

Legals

legals@crestedbuttenews.com • phone: (970)349.0500 ext. 112 • fax: (970)349.9876 • www.crestedbuttenews.com

—CERTIFICATE NO. 20100201—
NOTICE OF PURCHASE OF REAL ESTATE TAX LIEN AT SALE AND OF APPLICATION FOR ISSUANCE OF TREASURER'S DEED TO WHOM IT MAY CONCERN AND MORE ESPECIALLY TO:

MIRIAM BETULA LAPORE, SHARON F CASTRO, JAMIE A CASTRO, CITIBANK, CITI MTG, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC, FISHER SWEETBAUM LEVIN AND SANDS, P.C., WILLIAM G HORLBECK, JASON R VOLKERDING YOU AND EACH OF YOU ARE HEREBY NOTIFIED THAT ON THE 21ST DAY OF OCTOBER, 2010, THE THEN COUNTY TREASURER OF THE COUNTY OF GUNNISON, STATE OF COLORADO, SOLD AT PUBLIC SALE TO GUNNISON COUNTY THE FOLLOWING DESCRIBED REAL ESTATE, SITUATE IN SAID COUNTY OF GUNNISON, VIZ:

LOT 4 ABRIL MEADOWS FILING II #591549
 SAID SALE BEING MADE TO SATISFY THE DELINQUENT TAXES ASSESSED AGAINST SAID PROPERTY FOR THE YEAR 2009. TAX SALE LIEN CERTIFICATE OF PURCHASE NUMBER 20100201 WAS

ISSUED TO JACK DALTON BY SAID COUNTY TREASURER. AND WHEREAS, THE SAID JACK DALTON DID, ON THE 7TH DAY OF JULY, 2016, DULY ASSIGN THE CERTIFICATE OF SALE OF THE TAX LIEN ON THE PROPERTY AS AFORESAID, AND ALL HIS RIGHTS, TITLE AND INTEREST IN SAID PROPERTY TO JASON R VOLKERDING. THAT SUBSEQUENT TAXES UPON SAID PROPERTY FOR YEAR(S) 2009-2015 WERE PAID BY THE HOLDER OF SAID TAX SALE LIEN CERTIFICATE OF PURCHASE. THE VALUATION OF SAID PROPERTY FOR THE YEAR 2009 WAS A TOTAL \$ 69,590.00. THAT AT THE TIME OF SAID VALUATION AND SAID SALE, SAID PROPERTY WAS TAXED IN THE NAME(S) OF MIRIAM BETULA LAPORE.

THAT THE PRESENT HOLDER OF SAID TAX SALE LIEN CERTIFICATE OF PURCHASE HAS MADE APPLICATION TO ME FOR A TREASURER'S TAX DEED TO SAID PROPERTY. THAT A TREASURER'S TAX DEED WILL BE ISSUED FOR SAID REAL ESTATE TO JASON R VOLKERDING AFTER 4:00 P.M. ON THE 12TH DAY OF DECEMBER 2016 UNLESS THE SAME HAS BEEN REDEEMED FROM SAID SALE FOR TAXES, AS PROVIDED BY LAW. WITNESS MY HAND AND SEAL THIS 26TH DAY OF AUGUST, 2016. TREASURER OF GUNNISON COUNTY
 DEBBIE DUNBAR

Published in the *Crested Butte News*. Issues of August 29, September 2 and 9, 2016. #082605

—COMBINED NOTICE - PUBLICATION—
CRS §38-38-103 FORECLOSURE SALE NO. 2016-011

To Whom It May Concern: This Notice is given with regard to the following described Deed of Trust:

On June 14, 2016, the undersigned Public Trustee caused the Notice of Election and Demand relating to the Deed of Trust described below to be recorded in the County of Gunnison records.

Original Grantor(s)
 Timothy W. Rutherford
 Original Beneficiary(ies)
 Wells Fargo Home Mortgage, Inc.
 Current Holder of Evidence of Debt
 Wells Fargo Bank, N.A.
 Date of Deed of Trust
 July 28, 2003
 County of Recording
 Gunnison

Recording Date of Deed of Trust
 July 30, 2003
 Recording Information (Reception No. and/or Book/Page No.)
 533154

Original Principal Amount
 \$248,000.00
 Outstanding Principal Balance
 \$191,113.72

Pursuant to CRS §38-38-101(4)(i), you are hereby notified that the covenants of the deed of trust have been violated as follows: **The mortgage loan associated with the Deed of**

Trust is in default due to the unauthorized transfer of the subject property in violation of the paragraph 18 of the Deed of Trust. THE LIEN FORECLOSED MAY NOT BE A FIRST LIEN.

THE EAST 75 FEET OF LOTS 9, 10, 11 AND 12, BLOCK 63, CITY OF GUNNISON, ACCORDING TO THE OFFICIAL RECORDED PLAT OF FIRST ADDITION TO GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO.

Also known by street and number as: 308 E Ruby Avenue A & B, Gunnison, CO 81230. THE PROPERTY DESCRIBED HEREIN IS ALL OF THE PROPERTY CURRENTLY EN-CUMBERED BY THE LIEN OF THE DEED OF TRUST.

NOTICE OF SALE

The current holder of the Evidence of Debt secured by the Deed of Trust, described herein, has filed Notice of Election and Demand for sale as provided by law and in said Deed of Trust. THEREFORE, Notice Is Hereby Given that I will at public auction, at 10:00 A.M. on Wednesday, 10/12/2016, at Treasurer's Office, 221 N. Wisconsin, Suite T, Gunnison, CO 81230, sell to the highest and best bidder for cash, the said real property and all interest of the said Grantor(s), Grantor(s)' heirs and assigns therein, for the purpose of paying the indebtedness provided in said Evidence of Debt secured

by the Deed of Trust, plus attorneys' fees, the expenses of sale and other items allowed by law, and will issue to the purchaser a Certificate of Purchase, all as provided by law.

First Publication 8/19/2016
 Last Publication 9/16/2016

Name of Publication Crested Butte News
IF THE SALE DATE IS CONTINUED TO A LATER DATE, THE DEADLINE TO FILE A NOTICE OF INTENT TO CURE BY THOSE PARTIES ENTITLED TO CURE MAY ALSO BE EXTENDED;

IF THE BORROWER BELIEVES THAT A LENDER OR SERVICER HAS VIOLATED THE REQUIREMENTS FOR A SINGLE POINT OF CONTACT IN SECTION 38-38-103.1 OR THE PROHIBITION ON DUAL TRACKING IN SECTION 38-38-103.2, THE BORROWER MAY FILE A COMPLAINT WITH THE COLORADO ATTORNEY GENERAL, THE FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU (CFPB), OR BOTH. THE FILING OF A COMPLAINT WILL NOT STOP THE FORECLOSURE PROCESS.

**Colorado Attorney General
 1300 Broadway, 10th Floor
 Denver, Colorado 80203
 (800) 222-4444
 www.coloradoattorneygeneral.gov
 Federal Consumer Financial Protection Bureau**

**P.O. Box 4503
 Iowa City, Iowa 52244
 (855) 411-2372
 www.consumerfinance.gov**

DATE: 06/14/2016
 Debbie Dunbar, Public Trustee in and for the County of Gunnison, State of Colorado
 By: Teresa Brown, Deputy Public Trustee
 The name, address, business telephone number and bar registration number of the attorney(s) representing the legal holder of the indebtedness is:

Jennifer Cruseturner #44452
 Iman Tehrani #44076
 Joan Olson #28078
 Erin Robson #46557
 Holly Shilliday #24423
 Courtney Wright #45482
 McCarthy & Holthus, LLP 7700 E. Arapahoe Road, Suite 230, Centennial, CO 80112 (877) 369-6122
 Attorney File # CO-16-711657-JS
 The Attorney above is acting as a debt collector and is attempting to collect a debt. Any information provided may be used for that purpose.
 ©Public Trustees' Association of Colorado
 Revised 1/2015

Published in the *Crested Butte News*. Issues of August 19, 26, September 2, 9 and 16, 2016. #081903

—COMBINED NOTICE - PUBLICATION—
CRS §38-38-103 FORECLOSURE SALE NO. 2016-010

To Whom It May Concern: This Notice is given with regard to the following described Deed of Trust:

On June 13, 2016, the undersigned Public Trustee caused the Notice of Election and Demand relating to the Deed of Trust described below to be recorded in the County of Gunnison records.

Original Grantor(s)
 Lisa O Marks and Oscar Marks
 Original Beneficiary(ies)
 National City Mortgage a division of National City Bank
 Current Holder of Evidence of Debt
 PNC Bank, National Association
 Date of Deed of Trust
 August 03, 2007
 County of Recording
 Gunnison

Recording Date of Deed of Trust
 August 08, 2007
 Recording Information (Reception No. and/or Book/Page No.)
 577723

Original Principal Amount
 \$232,000.00
 Outstanding Principal Balance
 \$225,215.18
 Pursuant to CRS §38-38-101(4)

(i), you are hereby notified that the covenants of the deed of trust have been violated as follows: failure to pay principal and interest when due together with all other payments provided for in the evidence of debt secured by the deed of trust and other violations thereof.

**THE LIEN FORECLOSED MAY NOT BE A FIRST LIEN.
 LOT 8, CURECANTI TOWNHOMES, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 2001 BEARING RECEPTION NO. 512277 OF THE RECORDS OF GUNNISON COUNTY, COLORADO AND THE DECLARATION OF PROTECTIVE COVENANTS OF CURECANTI TOWNHOMES RECORDED JULY 9, 2001 BEARING RECEPTION NO. 512278 OF THE RECORDS OF GUNNISON COUNTY, COLORADO, COUNTY OF GUNNISON, STATE OF COLORADO.**

Also known by street and number as: 68 Bambi Ln, Gunnison, CO 81230.

THE PROPERTY DESCRIBED HEREIN IS ALL OF THE PROPERTY CURRENTLY EN-CUMBERED BY

THE LIEN OF THE DEED OF TRUST. NOTICE OF SALE

The current holder of the Evidence of Debt secured by the Deed of Trust, described herein, has filed Notice of Election and Demand for sale as provided by law and in said Deed of Trust.

THEREFORE, Notice Is Hereby Given that I will at public auction, at 10:00 A.M. on Wednesday, 10/12/2016, at Treasurer's Office, 221 N. Wisconsin, Suite T, Gunnison, CO 81230, sell to the highest and best bidder for cash, the said real property and all interest of the said Grantor(s), Grantor(s)' heirs and assigns therein, for the purpose of paying the indebtedness provided in said Evidence of Debt secured by the Deed of Trust, plus attorneys' fees, the expenses of sale and other items allowed by law, and will issue to the purchaser a Certificate of Purchase, all as provided by law.

First Publication 8/19/2016
 Last Publication 9/16/2016
 Name of Publication Crested Butte News

IF THE SALE DATE IS CONTINUED TO A LATER DATE, THE DEADLINE

TO FILE A NOTICE OF INTENT TO CURE BY THOSE PARTIES ENTITLED TO CURE MAY ALSO BE EXTENDED;

IF THE BORROWER BELIEVES THAT A LENDER OR SERVICER HAS VIOLATED THE REQUIREMENTS FOR A SINGLE POINT OF CONTACT IN SECTION 38-38-103.1 OR THE PROHIBITION ON DUAL TRACKING IN SECTION 38-38-103.2, THE BORROWER MAY FILE A COMPLAINT WITH THE COLORADO ATTORNEY GENERAL, THE FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU (CFPB), OR BOTH. THE FILING OF A COMPLAINT WILL NOT STOP THE FORECLOSURE PROCESS.

**Colorado Attorney General
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 Federal Consumer Financial Protection Bureau
 P.O. Box 4503
 Iowa City, Iowa 52244
 (855) 411-2372
 www.consumerfinance.gov**

DATE: 06/13/2016
 Debbie Dunbar, Public Trustee in and for the County of Gunnison, State of Colorado
 By: Teresa Brown, Deputy Public Trustee

The name, address, business telephone number and bar registration number of the attorney(s) representing the legal holder of the indebtedness is:
 Jennifer Cruseturner #44452
 Iman Tehrani #44076
 Joan Olson #28078
 Erin Robson #46557
 Holly Shilliday #24423
 Courtney Wright #45482
 McCarthy & Holthus, LLP 7700 E. Arapahoe Road, Suite 230, Centennial, CO 80112 (877) 369-6122
 Attorney File # CO-16-732367-JS
 The Attorney above is acting as a debt collector and is attempting to collect a debt. Any information provided may be used for that purpose.
 ©Public Trustees' Association of Colorado
 Revised 1/2015

Published in the *Crested Butte News*. Issues of August 19, 26, September 2, 9 and 16, 2016. #081901

deadline is tuesday at noon • legals@crestedbuttenews.com • 970.349.0500 ext. 112

—LEGAL NOTICE—
NOTICE OF PUBLIC HEARING FOR WASTEWATER TREATMENT FACILITY IMPROVEMENTS, CRESTED BUTTE, COLORADO

Date: October 03, 2016
 Time: 7:00pm
 Location: Town Hall Council Chambers
 Address: 507 Maroon Avenue
 Crested Butte, Colorado

Topic: Wastewater Treatment Facility Improvements

A public hearing will be conducted to inform citizens and solicit public input, written or oral, regarding the planned improvements to the Crested Butte Wastewater Treatment Facility and recently prepared Project Needs Assessment (PNA). The PNA and associated reports detail the

project consisting of headworks improvements, improvement of the oxidation ditch system, and replacement of the UV disinfection system. The PNA and associated reports have been submitted to the Colorado Department of Public Health and Environment (CDPHE) to qualify the Wastewater Treatment Facility improvements project for a \$2.3 million State Revolving Fund Loan. The PNA details how the headworks and disinfection equipment consisting of fine screen and grit removal systems, and UV disinfection equipment are at the end of their useful life and will therefore be replaced and upgraded as part of this process.

In addition, the oxidation ditch treatment process lacks redundancy and therefore cannot be taken out of service for necessary maintenance. The projected total cost for these improvements is \$3.3 million. The Town will seek to fund two thirds of the project costs through a 20-year, low-interest loan from the State Revolving Loan fund through the Colorado Department of Health and Environment, matched with an Energy Impact Assistance Fund grant of \$1 million dollars through the Colorado Department of Local Affairs. Monthly user costs, as a result of this project, are projected to increase slightly, less than 3 % per year.

Copies of the Project Needs Assessment and associated reports are available for public review prior to the Public Hearing at 507 Maroon Avenue, Crested Butte, CO 81224. The point of contact for questions regarding these planned improvements or the wastewater treatment facility is Mr. Rodney Due, Director of Public Works, PO Box 39, Crested Butte, CO 81224, or at rdue@crestedbutte-co.gov, or by calling (970) 349-5338.

Published in the *Crested Butte News*. Issues of September 2 and 9, 2016. #090201

Legals

**—NOTICE OF PUBLIC HEARING BEFORE THE—
TOWN COUNCIL
TOWN OF MT. CRESTED BUTTE, COLORADO**

Please take notice that the Mt. Crested Butte Town Council will hold a public hearing on Tuesday, September 20, 2016 at 6:00 p.m. in the Council Chambers, Municipal Building, Mt. Crested Butte, Colorado. The purpose of the hearing is for public input on a rezoning application submitted by the

Town of Mt. Crested Butte to rezone lots 10, 11 & 13, CVA 6 and lot 6A, Block G, CVA 2 also known as 42, 43 & 45 Cinnamon Mtn. Rd. and 29 Whetstone Rd. from the Single Family Zoning District to the Recreation and Open Space Zoning District. Written comments are welcome and should be received

at the Town Offices, P. O. Box 5800, Mt. Crested Butte, CO 81225-5800, or by fax to (970) 349-6326, by Thursday, September 15, 2016.
Dated this 30th day of August, 2016.
/s/ Jill Lindros
Town Clerk

If you require any special accommodations in order to attend this meeting, please call the Town Hall at 349-6632 at least 48 hours in advance of the meeting.

Published in the *Crested Butte News*. Issues of September 2 and 9, 2016. #090205

**—IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4—
STATE OF COLORADO**

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of August 2016. The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows: There has been filed in this proceeding a claim or claims which may affect in priority any

water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest as provided in the Water Right Determination and Administration Act of 1969, or be forever barred. **16CW55 (REF NO. 97CW120, 89CW202, 85CW260, 81CW259 W-1677)**. Applicant: Wayne Adams and Chris Adams, 10930 5850 Road, Montrose CO 81403. Application To Make Absolute: Blue Mesa Spring No.

19 Pipeline – SW1/4SW1/4 of Section 8, T47N, R3W, N.M.P.M. At a point which is North 82 degrees 18 minutes East 1,240 feet from the Southwest corner of Section 8. Source: Gunnison River. Appropriation Date: 12/29/1972. Amount Claimed: .012 c.f.s. absolute for domestic use. The Application on file with the Water Court contains and outline of the work performed during the diligence period. **GUNNISON COUNTY.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of October, 2016 to file with the Water Clerk, in duplicate, a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such

service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of September 9, 2016. #090901

**—IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4—
STATE OF COLORADO**

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of August 2016. The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows: There has been filed in this proceeding a claim or claims which may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW60. Michael Stiles, 1606 Camino De Los Ranches, Pueblo West, CO 81007. Application for Conditional Surface Water Right: Stiles WW Spring – NE1/4SE1/4 of Section 5, T48N, R4W, N.M.P.M. 2,005 feet from the south line and 1,274 feet from the east section line. Source: Pine Creek and the Gunnison River. Appropriation Date: 04/18/2016. Amount Claimed: .066 c.f.s. conditional for irrigation of 2 acres. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of October, 2016 to file with the Water Clerk, in duplicate, a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only

in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of September 9, 2016. #090902

**—IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4—
STATE OF COLORADO**

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of August 2016. The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows: There has been filed in this proceeding a claim or claims which may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object

and protest as provided in the Water Right Determination and Administration Act of 1969, or be forever barred. **CASE NO. 2016CW61 (REF NO. 97CW117, 89CW199, 85CW257, 81CW256).** Applicant: Blue Mesa Recreation Association, 2391 Blue Mesa Drive., Powderhorn, CO 81243. Application To Make Absolute: Blue Mesa Spring No. 14 – North 49 degrees 43 minutes east 2,145 feet from the southwest corner of Section 19, T47N, R3W, N.M.P.M. Source: Gunnison River. Appropriation Date: 12/29/1972. Amount

Claimed: .067 c.f.s. absolute for domestic use. The application on file with the Water Court contains an outline of the work performed during the diligence period. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of October, 2016 to file with the Water Clerk, in duplicate, a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the

applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of September 9, 2016. #090903

**—IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4—
STATE OF COLORADO**

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of August 2016. The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows: There has been filed in this proceeding a claim or claims which may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest as provided in the Water Right Determination and Administration Act of 1969, or be forever barred. **CASE NO. 2016CW3059 (REF NO. 06CW35).** Application for Finding of Reasonable Diligence. **Name, Address, Telephone Number of Applicants.** Lacy and Dow LLC, a Colorado limited liability company, P.O. Box 836, Crested Butte, Colorado, 81224, 970-349-5010. Please send all correspondence to: Marcus Lock, Law of the Rockies, 525 North Main Street, Gunnison, Colorado 81230, telephone number: 970-641-1903, facsimile number: 970-641-1943. **Original Decree.** Case No. 06CW35, District Court, Water Division 4, decreed on August 3rd, 2010. **Description of Water Rights. Name of Structures:** Lower Verzuh Wells Nos. 1-3. **Location:** These three wells will be constructed at a point in the NE1/4NW1/4, Section 17, Township 14 South, Range 85 West, 6th P.M. approximately as follows: Lower Verzuh Well No. 1, 318 feet from north section line, 2002 feet from west section line; Lower Verzuh Well No. 2, 1264 feet from north section line, 2326 feet from west section line; Lower Verzuh Well No. 3, 802 feet from north section line, 2099 feet from west section line. **Source:** East River Alluvium. **Appropriation Date:** February 24th, 2006. **Adjudication Date:** 2006. **Uses and Amount Claimed:** Applicant's conditional underground water rights for Lower Verzuh Well Nos.

1, 2, and 3 were decreed in the total aggregate amount of 1.67 c.f.s. These conditional water rights are to be used collectively for domestic in-house purposes in 750 single family dwellings, lawn and garden irrigation of 17.2 acres, and fire protection. The specific amounts decreed for each of the three wells are: Lower Verzuh Well No. 1 (0.668 c.f.s.), Lower Verzuh Well No. 2 (0.668 c.f.s.), and Lower Verzuh Well No. 3 (0.334 c.f.s.). The amount claimed for the wells shall be limited to a cumulative annual diversion of 323.27 acre-feet. **Name of Structure:** Dan's Pond. **Location:** Dan's Pond will be located within the SW1/4SW1/4, Section 8, Township 14 South, Range 85 West, 6th P.M. The outlet works will be located approximately 900 feet from the South Section Line and 800 feet from the West Section Line. **Source:** East River, a tributary to the Gunnison River. **Appropriation Date:** February 24, 2006. **Adjudication Date:** 2006. **Use and Amount Claimed:** Dan's Pond is an off-channel reservoir that will be filled and refilled via the Verzuh Ditch Enlargement for recreational and piscatorial purposes, and for augmentation purposes to replace out-of-priority depletions by the Lower Verzuh Wells Nos. 1, 2, and 3. Accordingly, Dan's Pond is decreed as a conditional storage water right in the amount of 100.00 acre-feet for recreational, piscatorial, and augmentation purposes, provided that augmentation use are to be limited to 44.04 acre-feet per year in accordance with the plan for augmentation described and approved in Case No. 06CW35. **Name of Structure:** Verzuh Ditch Enlargement. **Location:** The Verzuh Ditch Enlargement has a point of diversion that is the Verzuh Ditch headgate. The decreed point of diversion for the Verzuh Ditch headgate is on the right bank of the East River, at a point whence the southwest corner of Section 8, Township 14 South, Range 85 West, 6th P.M. bears South 29°14' West, 7062 feet. That is, at a point within the SW1/4SE1/4 of Section 5, Township 14

South, Range 85 West, 6th P.M., located approximately 150 feet from the South Section Line and 1,800 feet from the East Section Line. **Source:** East River, a tributary of the Gunnison River. **Appropriation Date:** February 24, 2006. **Adjudication Date:** 2006. **Use and Amount Claimed:** The Verzuh Ditch Enlargement is decreed as a conditional surface water right in the amount of 10.0 c.f.s. to fill Dan's Pond for subsequent recreation and piscatorial purposes, and to replace out-of-priority depletions by the Lower Verzuh Wells Nos. 1, 2, and 3. **Diligence:** A detailed outline of what has been done toward completion of the appropriation and application of the water to beneficial use as conditionally decreed including expenditures is set forth in the application on file with the Water Court. **Ownership Information:** (1) Lacy and Dow, LLC, a Colorado limited liability company, P.O. Box 836, Crested Butte, Colorado, 81224; (2) Paul P. Guerrieri & Son, Inc., P.O. Box 7089, Gunnison, Colorado, 81230. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of October, 2016 to file with the Water Clerk, in duplicate, a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of September 9, 2016. #090904

deadline tuesday at noon • legals@crestedbuttenews.com

—NOTICE OF AMENDED BUDGET—

NOTICE IS HEREBY GIVEN that an amended budget has been submitted to Reserve Metropolitan District No.1 for the year of 2016. A copy of such proposed amended budget has been filed in the accountant's office of Reserve Metropolitan District No.1 where same is open for public inspection. Such proposed amended budget will be considered at a meeting of the Board of Directors to be held at the Axtel Building, 12 Snowmass Road, Mt. Crested Butte, Gunnison County, Colorado, on Monday, September 19, 2016 at 10:00 a.m. Any interested elector of Reserve Metropolitan District No.1 may

inspect the proposed amended budget at the offices of Marchetti & Weaver, LLC, 28 Second Street, Suite 213, Edwards, Colorado, and file or register any objections at any time prior to the final adoption of the amended budget.
BY ORDER OF THE BOARD OF DIRECTORS:
RESERVE METROPOLITAN DISTRICT NO.1
By: Eric Weaver, District Administrator

Published in the *Crested Butte News*. Issue of September 9, 2016. #090905

—NOTICE OF BUDGET—

NOTICE IS HEREBY GIVEN that a budget has been submitted to Reserve Metropolitan District No.1 for the year of 2017. A copy of such proposed budget has been filed in the accountant's office of Reserve Metropolitan District No.1 where same is open for public inspection. Such proposed budget will be considered at a meeting of the Board of Directors to be held at the Axtel Building, 12 Snowmass Road, Mt. Crested Butte, Gunnison County, Colorado, on Monday, September 19, 2016, at 10:00 a.m. Any interested elector of Reserve Metropolitan District No.1 may inspect the proposed budget at the offices of Marchetti & Weaver, LLC, 28 Second Street, Suite 213, Edwards, Colorado, and file or register any objections at any time prior to the final adoption of the budget.
BY ORDER OF THE BOARD OF DIRECTORS:
RESERVE METROPOLITAN DISTRICT NO.1
By: Eric Weaver, District Administrator

Published in the *Crested Butte News*. Issue of September 9, 2016. #090906

Legals

—REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL DESIGN SERVICES FOR THE FINAL PROGRAMMING, DESIGN AND CONSTRUCTION ADMINISTRATION OF THE BIERY-WITT CENTER PROJECT OF THE MT. CRESTED BUTTE PERFORMING ARTS CENTER—

The Mt. Crested Butte Performing Arts Center ("Owner") is soliciting letters of interest from licensed architects skilled in the programming and design of performing arts centers and conference and convention center facilities in the range of 20,000 to 50,000 square feet in overall size. Licensed architects are invited to submit letters of interest with summary demonstration of qualifications to the Executive Director **no later than 5:00 p.m. on September 26, 2016.** Such expressions of interest and summary qualifications shall not exceed three (3) 8 1/2 "x11" pages in size and

shall include descriptions of past successful project experience most closely approximating the envisioned scope and multi-use complexity of the Biery-Witt Center Project described as follows: The facility design should respond to both performance and conference/convention-events uses, as well as provide functional accommodations for certain kinds of educational activities. Performance types include orchestral works, chamber music, opera, jazz, bluegrass, popular music and dance of various types. Events will include weddings, conferences, conventions and

other types of special events of up to 500 attendees. The site comprises 1.81 acres on the north end of the Mountaineer Square North in the Town of Mt. Crested Butte, Colorado. The Owner's budget for construction to be built as designed by the Architect shall not exceed \$16 million, excluding non-attached FFE, A/E design fees and other soft costs. Current estimates are for overall building size to be 30,000 - 36,000 +/- square feet. Letters of interest received by the deadline that are deemed to be qualified by

the Owner in its sole discretion will form a list of Architects to which the Owner will issue a Request for Proposal (RFP). The Owner reserves the right to reject any letter of interest and qualifications for this project in its sole and own judgment. Architects selected to receive an RFP will receive a detailed functional programming document and RFP details. **Contact Details:**
Phone Number: (970) 349-4769
The Owner requests that print and digital copies be sent to:
Print Copies to be Mailed to:
Mt. Crested Butte Performing Arts

Center
Attention: Gregory Sherwood, Executive Director
P.O. Box 4403
Mt. Crested Butte, CO 81225
Digital Copies to be Emailed to:
Gregory Sherwood, Executive Director: Wsherwood@mcbpac.org
With a Copy to Angela Diaz, Marketing & Development Director: Adiaz@mcbpac.org

Published in the *Crested Butte News*. Issues of September 9 and 16, 2016. #090907

—MEETING NOTICE—

The Board of Directors of the Upper Gunnison River Water Conservancy District will conduct a regular board meeting on Monday, September 26, 2016, beginning at 5:30 p.m. The meeting is being held at the Fairview Schoolhouse, 4515 County Road 730, Gunnison, and is open to the public. An agenda will be posted prior to the meeting.

Published in the *Crested Butte News*. Issue of September 9, 2016. #090908

—LEGAL—

PLEASE TAKE NOTICE that a public hearing will be on the 19th day of September, 2016 at 7PM in the Town Hall Offices at 507 Maroon Ave, Crested Butte, Colorado on Ordinance No. 11, Series 2016:
Ordinance No. 11, Series 2016 - An Ordinance of the Crested Butte Town Council Amending Chapter 7, Article 3

of the Crested Butte Municipal Code to Include New Regulations for the Abatement of Noxious Weeds.
TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

Published in the *Crested Butte News*. Issue of September 9, 2016. #090910

—LEGAL—

PLEASE TAKE NOTICE, that Ordinance No. 8, Series 2016, was passed on second reading and public hearing at a regular meeting of the Town Council of the Town of Crested Butte, Colorado, on Tuesday, the 6th day of September, 2016 in the Town Offices at 507 Maroon Avenue, Crested Butte, Colorado: Ordinance No. 8, Series 2016 - An Ordinance of the Crested Butte Town Council Authorizing the Sale of Town-Owned Property Legally Described as Lot 3, Block 79, Paradise Park Subdivision, Town of Crested Butte, County of Gunnison, State of Colorado To Warren Seekatz and Heather Allyn for the Sale Price of \$30,000.00. The full text of Ordinance No. 8, Series 2016 is on file at the Town Offices at 507 Maroon Avenue and will be available on the Town website at townofcrestedbutte.com for public reading. This ordinance shall become effective five days after the date of publication.

TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

Published in the *Crested Butte News*. Issue of September 9, 2016. #090912

—MOUNTAIN EXPRESS BOARD OF DIRECTORS MEETING—
AGENDA
THURSDAY, SEPTEMBER 15, 2016 ~ 9:00 A.M.
MT. CRESTED BUTTE TOWN HALL

- | | |
|--|--|
| I. Roll Call | B. Discussion: 2017 Gothic Summer Schedule |
| II. Reading and Approval of the Minutes of July 21, 2016 and August 25, 2016 Meetings. | C. Authorize Board Chair to sign 2017 CIRSA Property/Casualty Quote. |
| III. Transit Manager's Operational and Financial Report | D. Authorize Board Chair to sign 2017 FTA 5311 CDOT Operating Grant Contract |
| A. Operations Report | |
| B. Financial Report | |
| IV. Unfinished Business | VI. Unscheduled Business |
| A. Discussion: Senior Van Bus | VII. Schedule Next Board Meeting. |
| Wrap Ideas | VIII. Adjournment |
| V. New Business | |
| A. Discussion: CB South Winter Season 2016-2017 | |

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deadline tuesday at noon

—CB SOUTH P.O.A. BOARD MEETING NOTICE & AGENDA—
WEDNESDAY SEPTEMBER 21, 2016 ~ 6:00 P.M.
P.O.A. BOARD MEETING AGENDA
61 TEOCALLI ROAD (P.O.A. OFFICE, UPSTAIRS)

Questions about this Agenda/Meeting can be directed to 349-1162 or info@cbsouth.net

This agenda can also be viewed on-line at www.cbsouth.net

- 6:00 PM Call to Order**
6:05 PM Approval of Minutes from July 2016 P.O.A Board Meeting
6:15 PM Monthly Financial Report for August 2016

New Business:

- 6:25 PM** Noise Guidelines Policy Review and Discussion
6:40 PM Special Events Permit Review and Discussion
7:00 PM Budget Planning Session for 2017 – Capital Expenditures
7:25 PM Funding Request and Decision for CAMP Planning Grant
7:40 PM Tassinong Farms Phase III Decision
8:00 PM Easement Offering for Lot C35 and Lot 8 on Block 5
8:15 PM Manager and Committee Reports
Rules and Regulation Report
Identify October Board Meeting Agenda Items
Set October Board Meeting Date

8:30 PM Unscheduled Property Owner Comment Opportunity Time

8:35 PM Adjourn

ADA Accommodations: Anyone needing special accommodations as determined by the *American Disabilities Act* may contact the Association Manager prior to the day of the hearing.

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—PUBLIC NOTICE—

USDA Forest Service
Grand Mesa, Uncompahgre and Gunnison National Forests
216 N. Colorado Street
Gunnison, CO 81230

Date: August 30, 2016
Contact(s): Keith Markus, 970-641-0471

There is a black "Big Tex" single-axel trailer with a Colorado trailer license plate 475 - MAS located along a spur road off of National Forest System Road #765 at the Tin Cup dump, immediately north

of the Tin Cup town site. It is prohibited to abandon any personal property on National Forest System Lands (36 CFR 261.10e). If this camper belongs to you or someone you know, please remove it immediately. Failure to do so will result in towing and impoundment at the owner's expense. For questions, please contact the USDA Forest Service-Gunnison Ranger District at 970-641-0471.

Published in the *Crested Butte News*. Issue of September 9, 2016. #090909

—LEGAL—

PLEASE TAKE NOTICE, that Ordinance No. 7, Series 2016, was passed on second reading and public hearing at a regular meeting of the Town Council of the Town of Crested Butte, Colorado, on Tuesday, the 6th day of September, 2016 in the Town Offices at 507 Maroon Avenue, Crested Butte, Colorado: Ordinance No. 7, Series 2016 - An Ordinance of the Crested Butte

Town Council Authorizing the Sale of Town-Owned Property Legally Described as Lot 4, Block 80, Paradise Park Subdivision, Town of Crested Butte, County of Gunnison, State of Colorado To Trevor Main for the Sale Price of \$75,000.00. The full text of Ordinance No. 7, Series 2016 is on file at the Town Offices at 507 Maroon Avenue and will be available on the Town website

at townofcrestedbutte.com for public reading. This ordinance shall become effective five days after the date of publication.

TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

Published in the *Crested Butte News*. Issue of September 9, 2016. #090911

—LEGAL—

PLEASE TAKE NOTICE, that Ordinance No. 9, Series 2016, was passed on second reading and public hearing at a regular meeting of the Town Council of the Town of Crested Butte, Colorado, on Tuesday, the 6th day of September, 2016 in the Town Offices at 507 Maroon Avenue, Crested Butte, Colorado: Ordinance No. 9, Series 2016 - An Ordinance of the Crested Butte Town Council Authorizing the Sale of Town-Owned Property Legally Described as Lot 12, Block 79, Paradise Park Subdivision, Town of Crested Butte, County of Gunnison, State of Colorado To Kent Cowherd for the

Sale Price of \$30,000.00. The full text of Ordinance No. 9, Series 2016 is on file at the Town Offices at 507 Maroon Avenue and will be available on the Town website at townofcrestedbutte.com for public reading. This ordinance shall become effective five days after the date of publication.

TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

Published in the *Crested Butte News*. Issue of September 9, 2016. #090913

—LEGAL—

PLEASE TAKE NOTICE, that Ordinance No. 10, Series 2016, was passed on second reading and public hearing at a regular meeting of the Town Council of the Town of Crested Butte, Colorado, on Tuesday, the 6th day of September, 2016 in the Town Offices at 507 Maroon Avenue, Crested Butte, Colorado: Ordinance No. 10, Series 2016 - An Ordinance of the Crested Butte Town

Council Authorizing the Sale of Town-Owned Property Legally Described as Lot 15, Block 79, Paradise Park Subdivision, Town of Crested Butte, County of Gunnison, State of Colorado To Beth Goldstone for the Sale Price of \$60,000.00. The full text of Ordinance No. 10, Series 2016 is on file at the Town Offices at 507 Maroon Avenue and will be available on the Town website

at townofcrestedbutte.com for public reading. This ordinance shall become effective five days after the date of publication.

TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

Published in the *Crested Butte News*. Issue of September 9, 2016. #090914

—GUNNISON WATERSHED SCHOOL DISTRICT—
BOARD OF EDUCATION
SEPTEMBER 12, 2016 ~ 5:30PM
REGULAR SESSION
CRESTED BUTTE COMMUNITY SCHOOL LIBRARY

- 5:30** I. Call to Order
II. Roll Call
III. Pledge of Allegiance
5:45 IV. Modifications/Approval of Agenda
6:00 V. Commendations and recognition of visitors
**Visitors who wish to address the Board please fill out a slip of paper*
VI. Administrative Action Summaries
A. Superintendent Update-Doug Tredway
B. Quarterly Financial Report
C. Summer School Report
6:30 VII. Action Items
A. Consent Grouping
Note: Items under the consent grouping are considered routine and will be enacted under one motion. There will not be separate discussion of these items prior to the time the Board votes unless a Board Member requests an item be clarified or even removed from the grouping for separate consideration.

The Superintendent recommends approval of the following:

1. Board of Education Minutes*
 - a. August 8, 2016—Regular Session
2. Finance*

Approve for payment, as presented by the Business Manager, warrants as indicated:

 - a. General Account # 32382-32512
 - b. Payroll Direct Deposit # 27830-28085
3. Personnel*
 - a. Laura Schliesman-PE-GES—1 FTE
 - b. John Henaghan-SPED Teacher-GMS—1 FTE
 - c. Brynn O'Connell-Fourth Grade-GES—1 FTE
 - d. Whitney Bale-Preschool EA-Lake
 - e. Sarah Stone-SPED EA-Lake
 - f. Sydney Bare-Preschool EA-Lake
 - g. Becky Book-Library EA-GCS

- h. Jason Oliver-Permanent Substitute-CBCS
- i. Villa "Pidge" Carlisle-Permanent Substitute-GCS
- j. Erin Moran Shields-SPED EA-GCS
- k. Ashley Biggers-SPED EA-GCS
- l. Kathy Taylor-Prep Cook-CBCS
- m. Kyle Tharp-Bus Driver-District
- n. Rebecca Cerio-Health EA-CBCS
- o. Jason Oliver-Asst. Cross Country Coach-CBMS
- p. Taylor Castillo-Asst. HS Volleyball Coach-CBHS
- q. Stephanie Sheley-Asst. Volleyball Coach-CBMS
- r. Jesse Cruz-Head Wrestling Coach-GHS
- s. Jess Cruz- Asst. 7th grade Football Coach-GMS
- t. Rachel Alter-Head Mtn. Biking Coach-GHS
- u. John Henaghan-Asst. 8th grade Football Coach-GMS

4. Correspondence
- B. New Business
- 7:15 C. Old Business
 1. Tabor Lawsuit

- 7:30 VIII. Comments from the Public
- X. Items introduced by Board Members
- XI. Board Committee Updates
- XII. Forthcoming Agendas/Meeting Dates and Times
 - A. Monday, September 26, 2016—District Professional Development Day-CBCS
 - B. Monday, October 3, 2016—Regular Session@5:30pm -Crested Butte
 - C. Monday, October 24, 2016—Work Session@5:30pm -Gunnison
 - D. Monday, November 14, 2016—Regular Session@5:30pm-Gunnison
- XIII. Adjournment

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