OR LESS; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 2, THE SARAH E, SURVEY NO. 19075, LOCATED WITHIN SECTIONS 1 AND 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 20°55'16" W, 1928.89 FEET TO CORNER NO. 1 OF SAID SURVEY NO. 19075 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING SIX (6) COURSES:

1. S 56°59'54" W, 705.97 FEET;
2. THENCE S 65°20'04" W, 793.37 FEET;
3. THENCE N 33°14'16" W, 152.42 FEET;
4. THENCE N 65°25'47" E, 805.22 FEET;
5. THENCE N 56°59'54" E, 695.07 FEET;
6. THENCE S 33°00'06" E, 149.38 FEET TO THE POINT OF BEGINNING, CONTAINING 5.16 ACRES MORE OR LESS; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 3, THE
KINNEY TUNNEL LODE, SURVEY NO. 310, LOCATED WITHIN SECTION 1,
TOWNSHIP 3 SOUTH, RANGE 73 WEST AND SECTION 6, TOWNSHIP 3 SOUTH,
RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE
OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK
HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120,
WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET
WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N
13°01'24" E, 2407.76 FEET TO CORNER NO. 3 OF SAID SURVEY NO. 310 AND THE
POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4)
COURSES:

1. N 28°37'00" W, 50.00 FEET;
2. THENCE N 61°23'00" E, 1600.00 FEET;
3. THENCE S 28°37'00" E, 50.00 FEET;
4. THENCE S 61°23'00" W, 1600.00 FEET TO THE POINT OF BEGINNING,
CONTAINING 1.84 ACRES MORE OR LESS; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 4, THE
ROBERT EMMETT, SURVEY NO. 4696, LOCATED WITHIN SECTION 12, TOWNSHIP 3
SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF
GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK
HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120,
WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET
WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N
19°26'55" W, 539.66 FEET TO CORNER NO. 2 OF SAID SURVEY NO. 4696 AND THE
POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING TEN (10)
COURSES:

1. N 53°45'00" E, 120.28 FEET;
2. THENCE N 42°30'00" E, 168.60 FEET;
3. THENCE N 30°00'00" E, 254.34 FEET;
4. THENCE N 41°00'00" E, 339.14 FEET;
5. THENCE S 28°30'00" E, 53.38 FEET;
6. THENCE S 41°00'00" W, 315.64 FEET;
7. THENCE S 30°00'00" W, 255.00 FEET;
8. THENCE S 42°30'00" W, 179.00 FEET;
9. THENCE S 53°45'00" W, 132.00 FEET;
10. THENCE N 28°30'00" W, 50.45 FEET TO THE POINT OF BEGINNING,
CONTAINING 1.01 ACRES MORE OR LESS; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 5, THE
ROBERT G. INGERSOLL, SURVEY NO. 681, LOCATED WITHIN SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK
HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120,
WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET
WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N
70°39'19" W, 1644.59 FEET TO CORNER NO. 1 OF SAID SURVEY NO. 681 AND THE
POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING FOUR (4)
COURSES:

1. S 77°12'00" W, 1500.00 FEET;
2. THENCE N 12°48'00" W, 150.00 FEET;
3. THENCE N 77°12'00" E, 1500.00 FEET;
4. THENCE S 12°48'00" E, 150.00 FEET TO THE POINT OF BEGINNING,
CONTAINING 5.17 ACRES MORE OR LESS; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 6, A PORTION OF THE ONONDAGA CHIEF, SURVEY NO. 15506, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 35°41'15" W, 5670.27 FEET TO A POINT ALONG LINE 2-3 OF SAID SURVEY NO. 15506 AND THE POINT OF BEGINNING; THENCE N 36°20'55" W, 150.00 FEET TO A POINT ALONG LINE 1-4 OF SAID SURVEY NO. 15506; THENCE ALONG THE COMMON LINE WITH SAID SURVEY NO. 15506, N 53°39'05" E, 195.58 FEET TO CORNER 9 OF THE NUGGET PLACER, SURVEY NO. 8558; THENCE S 87°44'25" E, 240.39 FEET TO CORNER 6 OF SAID SURVEY NO. 8558 AND A POINT ALONG LINE 2-3 OF SAID SURVEY NO. 15506; THENCE ALONG THE COMMON LINE WITH SAID SURVEY NO. 15506, S 53°39'05" W, 383.43 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES MORE OR LESS.; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 7, THE TUCKER EXT. SURVEY NO. 14484, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 54°42'19" W, 3499.17 FEET TO CORNER 1 OF SAID SURVEY NO. 14484 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY NO. 14484 THE FOLLOWING FIVE (5) COURSES:

1. S 67°15'00" W, 415.60 FEET;
2. THENCE S 83°51'00" W, 262.52 FEET;
3. THENCE N 22°45'00" W, 75.00 FEET;
4. THENCE N 67°15'00" E, 667.18 FEET;
5. THENCE S 22°44'58" E, 150.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.08 ACRES MORE OR LESS; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 8, A
PORTION OF THE EAST KEYSTONE AND BUCKEYE, SURVEY NO. 9607, LOCATED
WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH
PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK
HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120,
WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET
WITH ALL BEARINGS CONTAINED HEREBIN RELATIVE THERETO; THENCE N
58°59'30" W, 4138.79 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF
SAID EAST KEYSTONE, SURVEY NO. 9607, THE WEST LINE OF SAID SECTION 1 AND
BEING THE POINT OF BEGINNING; THENCE ALONG SAID SECTION N 00°10'41" E,
319.17 FEET TO THE NORTHERLY LINE OF SAID BUCKEYE, SURVEY NO. 9607;
THENCE ALONG SAID SURVEY NO. 9607 THE FOLLOWING FIVE (5) COURSES:

1. N 70°15'00" E, 80.15 FEET;
2. THENCE S 19°45'00" E, 150.00 FEET;
3. THENCE N 70°14'54" E, 107.92 FEET;
4. THENCE S 09°30'00" E, 152.50 FEET;
5. THENCE S 70°15'00" W, 269.73 FEET TO THE POINT OF BEGINNING,
   CONTAINING 1.25 ACRES MORE OR LESS; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 9, A PORTION OF THE CARMICHAEL, SURVEY NO. 5574, LOCATED WITHIN SECTION 1, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 48°04'55" W, 4762.88 FEET TO THE SOUTHERLY LINE OF SAID CARMICHAEL, SURVEY NO. 5574, THE WEST LINE OF SAID SECTION 1 AND THE POINT OF BEGINNING; THENCE ALONG SAID SECTION N 00°10'41" E, 176.42 FEET TO THE NORTHERLY LINE OF SAID CARMICHAEL, SURVEY NO. 5574; THENCE ALONG SAID SURVEY NO. 5574 THE FOLLOWING THREE (3) COURSES:

1. N 58°25'04" E, 1255.78 FEET;
2. THENCE S 31°34'56" E, 150.00 FEET;
3. THENCE S 58°25'04" W, 1348.64 FEET TO THE POINT OF BEGINNING, CONTAINING 4.48 ACRES MORE OR LESS; and

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 70°46'30" W, 567.85 FEET MORE OR LESS TO THE INTERSECTION OF THE SOUTHERLY LINE OF THE SECOND DISCOVERY OF THE VIRGINIA, SURVEY NO. 240 AND THE SOUTHERLY LINE OF THE VIRGINIA, SURVEY NO. 467 AND BEING THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY NO. 467 S 57°50'00" W, 351.22 FEET TO THE POINT OF INTERSECTION WITH THE BLACK HAWK GROWTH BOUNDARY; THENCE ALONG SAID GROWTH BOUNDARY THE FOLLOWING TWO (2) COURSES:

1. N 90°00'00" W, 333.06 FEET;
2. THENCE N 06°13'08" E, 41.83 FEET TO A POINT ALONG THE NORTHERLY LINE OF THE ARAPAHOE, SURVEY NO. 468;

THENCE ALONG THE NORTHERLY LINE OF SAID SURVEY NO. 468 N 69°20'00" E, 95.64 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE GOLDEN GATE, SURVEY NO. 12681; THENCE ALONG THE SOUTHERLY LINE OF SAID SURVEY NO. 12681 S 73°00'00" W, 92.82 FEET TO THE POINT OF INTERSECTION WITH SAID BLACK HAWK GROWTH BOUNDARY; THENCE ALONG SAID GROWTH BOUNDARY N 06°13'08" E, 144.05 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY LINE OF THE CENTRE, SURVEY NO. 899; THENCE ALONG THE SOUTHERLY LINE OF SAID SURVEY NO. 899 N 67°30'55" E, 535.09 FEET TO THE POINT OF INTERSECTION WITH THE QUEEN OF THE WEST, SURVEY NO. 425; THENCE ALONG SAID SURVEY NO. 425 THE FOLLOWING TWO (2) COURSES:

1. N 22°08'00" W, 10.37 FEET;
2. THENCE N 68°29'49" E, 162.43 FEET MORE OR LESS TO THE POINT OF INTERSECTION WITH SAID SECOND DISCOVERY OF THE VIRGINIA, SURVEY NO. 240; THENCE ALONG SAID SURVEY NO. 240 THE FOLLOWING TWO (2) COURSES:

1. S 34°04'00" W, 249.01 FEET MORE OR LESS;
2. THENCE S 56°11'03" E, 129.23 FEET TO THE POINT OF BEGINNING, CONTAINING 3.60 ACRES MORE OR LESS; and
QUARTZ VALLEY / MARYLAND MOUNTAIN 2015 - ANNEXATION NO. 11, THE VIRGINIA EXTENSION, SURVEY NO. 11016, LOCATED WITHIN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 73 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF GILPIN, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT BLACK HAWK CITY STATION NO. 1 PER THE CITY OF BLACK HAWK BOUNDARY DESCRIPTION, RECORDED IN BOOK 557, PAGES 117-120, WHENCE BLACK HAWK CITY STATION NO. 20 BEARS N 41°00'05" E, 3461.00 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 19°23'44" W, 536.55 FEET TO CORNER NO. 6 OF SAID SURVEY NO. 11016 AND THE POINT OF BEGINNING; THENCE ALONG SAID SURVEY THE FOLLOWING SIX (6) COURSES:

1. S 27°17'00" E, 49.91 FEET;
2. THENCE S 63°56'00" W, 214.67 FEET;
3. THENCE S 54°43'00" E, 5.24 FEET;
4. THENCE S 62°43'00" W, 137.79 FEET;
5. THENCE N 27°17'00" W, 50.00 FEET;
6. THENCE N 62°43'00" E, 350.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.39 ACRES MORE OR LESS.
COUNCIL BILL 37
AN ORDINANCE REPEALING
SECTION 10-133 OF THE
BLACK HAWK MUNICIPAL
CODE
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB37
ORDINANCE NUMBER: 2015-37

TITLE: AN ORDINANCE REPEALING SECTION 10-133 OF THE BLACK HAWK MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Section 10-133 of the Black Hawk Municipal Code, entitled “Panhandling,” is hereby repealed in its entirety.

Section 2. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

_______________________________
Melissa A. Greiner, City Clerk
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Panhandling

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Council Bill 37, An Ordinance Repealing Section 10-133 of the Black Hawk Municipal Code

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

A recent United States Supreme Court decision makes panhandling ordinances potentially unconstitutional under the First Amendment.

AGENDA DATE: November 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [ ]Yes [ ]No [ X ]N/A

STAFF PERSON RESPONSIBLE: Corey Y. Hoffmann, City Attorney

DOCUMENTS ATTACHED: N/A

RECORD: [ ]Yes [ X ]No

CITY ATTORNEY REVIEW: [ X ]Yes [ ]N/A

SUBMITTED BY: REVIEWED BY:

Melissa A. Greiner  Jack D. Lewis, City Manager
City Clerk/Administrative Services Director
COUNCIL BILL 38
AN ORDINANCE AMENDING
SECTION 4-175 OF THE BLACK
HAWK MUNICIPAL CODE
REGARDING IMPOSITION OF
THE TRANSPORTATION
DEVICE FEE
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK  

COUNCIL BILL NUMBER: CB38  
ORDINANCE NUMBER: 2015-38  

TITLE: AN ORDINANCE AMENDING SECTION 4-175 OF THE BLACK HAWK MUNICIPAL CODE REGARDING IMPOSITION OF THE TRANSPORTATION DEVICE FEE  

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:  

Section 1. Section 4-175 of the Black Hawk Municipal Code is amended to read as follows:  

Sec. 4-175. Computation of the amount of transportation device fee.  

The amount of the transportation device fee shall be determined annually by the City Council a minimum of seventy-seven dollars ($77.00) for each gaming device per year. The amount of the transportation fee and shall be adjusted collected monthly by the Finance Director to collect provide sufficient revenue to pay the actual cost of providing public transportation facilities, services and programs which primarily serve the gaming areas of the City.  

Section 2. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.  

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.  

Section 4. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.
READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

_______________________________
Melissa A. Greiner, City Clerk
SUBJECT: Computation of Transportation Device Fee.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE: Ordinance 2015-38, An Ordinance amending Section 4-175 of the Black Hawk Municipal Code regarding imposition of the Transportation Device Fee.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

AGENDA DATE: November 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [X] Yes [ ] No

STAFF PERSON RESPONSIBLE: Lance Hillis, Finance Director

DOCUMENTS ATTACHED: Ordinance

RECORD: [ ] Yes [X] No

CITY ATTORNEY REVIEW: [X] Yes [ ] N/A

SUBMITTED BY: REVIEWED BY:

Lance Hillis, Finance Director Jack D. Lewis, City Manager
COUNCIL BILL 39
AN ORDINANCE AMENDING
SECTION 4-177 BY THE
ADDITION THERETO OF A
NEW SUBSECTION (c)
PROVIDING THAT THE CITY
OF BLACK HAWK
TRANSPORTATION DEVICE
FEE TRUST FUND IS AND
SHALL BE OPERATED AS AN
ENTERPRISE FUND WITHIN
THE MEANING OF
COLORADO LAW
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK  

COUNCIL BILL NUMBER: CB39  
ORDINANCE NUMBER: 2015-39

TITLE: AN ORDINANCE AMENDING SECTION 4-177 BY THE ADDITION THERETO OF A NEW SUBSECTION (c) PROVIDING THAT THE CITY OF BLACK HAWK TRANSPORTATION DEVICE FEE TRUST FUND IS AND SHALL BE OPERATED AS AN ENTERPRISE FUND WITHIN THE MEANING OF COLORADO LAW

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Section 4-177 of the City of Black Hawk Municipal Code is amended by the addition thereto of a new subsection (c) to read as follows:

(c) Establishment of the Enterprise. The City hereby formally designates the Transportation Device Fee Trust Fund as the fund for the "City of Black Hawk, Colorado, Transportation Enterprise" (the “Enterprise”). It shall be the purpose of the Enterprise to pursue or continue all of the City’s transportation activities as defined in Section 4-178 of this Black Hawk Municipal Code.

(1) Transactions in the Name of the City. Any and all transactions of the Enterprise may be done in the name of the City or in the name of the Enterprise.

(2) The Enterprise shall be and is an agency of the City for the purposes and within the meaning of the following:

A. Title 24, Article 10, Part 1, Colorado Revised Statutes, the "Colorado Governmental Immunity Act";

B. Title 29, Article 1, Part 6, Colorado Revised Statutes, the "Colorado Local Government Audit Law";

C. Title 29, Article 1, Part 1, the "Local Government Budget Law of Colorado"; and

D. all other local, state, and federal laws, rules, and regulations.
Section 2. **Safety Clause.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. **Severability.** If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. **Effective Date.** The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

_______________________________
Melissa A. Greiner, City Clerk
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Designate Transportation Device Fee Fund as an Enterprise Fund.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE: Ordinance 2015-39, An Ordinance amending Section 4-177 by the addition thereto of a new Subsection (c) providing that the City of Black Hawk Transportation Device Fee Trust Fund is and shall be operated as an Enterprise Fund within the meaning of Colorado Law.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

AGENDA DATE: November 11, 2015

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [X] Yes [ ] No

STAFF PERSON RESPONSIBLE: Lance Hillis, Finance Director

DOCUMENTS ATTACHED: Ordinance

RECORD: [ ] Yes [X] No

CITY ATTORNEY REVIEW: [X] Yes [ ] N/A

SUBMITTED BY: Reviewed By:

Lance Hillis, Finance Director Jack D. Lewis, City Manager
2016 PROPOSED BUDGET
NOTICE OF PUBLIC HEARING
ON THE PROPOSED ADOPTION
OF THE 2016 BUDGET

Notice is hereby given that a public hearing will be held by the City Council of the City of Black Hawk on November 11, 2015 at 3:00 p.m., or as soon thereafter as the matter may be heard, Black Hawk City Council Chambers at 211 Church Street, regarding the adoption of the 2016 budget.

A copy of such proposed budget is available for public inspection at Black Hawk City Clerk’s Office at 201 Selak Street. Any interested elector may inspect the proposed budget and file or register any objections thereto at any time prior to the final adoption of the budget.

Respectfully submitted,
Melissa Greiner, City Clerk

Published in the Weekly Register Call:
October 29, 2015
October 13, 2015

Dear Mayor and City Council:

We are pleased to present to you the 2016 Annual Operating & Capital Budget. Council is required to adopt an annual budget for each fiscal year in accordance with the procedure set forth in the Local Government Budget Law of Colorado (CRS 29-1-101).

This message is intended to cover the highlights and significant changes to the 2016 Budget when compared to 2015. Each Department’s budget is similar to 2015 with the exception of the items listed in the following paragraphs. Due to ambitious capital projects proposed and/or incurred for 2015 and 2016, the General Fund, Capital Projects Fund, Preservation & Restoration Fund and the Water Fund are projected to have significant deficit spending.

The 2016 budget includes a total revenue projection (excluding inter-fund transfers and debt proceeds) of $26.5 million for all funds. This is a decrease of 0.6% compared to the estimated revenue for 2015. We project 2016 Gaming Tax revenue to be flat compared to 2015. Device Fee revenue is budgeted to be flat with roughly 8,200 devices currently in use to maintain into 2016. City staff expects sales tax revenue to be flat for 2016. The 2016 budget includes no increase in water rates or device fees and no increase in property tax revenue.

The 2016 budget includes total expenditures (excluding inter-fund transfers) of $40.6 million. Two new positions have been proposed for 2016. The 2016 Budget also includes funding for an estimated 3% adjustment pending market comparisons and funding for a City-wide bonus of up to 3.00%. City staff, with assistance from our benefits consultant, has estimated an increase in medical insurance premiums of 15% for the final six months of 2016. Other benefits including dental insurance have been increased by 10% for the final six months of 2016, while vision insurance is under contract to remain at 2015 levels throughout 2016. The 2016 Budget also includes the continuation of the City contributing 50% of the deductible to each employee’s HSA, plus an additional $1,500 per employee.

Capital Fund projects proposed for 2016 include the following: Police Annex/ Emergency Operation Center for $1,200,000, Maryland Mountain Improvements for $1,700,000, $6,000,000 for Phase 2 of
the Gregory Street Realignment and $2,000,000 for a parking structure on Gregory Street (with another $1,500,000 from Parking Impact Funds). New capital projects within the Preservation & Restoration Fund include the rehabilitation of two residential homes.

The 2016 Budget, as currently presented, does not include any revenue or associated expenses for large scale casino construction projects.

Respectfully submitted,

Jack D. Lewis
City Manager

Lance R. Hillis
Finance Director
### CITY OF BLACK HAWK
### 2016 PROPOSED BUDGET
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170,384
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### CITY OF BLACK HAWK
#### 2016 BUDGET

**GENERAL FUND SUMMARY**

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## CITY OF BLACK HAWK
### STATE GAMING FUND DISTRIBUTIONS
### 1992-2016

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### Gaming Fund Distribution Trends

![Graph showing gaming fund distribution trends from 1992 to 2016 for Statewide and Black Hawk.](image-url)
## CITY OF BLACK HAWK
### DEVICE COUNT & GENERAL DEVICE REVENUES
#### 1990-2016

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<th>Black Hawk</th>
<th>Device Fee</th>
<th>General Device Revenue</th>
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<td>1992</td>
<td>2,867</td>
<td>733</td>
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<td>$1,480,740</td>
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<td>1993</td>
<td>10,027</td>
<td>3,183</td>
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<td>1994</td>
<td>11,020</td>
<td>4,624</td>
<td>$800</td>
<td>$2,727,452</td>
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<tr>
<td>1995</td>
<td>12,152</td>
<td>4,395</td>
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<tr>
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<td>12,327</td>
<td>4,926</td>
<td>$750</td>
<td>$2,743,826</td>
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<td>1997</td>
<td>13,338</td>
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<td>1998</td>
<td>12,959</td>
<td>5,370</td>
<td>$750</td>
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<tr>
<td>1999</td>
<td>14,252</td>
<td>7,269</td>
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<tr>
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<td>13,471</td>
<td>7,166</td>
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<td>8,460</td>
<td>$750</td>
<td>$6,380,188</td>
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<td>2013</td>
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<tr>
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<td>$945</td>
<td>$7,749,000</td>
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</table>

### Device Count Trends
- **Statewide**
- **Black Hawk**

### Device Revenue Trends
- **General Device Revenue**
CITY OF BLACK HAWK
SALES TAX TRENDS
1992-2016

Black Hawk (4.00%)   Gilpin School District (1.5%)
1992 $256,772
1993 $413,647
1994 $639,607
1995 $625,086
1996 $636,575
1997 $599,012
1998 $672,746
1999 $884,370
2000 $899,934
2001 $965,930
2002 $1,059,584
2003 $1,009,955
2004 $1,314,668
2005 $1,726,490
2006 $1,624,216
2007 $1,372,318
2008 $1,328,229
2009 $1,301,362 $481,326
2010 $1,662,283 $618,731
2011 $1,890,175 $699,969
2012 $1,996,592 $748,621
2013 $2,127,300 $798,377
2014 $2,124,709 $796,723
2015 $2,150,000 $825,000
2016 $2,150,000

Sales Tax Trends

Black Hawk (4.00%)   Gilpin School District (1.5%)
CITY OF BLACK HAWK
2016 BUDGET
GENERAL FUND
Account Number

Account Description

2014
Year-End
Actual

2015
Adopted
Budget

2015
Amended
Budget

June 30, 2015
Year To Date
Actual

2015
Year-End
Estimate

2016
City Manager
Request

GENERAL FUND
010-0000-3110100
010-0000-3110200
010-0000-3110300
010-0000-3130100
010-0000-3130101
010-0000-3130200
010-0000-3140200
010-0000-3180100
010-0000-3180200
010-0000-3180400
010-0000-3180500
010-0000-3210100
010-0000-3210200
010-0000-3210300
010-0000-3210500
010-0000-3220100
010-0000-3220200
010-0000-3220300
010-0000-3220400
010-0000-3350200
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010-0000-3350400
010-0000-3350500
010-0000-3410300
010-0000-3410800
010-0000-3510100
010-0000-3510200
010-0000-3510300
010-0000-3510400
010-0000-3510600
010-0000-3601400
010-0000-3601500
010-0000-3610100
010-0000-3610300
010-0000-3610900
010-0000-3611100
010-0000-3611200
010-0000-3611300
010-0000-3611500
010-0000-3612000
010-0000-3630201
010-0000-3630202
010-0000-3640000
010-0000-3950400
010-0000-3951300

Real Property / Property Taxes
Real Property / Specific Owner
Commercial Improvements Tax
Sales & Use Tax / Sales Tax-City
Sales Tax-City / Sales Tax-School District
Sales & Use Tax / Use Tax
Occupational Tax / Businesses
Other Taxes / Device Fees
Other Taxes / Franchise Fees
Other Taxes/Ambulance Fee-Non BID
Other Taxes / Lodging Tax
Business Licenses / Sales Tax
Business Licenses / Business
Business Licenses / Liquor
Business Licenses / Hotel License
Permits / Building
Permits / Sign
Permits / Shuttle
Permits / Special Events
State Shared Revenues / Cigarette
State Shared Revenues / Highway Users
County Shared Revenues / Road & Bridge
State Shared Revenues / Gaming
Miscellaneous Fees / Plan Review
Miscellaneous Fees / Services Billed Out
Court Fines / Municipal Court
Court Fines / County Court
Court Fines / Parking
Court Fines / Police Dept Fees & Servs
Court Fines / Victim Service Surcharge
Revenue / Police Grant
Revenue / Fire Grant-Fema
Revenue / Int Income On Investments
Revenue / Interest/Penalties
Revenue / Other
Revenue / Copies
Revenue / Police Dept Revenue
Fire Department Revenue
Gilpin Ambulance Maintenance IGA
Revenue / Silver Dollar Ambulance
Commercial Buildings / Utility Charges
Commercial Building Rents
Miscellaneous Revenues / Inception Of Debt
Transfer In / Historic Preservation
Transfer In / Transportation Device Fee Fund

TOTAL GENERAL FUND

8,487
508
11,315
2,124,709
796,723
59,588
6,230
8,006,355
176,667
9,390
239,662
335
710
11,516
0
153,197
2,400
300
0
10,175
13,185
90,711
6,957,400
90,782
135,806
27,151
12,042
1,190
175
9,176
4,590
0
45,621
61
127,772
(254)
2,387
0
41,101
226,116
343
123,967
12,000,000
0
650,650

8,500
300
8,700
2,020,000
750,000
10,000
17,000
8,032,500
170,000
9,200
225,000
800
1,600
6,000
400
50,000
1,000
300
0
10,000
12,800
90,000
6,900,000
20,000
100,000
30,000
8,000
1,500
0
8,000
0
0
20,000
100
50,000
200
1,500
0
25,000
226,100
0
105,000
0
2,600,000
654,500

8,500
300
8,700
2,020,000
750,000
10,000
17,000
8,032,500
170,000
9,200
225,000
800
1,600
6,000
400
50,000
1,000
300
0
10,000
12,800
90,000
6,900,000
20,000
100,000
30,000
8,000
1,500
0
8,000
0
0
20,000
100
50,000
200
1,500
0
25,000
226,100
0
105,000
0
2,600,000
654,500

6,410
96
4,361
868,413
325,086
7,196
21,205
3,267,731
55,793
3,913
99,553
58
16,063
1,525
0
8,118
720
0
720
4,838
6,448
20,706
0
9,823
46,557
13,237
2,866
30
167
3,801
1,319
30,000
10,324
50
54,356
0
0
400
13,582
0
3,302
49,982
0
0
327,250

8,499
300
8,722
2,150,000
825,000
12,000
37,000
7,749,000
170,000
9,300
240,000
58
19,000
3,000
0
15,000
1,200
0
1,600
10,000
13,000
90,000
7,436,400
15,000
100,000
22,000
7,000
150
200
7,000
1,319
30,000
20,000
100
70,000
0
1,500
1,000
25,000
187,893
7,000
120,000
0
2,600,000
628,360

8,455
300
8,700
2,150,000
825,000
12,000
37,000
7,749,000
170,000
9,300
240,000
0
19,000
3,000
0
15,000
1,200
0
1,600
10,000
13,000
90,000
7,400,000
15,000
100,000
22,000
7,000
150
200
7,000
0
0
20,000
100
50,000
0
1,500
1,000
25,000
183,489
7,000
120,000
0
107,437
141,000

32,178,239

22,174,000

22,174,000

5,285,999

22,642,601

19,570,431


## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

<table>
<thead>
<tr>
<th>MAYOR &amp; COUNCIL</th>
<th>2014 Year-End Actual</th>
<th>2015 Amended Budget</th>
<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
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<td><strong>7.00</strong></td>
<td><strong>7.00</strong></td>
<td><strong>7.00</strong></td>
<td><strong>7.00</strong></td>
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<tr>
<td></td>
<td><strong>2,179,255</strong></td>
<td><strong>3,135,786</strong></td>
<td><strong>2,865,653</strong></td>
<td><strong>3,147,998</strong></td>
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#### EXPENDITURES BY TYPE

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<td><strong>3,135,786</strong></td>
<td><strong>2,865,653</strong></td>
<td><strong>3,147,998</strong></td>
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<td>010-1101-4112100</td>
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<td>(3,686)</td>
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<td>010-1101-4115806</td>
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<td>Community Goodwill-Parades</td>
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<td>010-1101-4115811</td>
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<td>Live Entertainment</td>
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<td>010-1101-4115813</td>
<td>Program Expenses / Residential Paint Program</td>
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<td>010-1101-4115815</td>
<td>Program Expenses / Employee Appreciation</td>
<td>0</td>
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<td>215,000</td>
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<td>010-1101-4115825</td>
<td>Flowers</td>
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<tr>
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<td>010-1101-4115828</td>
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<td>26,250</td>
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<td>010-1101-4115831</td>
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<td>796,723</td>
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<td>2,579</td>
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<td>Gregory St Redevelopment / Lodging Tax</td>
<td>185,306</td>
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<td>010-1101-4116206</td>
<td>Operating Supplies / Uniforms</td>
<td>576</td>
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</tr>
<tr>
<td><strong>TOTAL MAYOR &amp; COUNCIL</strong></td>
<td></td>
<td>2,179,255</td>
<td>3,135,786</td>
<td>3,135,786</td>
</tr>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

<table>
<thead>
<tr>
<th>MUNICIPAL COURT</th>
<th>2014 Year-End Actual</th>
<th>2015 Amended Budget</th>
<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
</tr>
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<tbody>
<tr>
<td>STAFFING PLAN</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Court Clerk</td>
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<td>Municipal Judge</td>
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<td>TOTAL STAFF</td>
<td>1.25</td>
<td>1.25</td>
<td>1.25</td>
<td>1.25</td>
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</tbody>
</table>

#### EXPENDITURES BY TYPE

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>38,784</td>
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<td>39,981</td>
<td>41,114</td>
</tr>
<tr>
<td>Professional Services</td>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

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<tr>
<th>CITY MANAGER</th>
<th>2014 Year-End Actual</th>
<th>2015 Amended Budget</th>
<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
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<th>EXPENDITURES BY TYPE</th>
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<tr>
<td><strong>CITY MANAGER</strong></td>
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<td><strong>272,315</strong></td>
<td><strong>244,952</strong></td>
<td><strong>255,452</strong></td>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Description</th>
<th>2014 Year-End Actual</th>
<th>2015 Adopted Budget</th>
<th>2015 Amended Budget</th>
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<th>2015 Year-End Estimate</th>
<th>2016 City Manager Request</th>
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<td><strong>272,315</strong></td>
<td><strong>132,102</strong></td>
<td><strong>244,952</strong></td>
<td><strong>255,452</strong></td>
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## CITY CLERK

### STAFFING PLAN

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<th>2014 Year-End Actual</th>
<th>2015 Amended Budget</th>
<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
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<tbody>
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<td>City Clerk/Admin. Services Director</td>
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### EXPENDITURES BY TYPE

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<td>2015 Amended Budget</td>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

<table>
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<tr>
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<th>2014 Year-End Actual</th>
<th>2015 Amended Budget</th>
<th>2015 Year-End Estimate</th>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

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**TOTAL INFORMATION TECHNOLOGY**

|                          | 460,379 | 403,864 | 403,864 | 172,958 | 392,798 | 430,642 |

10/14/2015 1:19 PM
## CITY OF BLACK HAWK
### 2016 BUDGET
**GENERAL FUND**

<table>
<thead>
<tr>
<th>FINANCE</th>
<th>2014 Year-End Actual</th>
<th>2015 Amended Budget</th>
<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
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<tr>
<td><strong>STAFFING PLAN</strong></td>
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<td><strong>351,830</strong></td>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

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<th>PLANNING &amp; ZONING</th>
<th>2014 Year-End Actual</th>
<th>2015 Amended Budget</th>
<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
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**TOTAL PLANNING & DEVELOPMENT**

|                      | 643,597 | 701,323 | 701,323 | 203,838 | 451,828 | 489,488 |

10/14/2015 1:20 PM
## POLICE DEPARTMENT

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## EXPENDITURES BY TYPE

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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

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<th>2016 City Manager Request</th>
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**TOTAL POLICE DEPT - LAW ENFORCEMENT**

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**TOTAL FIRE**

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10/14/2015 1:55 PM
## PUBLIC WORKS DEPARTMENT

### STAFFING PLAN

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<th>2015 Amended Budget</th>
<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
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<td>Administrative Assistant</td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Fleet Technician Aide</td>
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<td>Facilities Maintenance Superintendent</td>
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**TOTAL STAFF**

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<tr>
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<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
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### EXPENDITURES BY TYPE

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<th>2015 Year-End Estimate</th>
<th>2016 Proposed Budget</th>
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<td>Personnel</td>
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**PUBLIC WORKS DEPARTMENT**

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<tr>
<th></th>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

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**TOTAL PUBLIC WORKS - STREETS**

<p>| | | 2014 Year-End Actual | 2015 Adopted Budget | 2015 Amended Budget | June 30, 2015 Year To Date Actual | 2015 City Manager Request | 2016 City Manager Request |
|----------------|---------------------|----------------------|---------------------|---------------------------------|--------------------------|--------------------------|
| | | 835,327 | 1,128,175 | 1,128,175 | 343,169 | 1,005,696 | 1,226,419 |</p>
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<th>2015 Adopted Budget</th>
<th>2015 Amended Budget</th>
<th>June 30, 2015 Year To Date Actual</th>
<th>2015 Year-End Estimate</th>
<th>2016 City Manager Request</th>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

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<th>2015 Adopted Budget</th>
<th>2015 Amended Budget</th>
<th>June 30, 2015 Year To Date Actual</th>
<th>2015 Year-End Estimate</th>
<th>2016 City Manager Request</th>
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**TOTAL PUBLIC WORKS - FACILITIES**

<p>| 309,260 | 358,883 | 358,883 | 141,295 | 341,574 | 384,773 |</p>
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<th>Account Number</th>
<th>Account Description</th>
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<th>2015 Adopted Budget</th>
<th>2015 Amended Budget</th>
<th>June 30, 2015 Year To Date Actual</th>
<th>2015 Year-End Estimate</th>
<th>2016 City Manager Request</th>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### GENERAL FUND

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## CITY OF BLACK HAWK
### 2016 BUDGET
#### IMPACT FEES FUND SUMMARY

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<td>1,496,458</td>
<td>1,496,458</td>
<td>1,500,258</td>
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<td>241</td>
<td>1,946</td>
<td>3,800</td>
<td>500</td>
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<td>1,495,000</td>
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<td><strong>241</strong></td>
<td><strong>241</strong></td>
<td><strong>1,946</strong></td>
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# CITY OF BLACK HAWK
## 2016 BUDGET
### IMPACT FEE FUND

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<th>2015 Year-End Estimate</th>
<th>2016 City Manager Request</th>
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<td>3,410,000</td>
<td>7,031</td>
<td>3,704,077</td>
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### CITY OF BLACK HAWK
#### 2016 BUDGET
##### PRESERVATION & RESTORATION FUND

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<th>2015 Year-End Estimate</th>
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<td>203-0000-3350800</td>
<td>State Shared Revenues / Preservation</td>
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<tr>
<td>Account Number</td>
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<td>June 30, 2015 Year To Date Actual</td>
<td>2015 Year-End Estimate</td>
<td>2016 City Manager Request</td>
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### CITY OF BLACK HAWK
#### 2016 BUDGET
TRANSPORTATION DEVICE FEE TRUST FUND SUMMARY

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<td>2015 Year-End Estimate</td>
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# CITY OF BLACK HAWK
## 2016 BUDGET
### TRANSPORTATION DEVICE FEE TRUST FUND

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<th>Account Number</th>
<th>Account Description</th>
<th>2014 Year-End Actual</th>
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<th>2015 Year-End Estimate</th>
<th>2016 City Manager Request</th>
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<tbody>
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<td>204-4801-4313319</td>
<td>Other Consultants</td>
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**TOTAL TRANSPORTATION SERVICES**

650,650 654,500 654,500 327,250 628,360 683,500
CITY OF BLACK HAWK
2016 BUDGET
CAPITAL PROJECTS FUND SUMMARY

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<td>9,490,000</td>
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<td>2,860,044</td>
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<td>2015 Year-End Estimate</td>
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# CITY OF BLACK HAWK
## 2016 BUDGET
### CAPITAL PROJECTS FUND

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<th>Account Number</th>
<th>Account Description</th>
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<th>2015 Adopted Budget</th>
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<td>305-1501-4157404</td>
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<td><strong>3,729,604</strong></td>
<td><strong>9,490,000</strong></td>
<td><strong>9,490,000</strong></td>
<td><strong>345,087</strong></td>
<td><strong>2,860,044</strong></td>
<td><strong>11,539,272</strong></td>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### DEBT SERVICE FUND SUMMARY

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<tr>
<th></th>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### DEBT SERVICE FUND

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<th>2015 Amended Budget</th>
<th>June 30, 2015 Year To Date Actual</th>
<th>2015 Year-End Estimate</th>
<th>2016 City Manager Request</th>
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<tr>
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# CITY OF BLACK HAWK
## 2016 BUDGET
### DEBT SERVICE FUND

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<th>2015 Year-End Estimate</th>
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10/14/2015 1:27 PM
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### WATER FUND

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<th>Account Description</th>
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<th>2015 Adopted Budget</th>
<th>2015 Amended Budget</th>
<th>June 30, 2015 Year To Date Actual</th>
<th>2015 Year-End Estimate</th>
<th>2016 City Manager Request</th>
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<td>501-0000-3610100</td>
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## CITY OF BLACK HAWK
### 2016 BUDGET
#### WATER FUND

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<th>WATER FUND</th>
<th>2014 Year-End Actual</th>
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<th>2016 Proposed Budget</th>
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### STAFFING PLAN

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**TOTAL STAFF**

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<tr>
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<tbody>
<tr>
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### EXPENDITURES BY TYPE

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<td>Transfers</td>
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**WATER FUND**

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## City of Black Hawk

### Conservation Trust Fund Summary

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10/14/2015 1:05 PM
## CITY OF BLACK HAWK
### 2016 BUDGET
#### CONSERVATION TRUST FUND

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CITY OF BLACK HAWK
2016 BUDGET
CONSERVATION TRUST FUND

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<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle Event Permit</td>
<td>$100.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Franchise Fees</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cable Television Franchise Fee</td>
<td>per contract</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Application</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gas and Electric Franchise</td>
<td>3% of all received revenues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer</td>
<td>per contract</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

10/14/2015
### CITY OF BLACK HAWK FEE SCHEDULE

#### Building Fees (Contact Building Dept. for further details)

**Building Permit Fees Based on Total Valuation**

<table>
<thead>
<tr>
<th>Valuation Range</th>
<th>Fee Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1.00 to $500</td>
<td>$23.50</td>
</tr>
<tr>
<td>$501 to $2,000</td>
<td>$23.50 for 1st $500 plus $3.05 for each additional $100, or fraction thereof, to and including $2,000</td>
</tr>
<tr>
<td>$2,001 to $25,000</td>
<td>$69.25 for the 1st $2,000 plus $14.00 for each additional $1,000, or fraction thereof, to and including $25,000</td>
</tr>
<tr>
<td>$25,001 to $50,000</td>
<td>$391.25 for the 1st $25,000 plus $10.10 for each additional $1,000, or fraction thereof, to and including $50,000</td>
</tr>
<tr>
<td>$50,001 to $100,000</td>
<td>$643.75 for the 1st $50,000 plus $7.00 for each additional $1,000, or fraction thereof, to and including $100,000</td>
</tr>
<tr>
<td>$100,001 to $500,000</td>
<td>$993.75 for the 1st $100,000 plus $5.60 for each additional $1,000, or fraction thereof, to and including $500,000</td>
</tr>
<tr>
<td>$500,001 to $1,000,000</td>
<td>$3,233.75 for the 1st $500,000 plus $4.75 for each additional $1,000, or fraction thereof, to and including $1,000,000</td>
</tr>
<tr>
<td>$1,000,001 and up</td>
<td>$5,608.75 for the 1st $1,000,000 plus $3.65 for each additional $1,000, or fraction thereof</td>
</tr>
</tbody>
</table>

**Building Plan Review** 65% of the Building Permit fee calculated above

**Building Plan Review - after initial review and one response comments** $100.00 hour + 15% City Administration Fee

**Additional Plan Review of previous approved/reviewed or required by changes, additions, or revisions to plans** $100.00 hour + 15% City Administration Fee

**Deferred Submittals** $300.00 additional plan review fee plus $100/hour for each occurrence thereafter + 15% City Administration Fee

**Structural Engineering Review Fee** $150 hour with one (1) hour minimum + 15% City Administration Fee

**Re-Inspection Fee**
- *Contractor/Homeowner not ready* $100.00 hour for each re-inspection + 15% City Administration Fee
- *Contractor/Homeowner not on site* $100.00 hour for each re-inspection + 15% City Administration Fee
- *Contractor/Homeowner disregards correction items* $100.00 hour for each re-inspection + 15% City Administration Fee

**Miscellaneous Services** $100.00 hour + 15% City Administration Fee - Includes all services not listed

**Special Investigation Fee - starting work without a permit (Would require Change in Municipal Code)** $250.00 1st Occurrence
- $500.00 2nd Occurrence
- $1000.00 3rd Occurrence + Each Additional

**Inspections Outside of Normal Business Hours** $150.00 hour with a two (2) hour minimum + 15% City Administration Fee

**Excavation Permit (commercial and residential alteration or addition)** $7.00 per cubic yard

**Administration Fee:** a CoBH 15% Administration Fee will be added to each invoice or billable amount

#### Electrical Fees (Contact CP&D for further details)

**Electric Permit Fees Based on Project Valuation for Commercial and Residential Alterations or Additions**

<table>
<thead>
<tr>
<th>Valuation Range</th>
<th>Fee Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.00 to $2,000</td>
<td>$115.00</td>
</tr>
<tr>
<td>$2,001 or more</td>
<td>$115.00 plus $11.50 per $1,000, or portion thereof of valuation</td>
</tr>
</tbody>
</table>

**Electric Plan Review - after the 1st review** 65% of the Electrical Permit fee calculated above

**Electric Permit Fees Based on Building Area for New Residential Buildings**

<table>
<thead>
<tr>
<th>Building Area</th>
<th>Fee Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>not more than 1,000 sq. ft.</td>
<td>$115.00</td>
</tr>
<tr>
<td>over 1,000 sq. ft. and not more than 1,500 sq. ft.</td>
<td>$172.50</td>
</tr>
<tr>
<td>over 1,500 sq. ft. and not more than 2,000 sq. ft.</td>
<td>$230.00</td>
</tr>
<tr>
<td>over 2,000 sq. ft.</td>
<td>$230.00 plus $11.50 per 100 sq. ft. or fraction thereof in excess of 2,000 sq. ft.</td>
</tr>
</tbody>
</table>

**Electric Plan Review - after the 1st review** 65% of the Electrical Permit fee calculated above

**Administration Fee:** a CoBH 15% Administration Fee will be added to each invoice or billable amount

**Inspection Record Card Replacement** $50.00

**Additional Plan Review of previous approved/reviewed or required by changes, additions, or revisions to plans** $100.00 hour + 15% City Administration Fee

**Deferred Submittals** $300.00 additional plan review fee plus $100/hour for each occurrence thereafter + 15% City Administration Fee

**Re-Inspection Fee**
- *Contractor/Homeowner not ready* $100.00 hour for each re-inspection + 15% City Administration Fee
- *Contractor/Homeowner not on site* $100.00 hour for each re-inspection + 15% City Administration Fee
- *Contractor/Homeowner disregards correction items* $100.00 hour for each re-inspection + 15% City Administration Fee

**Miscellaneous Services** $100.00 hour + 15% City Administration Fee - Includes all services not listed
<table>
<thead>
<tr>
<th>TYPE</th>
<th>PER UNIT/ PER HOUR</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance Evaluation &lt; 10 Tractions</td>
<td>$500/per unit</td>
<td>Provide a detailed evaluation of maintenance performed along with code items in a professional report</td>
</tr>
<tr>
<td>Maintenance Evaluation &gt; 10 Tractions</td>
<td>$400/per unit</td>
<td>Provide a detailed evaluation of maintenance performed along with code items in a professional report</td>
</tr>
<tr>
<td>Maintenance Evaluation &lt; 10 Hydraulic</td>
<td>$450/per unit</td>
<td>Provide a detailed evaluation of maintenance performed along with code items in a professional report</td>
</tr>
<tr>
<td>Maintenance Evaluation &gt; 10 Hydraulic</td>
<td>$350/per unit</td>
<td>Provide a detailed evaluation of maintenance performed along with code items in a professional report</td>
</tr>
<tr>
<td>OSHA 10 hour training - 10 person min</td>
<td>$1500/per unit</td>
<td>For those wishing to obtain their OSHA 10 hour card</td>
</tr>
<tr>
<td>OSHA 30 hour training - 10 person min</td>
<td>$3900/per unit</td>
<td>For those wishing to obtain their OSHA 30 hour card</td>
</tr>
<tr>
<td>Conveyance Operation Training</td>
<td>$130/per hour</td>
<td>Provides owners/manager/maintenance personnel with knowledge of all operations of chosen conveyances</td>
</tr>
<tr>
<td>Required Presence</td>
<td>$130/per hour</td>
<td>Any necessary request for our presence i.e. meetings, etc. Travel time not included</td>
</tr>
<tr>
<td>Compliance Training</td>
<td>$130/per hour</td>
<td>Help owners/managers/maintenance understand their part in keeping units code compliant</td>
</tr>
<tr>
<td>Capitol Plans</td>
<td>$800/unit</td>
<td>Review of conveyance with plan for future improvements and necessary repairs. Includes performance review</td>
</tr>
<tr>
<td>Contract Review</td>
<td>$750/unit</td>
<td>Review current contract and help in writing new contracts</td>
</tr>
<tr>
<td>Providing operator to run conveyance</td>
<td>$150/per hour</td>
<td>If necessary to perform work in hoistway, an operator can be provided that qualifies under state statute</td>
</tr>
<tr>
<td>Conveyance Incident Investigation</td>
<td>$130/per hour</td>
<td>Incident investigation is conveyance taken out of service</td>
</tr>
<tr>
<td>Miscellaneous Services</td>
<td>$130/per hour</td>
<td>Includes all miscellaneous services not listed</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TYPE</th>
<th>PERMIT FEE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Minor Alteration/Commercial</td>
<td>$550.00</td>
<td>Fee Includes: Plan Review and 1 Inspection/ If additional work by the Inspector is indicated the hourly consulting rate shall apply</td>
</tr>
<tr>
<td>**Major Alteration/Commercial</td>
<td>$825.00</td>
<td>Fee Includes: Plan Review and 1 Inspection/ If additional work by the Inspector is indicated the hourly consulting rate shall apply</td>
</tr>
<tr>
<td>Residential Elevator, Platform Lift or Dumbwaiter</td>
<td>$550.00</td>
<td>Fee Includes: Plan Review and 1 Inspection/ If additional work by the Inspector is indicated the hourly consulting rate shall apply</td>
</tr>
</tbody>
</table>
## CITY OF BLACK HAWK FEE SCHEDULE

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>First Occurrence</th>
<th>Second Occurrence</th>
<th>Third Occurrence + Each Additional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Investigation Fee - Starting work without a permit (Would require Change in Municipal Code)</td>
<td>$250.00</td>
<td>$500.00</td>
<td>$1000.00</td>
</tr>
</tbody>
</table>

**Administration Fee:** A CoBH 15% Administration Fee will be added to each invoice or billable amount.

*Minor Alteration includes:* cab finishes, valve work, power unit install, door operator replacement, re-rope/brake suspension

**Major Alteration includes:** controller, signal fixtures, rotating equipment, drive(multiple components), fire alarm, fire recall

**Electrical Permit:** If an electrical permit is required, the cost shall fall under the Electrical Permit Fee Schedule as adopted by the CoBH

**Building Permit:** If a building permit is also required, the cost shall fall under the Building Permit Fee Schedule as adopted by the CoBH

**Fire Permit:** If a fire permit is also required, the cost shall fall under the Fire Permit Fee Schedule as adopted by the CoBH
<table>
<thead>
<tr>
<th>MISC, Fees and Taxes</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor Registration</td>
<td>$0.00</td>
</tr>
<tr>
<td>Right-of-Way Use Permit</td>
<td>$30.00</td>
</tr>
<tr>
<td>Street Cut Permit</td>
<td>$300.00 for 1 to 100sf and $2/sf for any additional</td>
</tr>
<tr>
<td>Historic Landmarking</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Development in Flood Hazard Permit</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Public Hearing Notice Publication Fee</td>
<td>Actual Cost + 15% City Administration Fee</td>
</tr>
<tr>
<td>Fire and Police Protection Fee at time of Building Permit</td>
<td></td>
</tr>
<tr>
<td>Multifamily Residential</td>
<td>$70.00 per occupant/multiply fee x peak period occupant load as per IBC</td>
</tr>
<tr>
<td>Commercial</td>
<td>$14.00 per occupant/multiply fee x peak period occupant load as per IBC</td>
</tr>
<tr>
<td>Industrial</td>
<td>$70.00 per occupant/multiply fee x peak period occupant load as per IBC</td>
</tr>
<tr>
<td>Change of Use</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Redevelopment</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Industrial</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Off-site commercial parking space fee (Parking Impact Fee)</td>
<td>$2,000.00 per space</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Utilities</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Disconnect/Reconnect Fees</td>
<td></td>
</tr>
<tr>
<td>Notice of disconnection due to delinquency or failure to maintain</td>
<td>$60.00</td>
</tr>
<tr>
<td>Reconnection charge due to delinquency or failure to maintain</td>
<td>$500.00</td>
</tr>
<tr>
<td>Disconnection/Shut off for convenience (&gt;7 days)</td>
<td>$200.00</td>
</tr>
<tr>
<td>Reconnection charge for convenience (&gt;7 days)</td>
<td>$500.00</td>
</tr>
<tr>
<td>Commercial Fire Flow Testing</td>
<td></td>
</tr>
<tr>
<td>Permit (&gt;48 hours in advance of test)</td>
<td>$150.00</td>
</tr>
<tr>
<td>Penalty for failure to acquire permit</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>
# CITY OF BLACK HAWK FEE SCHEDULE

<table>
<thead>
<tr>
<th>Sign Fees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Sign Application / Plan Review</td>
<td>$125.00</td>
</tr>
<tr>
<td>Formal Sign Application / Plan Review</td>
<td>Consultant Fee + 15% City Administration Fee (Reimbursement Agreement &amp; Escrow Funds)</td>
</tr>
<tr>
<td>Sign Permit Fees Based on Total Valuation</td>
<td>$23.50 for 1st $500 plus $3.05 for each additional $100, or fraction thereof, to and including $2,000</td>
</tr>
<tr>
<td>$1,000,001 and up</td>
<td>$5,608.75 for the 1st $1,000,000 plus $3.65 for each additional $1,000, or fraction thereof</td>
</tr>
<tr>
<td>$500,001 to $1,000,000</td>
<td>$3,333.75 for the 1st $500,000 plus $4.75 for each additional $1,000, or fraction thereof, to and including $1,000,000</td>
</tr>
<tr>
<td>$25,001 to $50,000</td>
<td>$101.25 for the 1st $25,000 plus $10.10 for each additional $1,000, or fraction thereof, to and including $50,000</td>
</tr>
<tr>
<td>$50,001 to $25,000</td>
<td>$643.75 for the 1st $50,000 plus $7.00 for each additional $1,000, or fraction thereof, to and including $100,000</td>
</tr>
<tr>
<td>$100,001 to $500,000</td>
<td>$993.75 for the 1st $100,000 plus $5.60 for each additional $1,000, or fraction thereof, to and including $500,000</td>
</tr>
<tr>
<td>$500,001 to $1,000,000</td>
<td>$3,233.75 for the 1st $500,000 plus $4.75 for each additional $1,000, or fraction thereof, to and including $1,000,000</td>
</tr>
<tr>
<td>$2,001 to $5,000</td>
<td>$69.25 for the 1st $2,000 plus $14.00 for each additional $1,000, or fraction thereof, to and including $2,000</td>
</tr>
<tr>
<td>$501 to $2,000</td>
<td>$23.50 for 1st $500 plus $3.05 for each additional $100, or fraction thereof, to and including $2,000</td>
</tr>
</tbody>
</table>

| Special Investigation Fee - starting work without a permit (Would require Change in Municipal Code) | $250.00 for the 1st occurrence, $500.00 for the 2nd occurrence, $1000.00 for the 3rd occurrence + each additional |

| Miscellaneous Services | Consultant Fee + 15% City Administration Fee - Includes all services not listed |

**Administration Fee:** a CoBH 15% Administration Fee will be added to each invoice or billable amount.

**Electrical Permit:** If an electrical permit is required, the cost shall fall under the Electrical Permit Fee Schedule as adopted by the CoBH.

**Building Permit:** If a building permit is also required, the cost shall fall under the Building Permit Fee Schedule as adopted by the CoBH.

**Fire Permit:** If a fire permit is also required, the cost shall fall under the Fire Permit Fee Schedule as adopted by the CoBH.

<table>
<thead>
<tr>
<th>Land Use Fees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Boundary Line Agreement</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Planned Unit Development</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Restaurant Grills and Air Quality Compliance</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Site Development Plan</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Special Review Use</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Subdivisions</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Subdivision Processing Fee</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Final Subdivision Development Fee</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Minor Subdivision</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Site Development Commercial Plat</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
<tr>
<td>Street Plan and Easement Vacation</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recording Fee</th>
<th>Actual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary Use or Temporary Structure Permits</td>
<td>$100.00 + Security Deposit</td>
</tr>
<tr>
<td>Variance</td>
<td>Consultant Fee + 15% City Administration Fee</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Water System Development Fees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonresidential, in Gaming District</td>
<td>$16.00 per square foot</td>
</tr>
<tr>
<td>Hotel</td>
<td>$900.00 per room</td>
</tr>
<tr>
<td>Nonresidential, outside of Gaming District</td>
<td>$8.00 per square foot</td>
</tr>
</tbody>
</table>

| Miscellaneous Services | Consultant Fee + 15% City Administration Fee - Includes all services not listed |

<table>
<thead>
<tr>
<th>False Alarm Fees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Fee 6th-10th occurrence</td>
<td>$50.00</td>
</tr>
<tr>
<td>Service Fee over 10th occurrence</td>
<td>$100.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Police Department Fees</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex Offender Registration</td>
<td>$100.00 initial registration</td>
</tr>
<tr>
<td>Renewal</td>
<td>$50.00</td>
</tr>
<tr>
<td>Fingerprints (Residents Only)</td>
<td>$20.00</td>
</tr>
<tr>
<td>Portable Breath Test (PBT)</td>
<td>$20.00</td>
</tr>
<tr>
<td>Service</td>
<td>Fee</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>VIN Checks (Residents Only)</td>
<td>$0.00</td>
</tr>
<tr>
<td>Copies onto CDs</td>
<td>$25.00</td>
</tr>
<tr>
<td><strong>CITY OF BLACK HAWK FEE SCHEDULE</strong></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Fire Department Fees (Contact Fire Dept. for further details)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Commercial Business and Multi-Residential Plan Reviews</strong></td>
<td></td>
</tr>
<tr>
<td>0-1,000 sq. ft.</td>
<td>$100.00</td>
</tr>
<tr>
<td>1,001-2,500 sq. ft.</td>
<td>$200.00</td>
</tr>
<tr>
<td>2,501-5,000 sq. ft.</td>
<td>$400.00</td>
</tr>
<tr>
<td>5,001-7,500 sq. ft.</td>
<td>$800.00</td>
</tr>
<tr>
<td>7,501-10,000 sq. ft.</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>10,001 + sq. ft.</td>
<td>$1,000.00 + 0.05/square foot</td>
</tr>
<tr>
<td><strong>Site Plans</strong></td>
<td>$100.00</td>
</tr>
<tr>
<td><strong>Each review beyond 2nd</strong></td>
<td>1/2 of original fee</td>
</tr>
<tr>
<td><strong>Commercial Inspections</strong></td>
<td></td>
</tr>
<tr>
<td>Scheduled Inspection</td>
<td>$150.00/hour</td>
</tr>
<tr>
<td>Compliance Verification</td>
<td>$150.00/hour</td>
</tr>
<tr>
<td>System Test/Install</td>
<td>$150.00/hour</td>
</tr>
<tr>
<td>Follow-up Inspections</td>
<td>$75.00/hour</td>
</tr>
<tr>
<td>Initial Code Violation</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>CPR and First Aid Training for City residents and City staff</strong></td>
<td>$0.00</td>
</tr>
<tr>
<td>CPR and First Aid Training for businesses</td>
<td>$25.00/person includes certification card</td>
</tr>
<tr>
<td>Fire Extinguisher Training for City residents and City Staff</td>
<td>$0.00</td>
</tr>
<tr>
<td>Fire Extinguisher Training for businesses</td>
<td>$10.00/person for businesses</td>
</tr>
<tr>
<td>Temporary Fire Watch</td>
<td>$0.00</td>
</tr>
<tr>
<td>Consultation</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>Outside Agency Support for Inspections</strong></td>
<td>$50.00/hour</td>
</tr>
<tr>
<td><strong>Blasting and Storage of Explosives Permit</strong></td>
<td>$100.00</td>
</tr>
<tr>
<td><strong>MISC. Fees</strong></td>
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<td>Code Books online</td>
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<tr>
<td>Newsrack Permit</td>
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<tr>
<td>Open Records Request Research Fee</td>
<td>$30.00/after first hour/ per hour</td>
</tr>
<tr>
<td>Copies made</td>
<td>$0.25/page</td>
</tr>
<tr>
<td>Promotional Association Certification Application</td>
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</tr>
<tr>
<td>Attachment of a Licensed Premise</td>
<td>$100.00</td>
</tr>
<tr>
<td>Public Assembly Permit</td>
<td>$100.00</td>
</tr>
<tr>
<td>Public Hearing Notice Publication Fee</td>
<td>Actual Cost + 15% City Administration Fee</td>
</tr>
<tr>
<td>Recreational Vehicle and Equipment Permit</td>
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CITY OF BLACK HAWK
2015 Job Description

JOB TITLE: Administrative Assistant
Training Coordinator PD
DEPARTMENT: Police Department

REPORTS TO: Police Chief
EXEMPT: No

HIRING RANGE: $24.7600 - $28.4741 / HR

SUMMARY
The Administration Assistant/Training Coordinator is a non-sworn classified position responsible for providing key duties within the Police Department to include: coordinating and documenting all department training within the department, managing the department's policy manual, composing letters, ordering supplies, scheduling appointments, monthly reconciliation of petty cash, and tracking accounts consistent with the duties of an Administrative Assistant.

This employee must be a self-starter and work under a minimal amount of supervision. The employee has access to sensitive and confidential information and must be able to adhere to strict policies concerning evidence preservation. The employee must be able to communicate effectively with all employees within the City, including law enforcement agencies, vendors and citizens, while being able to prioritize the workload and effectively multi-task. It is necessary for the employee to be very knowledgeable in the area of grammar and spelling.

ESSENTIAL DUTIES AND RESPONSIBILITIES
• Manages the retention, protection, retrieval, transfer and disposal of personnel files, supervisory inquiries, internal affairs, and letters of instruction, training logs, management logs and evaluations.
• Maintains training files for the entire department including statistical reporting.
• Coordinates training classes with vendors as needed.
• Schedules courses for employees attending training.
• Maintains CIRSA records to ensure standards are met.
• Monitors officer training for compliance with State of Colorado POST standards.
• Generates quarterly reports regarding POST certifications for officers.
• Inputs mandatory training as prescribed by Colorado POST for all employees into their web-site.
• Coordinates the dispensing and maintenance of various manuals such as drug identification bible, driver's license manual, CCPA and Colorado Peace Officer’s Handbooks.
• Coordinates equipment for repairs.
• Tracking and coding of all department bills to be sent to finance.
Monitors department budget as needed.  
Assists with creating and updating Standard Operating Procedures related to the Department’s Policy Manual to include coordinating and updating the Lexipol policy manual  
Tracks each employee’s uniform allowance.  
Performs monthly reconciliation of petty cash and monthly money funds for Records and Municipal Court.  
Orders supplies including normal office supplies, patrol uniforms, civilian clothing, weapons, body armor, range supplies, ammunition, drug testing kits, , furniture and communications department equipment.  
Effectively represents the organization to department employees, customers, other city departments, other criminal justice agencies and the general public.  
Composes a variety of correspondence independently from verbal or written instruction.  
Performs a wide variety of complex and confidential assignments for the Chief of Police.  
Trains employees on completing training requests and submitting supporting documentation for expenses.  
Supports the Evidence Technician as needed  
Coordinate with locksmith and maintenance department for building needs and repairs

SUPERVISION RESPONSIBILITIES  
None 

WORKING RELATIONSHIPS  
Will maintain effective and friendly working relationships with all City employees, vendors, and citizens. 

MINIMUM QUALIFICATIONS 

Knowledge of:  
- Modern office procedures, techniques and equipment.  
- Software programs such as Microsoft Word, Excel, PowerPoint and Outlook.  
- Proper work ethics and etiquette on the telephone and in person with co-workers, vendors, citizens, visitors, district attorneys, other law enforcement agencies, Colorado Bureau of Investigations, offenders s and victims.  
- Professional demeanor in and out of the office.  
- Numerical and alphabetical filing systems.

Ability to:  
- Follow precise directions given by supervisors and working under minimal supervision.  
- Understand clerical support operations.  
- Be a skilled problem solver to achieve logical solutions.
- Use resources effectively and efficiently
- Maintain confidentiality of very sensitive information.
- Discern difference between original and duplicate documents.
- File and maintain extremely sensitive and confidential personnel documents.
- Identify needs of department, i.e. before need arises and advise supervisor.
- Be a team player and to establish and maintain an effective and responsive working relationship with peers.
- Work on projects with brief deadlines and exercising sound judgment when prioritizing work.

**Certifications:**
- Valid Colorado driver’s license with a safe driving record.

**EXPERIENCE AND EDUCATION**
- Two years office experience with customer service experience.
- Graduate from high school or equivalent to completion (G.E.D.).

**PHYSICAL DEMANDS**
Perform the essential job functions physically. Maintain physical condition and fitness to meet the demands as follows:

- Sit for extended periods of time, positions oneself in front of various computer workstations, ability to function for extended periods of time.
- Carryout light physical work to include handling objects up to 25 pounds occasionally and/or up to 10 pounds frequently.
- Reach overhead and bend down to retrieve items and documents from various locations.
- Hear within an acceptable range to carryout conversations and understand relevant facts of an urgent nature over the telephone and in person.
- Reach, stoop, hear, see, bend and touch within levels that the essential job functions can be accomplished.
- Climb ladders and/or step stools.

**NECESSARY REQUIREMENTS**
- Must pass a thorough background investigation, including but not limited to, a polygraph examination, psychological assessment and statement from a Credit Reporting Bureau. Applicants with a record of conviction for serious misdemeanors or felony crimes will be disqualified.
- Must be able to perform in a busy environment with frequent interruptions.
- Employees are expected to follow all types of safety rules and use the department provided safety equipment to include, but not limited to seat belts, body armor, safety glasses, ear protection, etc.

COMMENTS

The intent of this classification is to describe the types of job tasks and levels of responsibility and difficulty required of persons assigned to this classification title. This is not to be considered a detailed description of every duty/responsibility of the job.

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CITY OF BLACK HAWK  
2015 Job Description

JOB TITLE: Property and Evidence Technician  
DEPARTMENT: Police Department

REPORTS TO: Administrative Lieutenant  
EXEMPT: No

HIRING RANGE: $22.4300 - $25.8000 / HR

SUMMARY

The Evidence Technician is a non-sworn classified position responsible for providing functions associated with maintaining, disposing and processing evidence collected by officers on a daily basis.

This employee must be a self-starter and work under a minimal amount of supervision. This employee has access to sensitive and confidential information and must be able to adhere to strict policies concerning evidence preservation. This employee must be able to communicate effectively with all employees within the City, in addition to law enforcement agencies, vendors, and citizens. The employee must be able to prioritize the workload and effectively multi-task. It is necessary for the employee to be very knowledgeable in the area of grammar and spelling.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Maintains a running inventory of all equipment in the department as well as drug testing kits and blood testing supplies, evidence packaging supplies.
- Prepares packages for certified and insured mailings associated with evidence functions.
- Assists with creating and updating Standard Operating Procedures.
- Creates a monthly report for incoming evidence and disposal of evidence.
- Effectively represents the organization to department employees, customers, other City departments, other criminal justice agencies, and the general public.
- Composes a variety of correspondence independently without verbal or written instruction.
- Retrieves evidence from patrol evidence lockers, logs evidence into the evidence software, and stores in evidence vault daily.
- Maintenance and cleaning of drying bins used for wet and bloody clothing.
- Trains officers on proper evidence processing and packaging.
- Tracks evidence to be returned, destroyed, auctioned, or transferred to other agencies in a timely and legal manner.
- Coordinates drug burns with other agencies.
- Meets with victims, attorneys, and other law enforcement agencies as needed. Acts as a liaison between the department and other agencies as needed in the judicial process, including
testifying in court cases relevant to the Chain of Custody. Meet with families of suicide and homicide victims and work closely with District Attorney so victim’s property can be returned to family.

- Maintains all property and evidence in a secure environment which can be located promptly.
- Send post cards and certified mailings to legal owners of property for their return. Keep track of time line on personal property for timely destruction or release.
- Must be capable of testifying in court regarding evidence chain of custody.
- Research surveillance and audio files and make appropriate copies.
- Send copies of evidence to the District Attorney, defendants, victims, City of Black Hawk representatives, attorneys, and other Agencies.
- Understands State Statutes and City Ordinances regarding evidence storage, disposition, and retention.
- Handles potentially hazardous materials and stores them properly to ensure employee safety and evidence integrity.
- Responds to crime scenes when needed.
- Handles firearms, drugs, and contaminated items safely. Ensures annual audit of the Evidence room is conducted.
- Cleans equipment as needed and identifies equipment needing repairs.
- Checks in and out evidence to Colorado Bureau of Investigation for testing.
- Checks in and out evidence to detectives and patrol officers for court appearances.
- As necessary, pick up evidence items from Jefferson County District Attorney at Jefferson County Courts.
- Maintains the satellite evidence vault.
- Ensure proper storage of DNA, blood, and sexual assault kits.
- Conducts research into cases as needed.
- Performs data entry functions.
- Typing and filing as needed.
- Scans documents.
- Ability to wear necessary safety equipment while performing necessary job duties.
- Manage impounded vehicle inventory.
- Maintains the Department’s inventory.

SUPERVISION RESPONSIBILITIES
Supervise as prescribed by law the destruction of evidence including, but not limited to, hazardous materials, drugs, and personal property. Supervise yearly complete and accurate audit of evidence vaults.

WORKING RELATIONSHIPS
Will maintain effective and friendly working relationships with all City employees, vendors, and citizens.
MINIMUM QUALIFICATIONS

Knowledge of:

- Modern office procedures, techniques, and equipment.
- Software programs such as Microsoft Word, Excel, PowerPoint, and Outlook.
- Proper work ethics and etiquette on the telephone and in person with co-workers, vendors, citizens, visitors, District Attorneys, other law enforcement agencies, Colorado Bureau of Investigations, suspects, and victims.
- Numerical and alphabetical filing systems.
- Lexus Nexis for research on defendants, statute of limitations, and permanent cases.
- Totally responsible for the function and operation of evidence section.

Ability to:

- Follow precise directions given by supervisors and working under minimal supervision.
- Work in an enclosed environment.
- Understand clerical support operations.
- Be a skilled problem solver to achieve logical solutions.
- Use resources effectively and efficiently.
- Maintain confidentiality of very sensitive information.
- Discern difference between original and duplicate documents.
- Anticipate and identify needs of the department and advise supervisor.
- Be a team player and to establish and maintain an effective and responsive working relationship with peers.
- Maintain a professional demeanor in and out of the office.
- Work on projects with brief deadlines, exercising sound judgment when prioritizing work.
- Operate a City vehicle for transporting evidence.
- Handle hazardous materials such as syringes, blood, razor blades, ammunition, firearms, drugs, knives, and other weapons in a safe manner.

Certifications:

- Valid Colorado driver’s license with a safe driving record.
- Must be able to obtain necessary “Property and Evidence” certifications within one year of employment.

EXPERIENCE AND EDUCATION

- Two years office experience with customer service experience.
- Graduate from high school or equivalent to completion (G.E.D.).
PHYSICAL DEMANDS
Ability to perform the essential physical job functions. Maintain physical condition and fitness to meet the demands as follows:

- Sits for extended periods of time; performs job functions positioned in front of various computer workstations for extended periods of time.
- Carry out light physical work to include occasionally handling objects up to 25 pounds and/or up to 10 pounds frequently.
- Reach overhead and bend down to retrieve items and documents from various locations.
- Hear within an acceptable range to carry out conversations and understand relevant facts of an urgent nature over the telephone and in person.
- Reach, stoop, hear, see, bend, and touch within levels that the essential job functions can be accomplished.
- Climb ladders and/or step stools.

NECESSARY REQUIREMENTS
- Must pass a thorough background investigation, including but not limited to, a polygraph examination, psychological assessment, and statement from a Credit Reporting Bureau. Applicants with a record of conviction for serious misdemeanors or felony crimes will be disqualified.
- Must be able to perform in a busy environment with frequent interruptions.
- Employees are expected to follow all types of safety rules and use the department provided safety equipment to include, but not limited to, seat belts, body armor, safety glasses, ear protection, etc.

COMMENTS
The intent of this classification is to describe the types of job tasks and levels of responsibility and difficulty required of persons assigned to this classification title. This is not to be considered a detailed description of every duty/responsibility of the job.

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CITY OF BLACK HAWK
2015 Job Description

JOB TITLE: CP&D Executive Administrative Assistant
DEPARTMENT: Community Planning and Development
REPORTS TO: CP&D Administrator
EXEMPT: No
HIRING RANGE: $24,760.1 - $28,474.00/HR

SUMMARY
As the position is an integral part of the administrative area representing the Community Planning and Development, a sense of decorum is required which is appropriate and suitable to the office. This position serves as key office personnel who interact on a daily basis with the public, City employees, elected officials, and consultants. Customer service, organization, detail oriented and multi-tasking is a must. The individual shall possess a mastery of office and computer skills, exercise initiative and judgment, make decisions within the scope of assigned authority, and provide general information and assistance to the public.

DUTIES AND RESPONSIBILITIES

Administrative Services:
• Perform a wide variety of highly complex, responsible, and confidential duties, within scope of authority and training, for the Community Planning and Development Administrator and Department.
• Energetic, highly organized, polished individual with executive support experience who can juggle multiple demands and meet deadlines with ease.
• Solid communication and organization skills are key elements in this highly visible, high-impact position; Strong interpersonal skills with the ability to maintain a positive, flexible attitude in an intense, deadline driven environment; Vigorous sense of urgency and ability to meet inflexible deadlines.
• Diligent with a high attention to detail and adept at multitasking with frequent interruptions; Ability to efficiently manage complex situations and projects with little or no supervision.
• Total commitment to customer service; cultivate a friendly and welcoming office environment; greet all visitors, ascertain nature of business, and direct visitors to appropriate office.
• Use diplomacy and discretion when answering the telephone and giving information to callers. Must be responsive to citizen and public concerns and complaints.
• Professional, friendly demeanor; comfortable interfacing with the public to service their Department related needs; possess a high degree of integrity and discretion; diplomatic with a positive can-do attitude.
• Process, prioritize, and distribute incoming/outgoing mail, emails, faxes, and other forms of correspondence; Prepare outgoing mail and email; Routinely visit City Hall to deliver and pickup mail.
• Compose a variety of correspondence independently from verbal or written instruction, including newsletter submissions; Review, proofread, and edit departmental documents; Possess strong proofreading skills.
• Possess advanced computer skills with the ability to help others on system usage; Strong research skills; Create presentations, charts, graphs, databases, and spreadsheets.
• Proficient use of spreadsheets, word processing and database programs for efficient processing of departmental information; Responsible for accurately inputting departmental data into computer system.
• Oversee and maintain website pages for Community Planning and Development within established guidelines.
• Maintain departmental contacts, appointment schedules, tickler files, calendars, and arrange meetings and conferences.
• Work with all Community Planning and Development consultants to develop and ensure consistent processes.
• Enthusiastic and eager to learn.
• Perform all duties associated with the operation, service, and activities of the Historic Preservation Commission, basic planning/land use, and contract/grant administration and management.
• Respond to inquiries and complaints, provide information, independently learn, interpret, and apply codes, laws, and guidelines pertinent to City and departmental policies, procedures, and regulations.
• Aid in preparation of City Council agenda items; includes working with consultants to complete staff reports; Prepare public meeting notices for posting in accordance with Municipal Code.
• Create and update Standard Operating Procedures for contract/grant administration and management, Historic Preservation Commission, and planning/land use.
• Take the initiative to read, learn, and understand the current actions, procedures, and projects associated with Council actions. Assist in notifying applicants of Council actions.
• Comprehend Municipal Code: zoning application procedures and submittal requirements; zoning districts; public hearings; license agreements; platting procedures and requirements; building regulations; and historic preservation.
• Maintain database of all license agreements and gaming establishment statistics.
• Establish and maintain, in conjunction with Permit Technician, a filing system that is organized with an easily retrieval format for planning/land use, contracts/grants, and Historic Preservation Commission; both hard and digital copies.
• Take and transcribe meeting notes for all assigned meetings on computer or transcribe from voice recording.
• Manage and order departmental supplies.
• Provide budget support. Perform continuous analysis of expenditures. Compile, route, and file invoices.
• Evaluate and recommend organizational, procedural, and cost-saving measures affecting department and support activities.
• Assist with event planning.
• Provide Notary services for the public and City staff.
• Serve as back up to the Permit Technician.
• Assist other departmental staff and provide support to other departments as necessary.
• Other duties as assigned.

Contract and Grant Administration:
• Become familiar with the Residential Program materials: Historic Restoration and Community Preservation Guide to Programs; the General Fund Exterior Paint Guide to Programs; the Residential Design Guidelines; the Secretary of the Interior’s Standards and Guidelines for Rehabilitating Historic Buildings; and Black Hawk Municipal Code. Understand the individual components and ensure program parameters and objectives are consistently applied and achieved.
Receive and process planning/land use and Residential Program applications. Coordinate with Owners Representative.
• Draft, coordinate, and oversee execution of all contracts and agreements for Professional Services and Residential Program: exterior paint; interior rehabilitation grant; preservation easement and lender’s request for subordination or rights; temporary construction easements; roadway easements; and boundary line agreements.
• Process fees paid to the City and fees paid by the City.
• Attend Owner, Architect, Contractor and Design meetings.
• Assist in preparation and distribution of Request for Qualifications or Request for Proposals.
• Coordinate ownership and encumbrance/title work report and residential appraisal report.
• Coordinate site survey to include floodway and elevation certificate.
• Coordinate existing conditions photo documentation: interior/exterior of structures, site conditions; wood and window survey; and stone wall and masonry survey.
• Initiate and maintain a variety of files and records related to Residential Program. Ensure all data and material is organized and easily retrievable; both hard copy and electronic format.
• Mobile enough to conduct field work and visit construction sites, sometimes crossing over rough, uneven, or rocky and mountainous surfaces and terrain.

**Historic Preservation Commission**

• Prepare, assemble, and distribute Historic Preservation Commission agenda items and staff reports. Take the initiative to read, learn, and understand the current actions, procedures, and projects associated with the professional planning, Historic Preservation Commission, and Historic Restoration and Community Preservation grant and residential programs.
• Coordinate and facilitate the activities of the Historic Preservation Commission.
• Act as the Secretary to the Commission; Take and transcribe meeting minutes and distribute; Understand and comprehend Commission By-Laws; maintain permanent records of all Commission Ordinances and Resolutions; track Commission vacancies and appointments; Perform other activities that support the Commission.
• Oversee Landmark Designation nominations and applications.
• Maintain the Commission records and reports and organize regular meetings, training activities, projects, and prepare annual report.
• Routinely interact with the Director of the Colorado State Office of Archaeology and Historic Preservation consultant.

**SUPERVISORY RESPONSIBILITIES**
None

**QUALIFICATIONS**
Knowledge of:
• English usage, spelling, grammar, punctuation, and proofreading.
• Current technology for office procedures, methods, and computer equipment.
• Business letter writing and basic report preparation.
• Principles and procedures of record keeping and filing.
• Basic understanding of finance and accounting.
• Basic knowledge of building/zoning codes and construction terminology and practices.
• City government organization, functions, policies, rules, and regulations.
• Stress management and time management skills.
• Effective listening, verbal communication, and interpersonal skills.

Ability to:
Present a professional, courteous, competent image, both inside and outside of the office, which reflects well on the department and the City.

Keep public, work/desk, and kitchen areas clean and free of clutter.

Possess a friendly demeanor. Establish and maintain effective, cooperative and responsive working relationships with supervisor, other departments, City officials, consultants, outside agencies, and the community in general.

Work in a busy office environment on multiple projects with frequent interruptions and inflexible deadlines. Analyze missed deadlines, ascertain what went wrong, and decipher how to avoid a repeat performance.

Tackle mundane and tedious tasks with eagerness and enthusiasm.

Maintain sound time/stress management, organizational, communication, active listening, and people skills.

Take a proactive approach to problem solving to achieve common-sense solutions.

Organize and establish work priorities. Work in a cooperative team environment or independently in the absence of supervision. Perform a variety of duties requiring use of independent judgment and technical knowledge. Independently coordinate, monitor, or manage various clerical functions. Meet department and project schedules, milestones, and deadlines.

Understand the organization and operation of the City and outside agencies. Take the initiative to independently learn, interpret, and apply basic building code, municipal code, land use, and historic preservation procedures.

Become familiar with department forms and applications for distribution to public. Update form and application content on a regular established basis.

Locate, organize, and retrieve department records and files in a timely fashion.

Compile complex business correspondence and basic reports. Produce written documents with clearly organized information, punctuation, and grammar.

Maintain confidential data and information as it relates to the department. Discriminate between original and duplicate documents.

Type at a speed necessary for successful job performance.

Transcribe dictation at a speed necessary for successful job performance.

Communicate clearly and concisely, both orally and in writing.

Recognize department needs and advise Community Planning and Development Administrator. Proactively look for cost saving measures to apply within department.

Be punctual and prompt for work and meetings.

Balance and control personal life and work priorities.

Take on responsibility for areas beyond basic duties. Look for what needs to be done without being told.

EXPERIENCE and/or TRAINING

Four years responsible work experience in an administrative support capacity.

High School Diploma or GED.

Must have a working knowledge of relevant office computer systems and proficiency with Microsoft Office Suite.

EQUIPMENT USED

Constant daily use of telephones, cell phones, pagers, computers, calculators, copy machines, fax machines, and scanners.

COMMUNICATION SKILLS
• Ability to respond to common inquiries or complaints from the general public, residents, City employees, officials, and outside agencies in a professional manner.
• Ability to effectively present, both in verbal and written form, information to elected officials, members of the Management Team, City employees, the public, and outside agencies.

REASONING ABILITY
Identify problems, collect data, establish facts, and draw valid conclusions.

PHYSICAL DEMANDS
The employee is regularly required to sit, stand, walk, reach with hands and arms, stoop, kneel, crouch, and crawl. Work in this position is generally limited to a standard office environment, but the employee must occasionally lift and/or move up to 25 pounds and climb, stairs, ladders and/or step stools, and conduct field work on mountainous terrain. The employee is also regularly required to talk, hear, and use hands and fingers. Specific vision abilities required by this position include close, distance, color, and peripheral vision, as well as depth perception and the ability to adjust focus.

COMMENTS
The intent of this classification is to describe the types of job tasks and levels of responsibility and difficulty required of persons assigned to this classification title. This is not to be considered a detailed description of every duty/responsibility of the job.

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CITY OF BLACK HAWK
2015 Job Description

JOB TITLE: CP&D Technician
DEPARTMENT: Community Planning and Development
REPORTS TO: CP&D Administrator
EXEMPT: No
HIRING RANGE: $21.5562 - $24.7896/HR

SUMMARY
As the position is an integral part of the administrative area representing Community Planning and Development, a sense of decorum is required which is appropriate and suitable to the office. This position serves as key office personnel who interact on a daily basis with the public, City employees, elected officials, and consultants. Customer service, organization, detail oriented and multi-tasking is a must. The individual shall possess a mastery of office and computer skills, exercise initiative and judgment, make decisions within the scope of assigned authority, and provide general information and assistance to the public.

DUTIES AND RESPONSIBILITIES
• Perform a wide variety of highly complex, responsible, and confidential duties, within scope of authority and training, for the Community Planning and Development Administrator and Department.
• Total commitment to customer service. Greet visitors. Cultivate a friendly and welcoming office environment.
• Work with all Community Planning and Development consultants to develop and ensure consistent processes.
• Perform all duties associated with the operation, service, and activities of the permit and records management program.
• Interview and obtain information from customers in order to determine their needs. Assist the customer in completing permit applications.
• Inform customers of permit process and procedures. Confirm all contractors and subcontractors have current contractor registration and/or business license and certificates of insurance.
• Receive and review all permit applications, plans, and other construction or related documents; determine sufficiency of submittal; advise applicants on requirement for complete submittal.
• Assist with various administrative tasks by scheduling, resulting and rescheduling inspections, scheduling meetings, filing permits and applications, performing data entry, and assisting customers at the counter and over the telephone.
• Provide basic code interpretation for applicant, building contractors/subcontractors, architects, engineers, builders, and general public. Independently learn; interpret and apply codes, laws, and guidelines pertinent to City and departmental policies, procedures, and regulations. Maintain familiarity with ordinance, resolution, and procedural changes.
• Research records and provide customers with specialized site-specific property information such as, but not limited to, approved building permits, finalized building plans, certificate of occupancy, contractor affidavits and special inspections.
• Provide coordination support with customers, consultants, outside agencies, and City staff to maintain project continuity.
• Assist management in resolving minor permit and inspection problems.
• Assist in the creation, interpretation, application, and maintenance of department policies and procedures.
• Maintain database for all permits and related documents. Issue and track all submissions through Innoprise permitting software; application acceptance, plan review, permit issue, inspections, and project closeout.
• Calculate fees based on established fee schedule and monitor approval of plans by other regulatory agencies.
• Collect fees, process receipt, and prepare submittal to Finance Department.
• Perform records research in order to document project history compliance.
• Prepare Certificates of Occupancy.
• Respond to telephone inquiries regarding permits, permit processes, building codes, fees, and other related ordinances and local laws. Use diplomacy and discretion when answering the telephone and giving information to callers; must be responsive to citizen and public concerns and complaints.
• Proficient on the permitting software system. Responsible for accurately inputting all permit related data into database.
• Perform typing and clerical duties of routine nature. Compose a variety of correspondence independently from verbal or written instruction.
• Review, proofread, and edit departmental documents. Possess strong proofreading skills.
• Maintain departmental contacts and arrange meetings.
• Establish and maintain system for permit management to ensure that all files, letters, contracts, agreements, reference manuals, field inspection reports, permit files, blueprints, specifications, and other data or material is maintained in an organized and easily retrievable fashion. Modify or improve system as needed.
• Establish and maintain records management system for departmental files in an organized, easily retrieval format and system; both hard and scanned copies. Modify or improve system as needed.
• Formulate and implement procedures for systematic retention, protection, retrieval, transfer, and disposal of departmental records.
• Create and maintain policy and procedure manuals and update resource materials.
• Become familiar with department forms and applications for distribution to public. Update forms and application content on a regular established basis.
• Mobile enough to conduct field work and visit construction sites, sometimes crossing over rough, uneven, or rocky and mountainous surfaces and terrain.
• Assist with event planning.
• Assist other departmental staff and provide support to other departments as necessary.
• Other duties as assigned.

SUPERVISORY RESPONSIBILITIES
None

QUALIFICATIONS
Knowledge of:
• English usage, spelling, grammar, punctuation and proofreading.
• Current technology for office procedures, methods, and computer equipment.
• Business letter writing and basic report preparation.
• Proofreading skills.
• Principles and procedures of record keeping and filing.
• Basic understanding of finance and accounting.
• Basic knowledge of building/zoning codes, construction terminology, and practices.
• City government organization, functions, policies, rules, and regulations.
• Stress management and time management skills.
• Effective listening, verbal communication, and interpersonal skills.

Ability to:
• Present a professional, courteous, competent image, both inside and outside of the office, which reflects well on the department and the City.
• Keep public, work/desk, and kitchen areas clean and free of clutter.
• Possess a friendly demeanor. Establish and maintain effective, cooperative and responsive working relationships with supervisor, other departments, City officials, consultants, outside agencies, and the community in general.
• Work in a busy office environment on multiple projects with frequent interruptions and inflexible deadlines. Analyze missed deadlines, ascertain what went wrong, and decipher how to avoid a repeat performance.
• Tackle mundane and tedious tasks with eagerness and enthusiasm.
• Maintain sound time/stress management, organizational, communication, active listening, and people skills.
• Take a proactive approach to problem solving to achieve common-sense solutions.
• Organize and establish work priorities. Work in a cooperative team environment or independently in the absence of supervision. Perform a variety of duties requiring use of independent judgment and technical knowledge. Independently coordinate, monitor or manage various clerical functions. Meet department and project schedules, milestones and deadlines.
• Understand the organization and operation of the City and outside agencies as necessary to assume the assigned responsibilities.
• Take the initiative to independently learn, interpret, and apply basic building code, municipal code, land use and historic preservation procedures.
• Compile business correspondence and basic reports. Produce written documents with clearly organized information, punctuation, and grammar.
• Maintain confidential data and information as it relates to the department. Discern the difference between original and duplicate documents.
• Communicate clearly and concisely, both orally and in writing.
• Recognize department needs and advise Community Planning and Development Administrator. Proactively look for cost saving measures to apply within department.
• Oversee and maintain website page for Community Planning and Development within established guidelines.
• Maintain punctual and prompt attendance for work and meetings.
• Communicate effectively, clearly, and concisely in both written and oral formats.
• Represent the department with tact and interact effectively with others.
• Review, interpret, and explain written documents.
• Operate office equipment including computers, and supporting word processing, spreadsheet, and database applications. Use a computer and related software applications
• Type or enter data at a speed necessary for successful job performance.
• Understand and follow oral and written instructions.
• Establish and maintain effective working relationships with those contacted in the course of work. Abstain from participating in office gossip and conducting personal business during working hours.
• Balance and control personal life and work priorities.
• Take on responsibility for areas beyond basic duties. Look for what needs to be done without being told.
EXPERIENCE and/or TRAINING
• One year of experience reading and interpreting construction plans and building codes.
• High School Diploma or GED.
• Must have a working knowledge of relevant office computer systems and proficiency with Microsoft Office Suite.
• Become certified as a Permit Technician under the International Code Council within 2 years of employment and maintain certification upon renewal. An extension may be granted at the discretion of the Community Planning and Development Administrator.

EQUIPMENT USED
Constant daily use of telephones, cell phones, pagers, computers, calculators, copy machines, fax machines, and scanners.

COMMUNICATION SKILLS
• Ability to respond to common inquiries or complaints from the general public, residents, City employees, officials, and outside agencies in a professional manner.
• Ability to effectively present, both in verbal and written form, information to elected officials, members of the Management Team, City employees, the public, and outside agencies.

REASONING ABILITY
Identify problems, collect data, establish facts, and draw valid conclusions.

PHYSICAL DEMANDS
The employee is regularly required to sit, stand, walk, reach with hands and arms, stoop, kneel, crouch, and crawl. Work in this position is generally limited to a standard office environment, but the employee must occasionally lift and/or move up to 25 pounds and climb stairs, ladders and/or step stools, and conduct field work on mountainous terrain. The employee is also regularly required to talk, hear, and use hands and fingers. Specific vision abilities required by this position include close, distance, color, and peripheral vision, as well as depth perception and the ability to adjust focus.

COMMENTS
The intent of this classification is to describe the types of job tasks and levels of responsibility and difficulty required of persons assigned to this classification title. This is not to be considered a detailed description of every duty/responsibility of the job.

The City of Black Hawk is an Equal Opportunity Employer. Pursuant to the Immigration Reform and Control Act, it is the City’s intention to hire only individuals who are United States citizens or aliens authorized to work and live in the United States.
RESOLUTION 72-2015
A RESOLUTION
AUTHORIZING THE
ACQUISITION OF
DOCUMENT
MANAGEMENT
SOFTWARE FROM
FILEHOLD SYSTEMS, INC.
TITLE: A RESOLUTION AUTHORIZING THE ACQUISITION OF DOCUMENT MANAGEMENT SOFTWARE FROM FILEHOLD SYSTEMS, INC.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The City Council hereby approves the acquisition of document management software from FileHold Systems, Inc. in an amount not to exceed Twenty Eight Thousand and Eighty Dollars ($28,080.00).

RESOLVED AND PASSED this 11th day of November, 2015.

_______________________________
David D. Spellman, Mayor

ATTEST:

______________________________
Melissa A. Greiner, City Clerk
CITY OF BLACK HAWK  
REQUEST FOR COUNCIL ACTION

SUBJECT: Recommendation for Purchase of a Document Management System from FileHold Systems, Inc.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Resolution 72, A Resolution Authorizing the Acquisition of Document Management Software from FileHold Systems, Inc.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: In an effort to ensure preservation of City records and with an eye on becoming more organized and efficient, City Clerk staff determined a Document Management System for electronic storage of the City’s official documents will increase productivity, save time, and safeguard preservation and retention requirements. Original hard document files will continue to be maintained in the Clerk’s Office.

Clerk staff met with all departments to discuss existing software, current electronic storage, and wants and needs of each department. The focus was on filing structures for ease of use, collaboration to facilitate teamwork through the easy sharing of documents, compliance for the enforcement of document retention policies, audit tracking and reporting, and disaster recovery.

Clerk staff composed a Request for Proposal (RFP) for Document Management Software. Staff invited 25 companies to review and respond the RFP and placed the RFP on industry websites. 7 companies responded to the RPF and 4 were selected for interviews and demonstrations. Bids ranged from $28,080 to $222,000.

Staff recommends FileHold Systems, Inc. as our choice for document management software at $28,080. The 2016 annual support fee is estimated to be $3,285. The City of Black Hawk’s IT Department anticipates supporting hardware will cost up to $15,000. The total expenditure for the software license and supporting hardware will be $43,080. Council approved $60,000 for the purchase of the software and supporting hardware during the 2015 Budget Workshop.

FileHold Systems, Inc. is the designer and developer of document management software with a low learning curve and affordable cost. The system is scalable, fast, stable, and capable. The company supports small and large environments alike. FileHold is a Canadian company with a regional contact located in San Antonio, Texas. They contract with Canadian municipalities, both large and small, and their US clients include Department of Defense, Texas Workforce, Florida Department of Revenue, US Department of Justice, and NASA. Clerk staff contacted current clients for references and received positive referrals, most notably that the software has met the expectations as presented, and the company is enhancing the software with ideas from the end users. Training and support receive high marks as well.

The most closely aligned American software company to FileHold is Laserfische which is a reputable software package used by many Colorado municipalities for document management.
Laserfische is marketed through a third party vendor who responded to our RFP offering an abridged version, Laserfische Rio. The software was quoted at $44,000 with annual support fees of an estimated $7,132. The total expenditure for the software license and supporting hardware would have been over $66,000.

AGENDA DATE: November 11, 2015

WORKSHOP DATE: November 5, 2014

FUNDING SOURCE: Capital Projects Fund - 305-1501-4157404

DEPARTMENT DIRECTOR APPROVAL: [ X ]Yes [ ]No

STAFF PERSON RESPONSIBLE: Melissa A. Greiner, City Clerk

DOCUMENTS ATTACHED: FileHold License Agreement and FileCare Service Level Agreement

RECORD: [ ]Yes [ X ]No

CITY ATTORNEY REVIEW: [ X ]Yes [ ]N/A

SUBMITTED BY: Melissa A. Greiner

REVIEWED BY: Jack D. Lewis, City Manager

City Clerk/Administrative Services Director
IMPORTANT NOTICE: Read the following terms and conditions carefully before installing the FileHold software. Installation or use of the software indicates your acceptance of these terms and conditions. If you do not agree with these terms and conditions, discontinue the installation process immediately, uninstall or destroy any part of the software that may have been installed, and promptly return all filehold software diskettes, CD's and the related documentation that you may have in your possession to FileHold Systems Inc. at the address provided below or to your supplier and your money will be refunded.

FILEHOLD Systems Inc.
#250 - 4664 Lougheed Hwy
Burnaby, BC, Canada V5C 5T5
Software License Agreement
Copyright (c) FILEHOLD Systems Inc.

THE SOFTWARE: Unless you have entered into a separate written license agreement with FileHold Systems Inc. ("FileHold") expressly providing otherwise, this Agreement is the legal contract which specifies the terms of the license granted to you by FileHold with respect to FileHold's software (the "Software") and related documentation. The Software is available in commercial and evaluation versions. All versions and editions of the Software are subject to this Agreement.

THE LICENSE: FileHold grants you a non-exclusive license to use the accompanying edition and version of the Software. If the software is to be installed on multiple physical servers for development, staging, testing, production or any other purpose, a separate software license must be acquired for each individual physical server.

You may not copy the Software except for the purpose of backup in which case all copyright, trade-mark and all other notices are reproduced and included on the backup copy. You shall not transfer or distribute the Software to any third parties.

You may not modify or translate the Software or related documentation, or decompile, disassemble, decrypt, or reverse engineer the Software.

FileHold requires payment by you of a license fee in the amount set out in the invoice that you receive from FileHold or your supplier. The terms of payment of the license fee are as set out in the invoice.

If this software is installed for evaluation or prior to being paid for in full, FileHold will have placed an expiry date on the software. In the event the FileHold software is not paid for in full FileHold will allow the license to expire and will not renew it until all outstanding amounts are paid.
NO ADDITIONAL RIGHTS OR LICENSES: You acknowledge and agree that except for the license granted in this Agreement, all other rights, and all title and interest including, but not limited to, copyrights, trade secrets and patent rights, in and to the Software, as an independent work or as an underlying work serving as a basis for any application that you may develop, and related documentation remain the sole and exclusive property of FileHold. You acknowledge and agree that you will not derive or assert any title or interest in or to the Software or related documentation.

TERM AND TERMINATION: FileHold may terminate any license granted in this Agreement if you fail to comply with any of the terms or conditions of this Agreement. Upon termination of the license for any reason, you will promptly return to FileHold or destroy all copies of the Software and related documentation.

NO WARRANTY: THE SOFTWARE IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. YOU BEAR THE ENTIRE RISK AS TO THE QUALITY AND PERFORMANCE OF THE SOFTWARE.

Without limiting the above paragraph in any way and for more certainty only, FileHold does not warrant that the Software is error-free or that it will operate without interruption, nor does FileHold warrant that the Software will meet your specific requirements. THE SOFTWARE IS NEITHER DESIGNED NOR LICENSED FOR USE IN ENVIRONMENTS REQUIRING FAIL-SAFE CONTROLS.

LIMITATION OF LIABILITY: IN NO CASE SHALL FILEHOLD BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES OR LOSS, INCLUDING, WITHOUT LIMITATION, LOST PROFITS OR THE INABILITY TO USE EQUIPMENT OR ACCESS DATA, WHETHER SUCH DAMAGES ARE BASED UPON A BREACH OF EXPRESS OR IMPLIED WARRANTIES, BREACH OF CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR ANY OTHER LEGAL THEORY. THIS IS TRUE EVEN IF FILEHOLD HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO CASE WILL FILEHOLD'S LIABILITY EXCEED THE AMOUNT OF THE LICENSE FEE ACTUALLY PAID BY YOU TO FILEHOLD.

EXPORT RESTRICTIONS:. You acknowledge that the Software is subject to Canadian and U.S. export jurisdiction. You agree to comply with all applicable international and national laws that apply to the Software, including the U.S. Export Administration Regulations, as well as end-user, end-use, and destination restrictions issued by; Canadian, U.S. and other governments.

MISCELLANEOUS: This Agreement is governed by the laws of the Province of British Columbia and the laws of Canada applicable in British Columbia. You agree to submit to the exclusive jurisdiction of the courts of the Province of British Columbia with respect to any dispute relating to this Agreement or your use of the Software.
This Agreement is the entire agreement between you and FileHold concerning the Software and related documentation. There are no representations, warranties or understandings that bind FileHold that are not expressly stated in this Agreement.

Any provision of this Agreement which is prohibited, unlawful or unenforceable under any applicable law of any jurisdiction will be deemed ineffective in that jurisdiction without affecting any other provision of this Agreement. The offending provision shall be enforced to the maximum extent permissible so as to effect the intent of the parties.

The failure or delay by FileHold to exercise any of its rights under this Agreement shall not be deemed a waiver of those rights or of any breach of any provision of the Agreement by you.
FileCare - Service Level Agreement (SLA)

FileHold Systems offers an annual technical support and product upgrade contract known as FileCare. This agreement entitles the customer to an array of support and upgrade services to ensure maximum value from their document management software.

Support Methodology - FileHold supports its customer base using remote support services such as the telephone, e-mail and, with customer approval, by logging on to the customers system using remote control software. FileHold support is available from 8:30 AM to 4:30 PM PST Monday to Friday and on weekends and evenings by prior arrangement.

The support process starts when a FileHold user contacts their internal help desk or IT support department. If the customers internal support cannot help and determines the problem is related to the FileHold software they will register the issue on the FileCare support portal at; Document Management Support Centre. The support Portal is available to a customer’s technical support staff 24 hours per day, 7 days per week. The support portal is monitored by FileHold technical staff up to 16 hours per day, Monday to Friday.

Issue Severity Definitions - FileHold has the following levels of issue severity:

- Level 1 - Global severity - affects all users
- Level 2 - User severity - affects one user
- Level 3 - Non-critical Severity - A cosmetic issue, no effect on users

Support Response Times - All support issues registered on the FileHold portal receive an immediate confirming e-mail response that assigns a unique support case number and confirming the ticket has been registered. The registered ticket will be responded to, by a FileHold technical support team member, by no later than noon of the next business day. In the response it will be determined if the problem is related to FileHold or a 3rd party application and a Severity level will be established.

If the source of the problem is outside the control of FileHold the customer will be advised accordingly and best efforts will be made to notify the party/parties responsible and cooperate with them to resolve such problem. If the problem is within the control of FileHold the following responses are made:

If the ticket is a Level 1- Global severity: Technical e-mail communication will be initiated with the customer within 4 hours of severity determination. Continuous best efforts will be made to resolve the problem or until service is restored or until an interim remedy is implemented. The resolution objective is 1 business day.

If the ticket is a Level 2- User severity: The source e-mail communication will be initiated with the customer within 8 hours of severity determination. Best efforts to resolve the problem will be made with a resolution objective of 3 business days.

If the ticket is a Level 3- Non Critical severity. E-mail communication will be initiated with the customer within 16 hours of severity determination. Communication of the request will be made clear to the customers but resolution may wait until a future product release. If it is a product enhancement / future feature request the customer will be referred to Suggest a Feature.  

Support Escalation Policy - If a customer feels the support response times are not being met or the problem is not being addressed they may initiate direct contact with the VP of customer services at FileHold by contacting
support@filehold.com via e-mail or telephoning to 604-734-5653 and ask to speak to the Customer Support Manager.

**Customer Responsibilities** - The FileCare support program is a powerful tool but to make it work best the customer must follow normal IT practices in protecting their data. The following are a few “best practice” suggestions.

- Report all problems to the FileHold support case reporting systems immediately.
- Back up all data on a daily, weekly and monthly basis including SQL Databases, File Directory Storage Paths and other critical system files. More details are outlined in FileHolds Disaster Recovery and Backup Best Practices section below.
- Ensure routine maintenance is done to the server hardware.
- Ensure Microsoft and other service packs and updates are tested and applied to the server to maintain best practices operating conditions.

**Self Support Center** - Is available to customers on FileCare 24 hours per day 7 days per week. It serves as a knowledge base of common support incidents that may help the Customer quickly solve a problem or for our customers who want technical information that is not available in other places.

**Software Upgrades** - Customers on FileCare have access to any hot-fixes, service packs, dot releases or major releases of software that become available while under contract. If there are no changes to the existing server or operating system the technical support for upgrades is provided at no additional charge. Upgrades are scheduled by FileHold systems with the customer agreement.

**Reporting** - FileCare maintains a status report of open and past support issues including; issue number, problem category, severity, user name, territory code, date received, status, problem description and next action description. A customer may ask for a review of their support incidences including our response at any time.

**Addition of licenses** - Customers on FileCare can add new users to the system at any time, (a minimum of 5 users) at no administration charge other than the cost of the license. The cost of the FileCare contract is pro-rated on new licensing to the master agreement anniversary date.

**Disaster Recovery Processes** - In the event of catastrophic hardware failure which results in loss of the FileHold server FileCare has a plan to help. There are professional services fees for this assistance which will be quoted at the time and based on a preferential customer-billing rate. The disaster recovery steps are as follows:

- Customer registers and creates a support case detailing the extent of the disaster.
- Customer arranges for a backup server to be ready for FileHold software installation. Including the installation of:
  - Microsoft Server - see [Document Management System Requirements](#)
  - Microsoft SQL see [Document Management System Requirements](#)
- Remote Access to the customer system via remote collaboration software must be available for the FileHold support team to access the system (FileHold will recommend a system).
- Customer will supply the 2 most recent backups of their data.
- FileHold will schedule a time to restore the live server using remote diagnostic tools.
- At FileHold’s discretion, a staging or testing server may be set up to properly recover the system without changing the primary server that is having issues (hardware or otherwise).
- FileHold will test the server and confirm it is fully operational.
- FileHold will help the customer test that all systems are operating as specified.

**Term** - The FileCare Agreement runs for 12 months from the day the FileHold server is installed. The contract start and end date will be clearly stated on the invoice.

**Termination of support services** - The FileCare contract may only be terminated by FileHold in advance of the contract expiry in which case FileHold will refund a prorated portion of the annual service contract. The customer may terminate by not renewing the annual contract.

**Active Directory Synchronization may not covered by FileCare** - Microsoft Active Directory is a 3rd party component and if a customer makes changes to user roles or schemas the synchronization with FileHold can be thrown off. In order to repair this synchronization FileHold will have to re-run their synchronization tools, there is an extra charge for these services.

**Eligibility** - In order to remain on FileCare customers with standard version of FileHold must remain no more than 1 release behind the most current release of FileHold.

**Server and Operating Systems Upgrades** - FileCare does not cover the re-installation of FileHold as a result of customer server or operating system upgrades. There will be professional service fees for assistance in this re-installation. If these upgrades are done at the same time as a FileHold upgrade the charges may be reduced.

**Understandings that bind FileHold that are not expressly stated** - Notwithstanding any other provisions our total and exclusive liability is no more than the unused portion for the annual FileCare contract. The program is provided on an "as is" bases, we do not warrant that the service will be uninterrupted, error free, or completely secure. As we do not control the flow of data or the performance of data over the internet, which our software is dependent upon, actions or inactions of 3rd parties can impair or disrupt yours and our connections to the internet.

**Additional Support Services** - Although not a part of our FileCare program, a number of support services are available from the FileHold professional service group. These services may be contracted on a fixed fee bases or charged on a time and materials basis.

Document Management Best Practices Consulting: FileHold has expertise in document and records management best practices. This advice can be especially helpful during major upgrades to ensure the system continues to function at full performance during the upgrade.

- Server health check up / systems management.
- General server administration, including user and security issues.
- Managing software upgrades, i.e. Windows Server and Microsoft SQL-Server.
- Data archiving.
- Disaster recovery tests.
- Creating custom reports.
- Analysis of the customer software environment.
- Analysis of existing data within File directories and other repositories.
- General assistance with third party software.
- General assistance with hardware compatibility issues.
• Consulting on Document Management best practices.
• Importation of data into FileHold systems.
• Configuration of zonal scanning, full-text and imaging systems.

To discuss any of these additional services contact sales@filehold.com.