

ORDINANCE NO. 1290

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF FORT MORGAN, COLORADO, ACTING AS THE BOARD OF DIRECTORS OF THE RIVERVIEW COMMONS GENERAL IMPROVEMENT DISTRICT, APPROVING THE DISSOLUTION OF THE DISTRICT

WHEREAS, the Riverview Commons General Improvement District (the "District"), is located within the City of Fort Morgan and Morgan County Colorado, is a duly organized and validly existing public or quasi-municipal subdivision of the State of Colorado and a body corporate under the laws of the State; and

WHEREAS, the District was organized by Ordinance No. 970 of the City Council of Fort Morgan, effective July 1, 2003; and

WHEREAS, the District was further amended through Ordinance No. 975 of the City Council of Fort Morgan, effective August 19, 2003; and

WHEREAS, the members of the City Council of the City of Fort Morgan constitute *ex officio* the Board of Directors of the District (the "Board"), all of whom have been duly elected, chosen, and qualified; and

WHEREAS, the Board approved by resolution the issuance of Special Assessment Bond, Series 2006, in the aggregate principal amount not to exceed \$1,355,000 (the "Bonded Debt") for Phase I; and

WHEREAS, the Board further approved by resolution the issuance of Special Assessment Bond, Series 2007 in the aggregate principal amount not to exceed \$921,300 (the "Updated Bonded Debt") for Phase II; and

WHEREAS, the outstanding Bonded Debt and Updated Bonded Debt have been paid in full and retired on October 1, 2022; and

WHEREAS, since the District has no outstanding indebtedness, obligations, or liabilities, the District may be dissolved; and

WHEREAS, state law requires formal action in accord with Colorado Revised Statute ("C.R.S.") § 31-25-625, be taken to dissolve the District; and

WHEREAS, on December 19, 2023, the City Council acting as the Board of the Riverview Commons General Improvement District, after lawful notice, plans a public hearing to consider dissolution of the Riverview Commons General Improvement District;

WHEREAS, at the public hearing on this date, the City Council sitting *ex officio* as the Board, will hear and consider the concerns and comments from electors of the District;

WHEREAS, after considering the information received at the public hearing, the satisfaction of the District's indebtedness, obligations and liabilities, and the state law concerning dissolution of general improvement districts, the Board now determines that it is the best interest of all concerned to dissolve the District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, ACTING AS THE BOARD OF DIRECTORS OF THE RIVERVIEW COMMONS GENERAL IMPROVEMENT DISTRICT AS FOLLOWS:

Section 1. The Board finds and determines that:

- a. There is no outstanding indebtedness, obligation, or liability of the Riverview Commons General Improvement District.
- b. Proper notice of the dissolution proceeding is in compliance with C.R.S. § 31-25-625.
- c. All other requirements of C.R.S. § 31-25-625 have been satisfied.
- d. It is in the best interest of all concerned to dissolve the District.

Section 2. The Board hereby orders that the District be dissolved as of the effective date of this ordinance.

Section 3. A certified copy of this ordinance shall be filed and recorded by the City Clerk, on behalf of the Board, in the Office of the Morgan County Clerk and Recorder where the District is located, as required by C.R.S. § 31-25-625.

Section 4. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 5. Council, acting ex officio as the Board, deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.


INTRODUCED, READ, AND ADOPTED ON FIRST READING AND ORDERED
PUBLISHED ON THE 21st DAY OF NOVEMBER, 2023.



THE CITY COUNCIL OF THE CITY OF FORT
MORGAN, COLORADO


Lyn Deal, Mayor

ATTEST:


John Brennan, City Clerk

PASSED, APPROVED, AND ADOPTED ON THE SECOND AND FINAL READING AND ORDERED PUBLISHED THIS 19th DAY OF DECEMBER, 2023.



THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO


Lyn Deal, Mayor

ATTEST:


John Brennan, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN)ss.
CITY OF FORT MORGAN)

CERTIFICATE

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing Ordinance No. 1290 was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 21st day of November, 2023. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 25th day of November, 2023, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 19th day of December, 2023. Within five (5) days after its final passage, said Ordinance No. 1290 was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.


John Brennan, City Clerk