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ORDER OF THE  
BOARD OF COUNTY COMMISSIONERS  
Organizing the  
BIG BEND DRAINAGE DISTRICT

STATE OF COLORADO, }  
COUNTY OF WELD } 36.

I HEREBY CERTIFY THAT THIS INSTRUMENT  
WAS FILED FOR RECORD IN MY OFFICE, AT  
11.30 O'CLOCK A.M. MAY 12 1930

19..... AND IS DULY RECORDED IN BOOK NO.

PAGE.....  
*H.C. Crable*  
RECORDER  
BY *Arthur W. Graham*  
DEPUTY  
FEES \$ 50

FILED

ORDER OF THE BOARD OF COUNTY COMMISSIONERS  
OF WELD COUNTY, COLORADO, ORGANIZING THE  
BIG BEND DRAINAGE DISTRICT.

STATE OF COLORADO )  
COUNTY OF WELD ) SS.

I, Harley C. Grable, County Clerk of Weld County, Ex-Officio Clerk of the Board of County Commissioners of Said County, do hereby certify that the following is a true and correct copy of a certain resolution and order adopted and made by said Board of County Commissioners of Weld County at a meeting at the Court House in Greeley, Colorado Monday the 12th. day of May, A. D. 1930, at which meeting there were present Wm. A. Carlson, Chairman, James S. Ogilvie, Commissioner, S. K. Clark, Commissioner, H. C. Grable, Clerk and Robert E. Hanna, Deputy Clerk; as the same appears of record in Commissioners' Record Book 20, Pages \_\_\_\_\_ in my office.

*H. C. Grable*  
County Clerk of Weld County, Ex-Officio Clerk Board of County Commissioners, Weld County.

By *RE Hanna*  
ACTING CLERK OF THE BOARD

The Board of County Commissioners met in regular session on May 12, 1930, Present: Wm. A. Carlson, Chairman, James S. Ogilvie, and S. K. Clark, Members of the Board, Harley C. Greble, County Clerk and Robert L. Hanns, Deputy County Clerk and Clerk of the Board of County Commissioners.

This being the day prescribed by law for canvassing the returns of the election held on the thirtieth day of April, 1930, for the formation and organization of the proposed "The Big Bend Drainage District", the Board proceeded to canvass said returns, and upon the completion of the said canvass the following resolution was offered by Commissioner James S. Ogilvie, who moved its adoption, and the said motion, being seconded by Commissioner S. K. Clark, the said motion was put to a vote and unanimously adopted, to-wit:

BE IT RESOLVED BY THE BOARD OF  
COUNTY COMMISSIONERS IN WELD COUNTY IN  
THE STATE OF COLORADO.

THAT, WHEREAS, On the 7th day of April, A.D., 1930, at a regular session of said board, James A. Stewart, Fred Root and J. M. Paris, constituting a committee of petitioners selected for that purpose, appeared before the said Board and presented a petition for the formation and organization of a drainage district under the proposed name of "The Big Bend Drainage District", under the terms and provisions of an act of the General Assembly of the State of Colorado, entitled "An Act To Provide For The Organization And Government of Drainage Districts", approved June 2, 1911, and the acts amendatory thereof; and,

WHEREAS, The hearing on said petition was continued until April 9, 1930, said petition reciting and showing, among other things, that the lands proposed to be embraced in said district were situated wholly in the County of Weld, State of Colorado, and that no portion of said lands lie without the boundaries of said County; and,

WHEREAS, Said petition further recited that each of the petitioners was the owner of the lands within the said proposed district and contained a general description of the boundaries of the said proposed district, as well as the proposed system of drainage, and a statement that the lands within said proposed district were not, at present, fully cultivable or useful, and that they can be made more productive and useful by drainage, and contained various other recitals, as by reference to said petition, now on file with the Clerk of this Board, will more fully appear, and prayed that said Board proceed in the matter of the organization of said district under the terms of said Act; and,

WHEREAS, Said petition was accompanied by a plat of the proposed drainage district, as required by the terms of said Act, and said committee, previous to said date of presentation gave and published notice of such presentation as required by said Act, proof of which was filed with the said Board; and said committee also filed with said Board a good and sufficient bond as required by said Act; and,

WHEREAS, This Board did thereupon, upon the ninth day of April, 1930, proceed to examine said petition and the proofs and testimony presented in support thereof, and heard the objections thereto and petitions for the exclusion of lands therein in said proposed drainage district, and there being no petitions for inclusion of lands in said proposed drainage district, and, after due consideration of each and all of said matters, did on said day, make findings, as by the records of this Board of said date will at length appear, and, thereupon, made and entered of record in the minutes of said Board an Order allowing the prayer of said petition, and calling an election of the qualified electors of said proposed district, to be held on the thirtieth day of April, 1930, for the purpose of determining whether or not said district should be organized under the terms and provisions of the Act aforesaid, and the Acts amendatory thereof, for the purpose of electing three directors therefor; and,

WHEREAS, By the order last aforesaid, the said board of County Commissioners defined and established the boundaries of said proposed drainage district as specified in the notice of said election, which notice is hereinafter set out in full, and designated the name of said district as "The Big Bend Drainage District," and,

WHEREAS, Pursuant to said order, the said Board of County Commissioners caused a notice of said election, signed by the Chairman of said Board, and attested by the County Clerk of Weld County, Colorado, under the seal of said County, to be published for a period of two weeks, preceding said election in the Greeley Daily Tribune and The Greeley Republican, a newspaper of general circulation printed and published within said Weld County, in the State of Colorado; and,

WHEREAS, Due and legal proof of such publication of said notice has been made and filed in the office of the Clerk of this Board by the publisher of said newspaper, which notice and proof of publication is as follows, to-wit:

"AFFIDAVIT OF PUBLICATION

"State of Colorado, )  
                          O ss.  
County of Weld.     )

"I, CHAS. HANSEN of said County of Weld, being duly sworn, say that I am one of the publishers of THE GREELEY DAILY TRIBUNE, and THE GREELEY REPUBLICAN; that the same is a daily newspaper of general circulation and printed and published in the City of Greeley, in said County and state; that the notice or advertisement, of which the annexed is a true copy, has been published in said daily newspaper for three consecutive weeks; that the notice was published in the regular and entire issue of every number of said newspaper during the period and time of publication of said notice, and in the newspaper proper and not in a supplement thereof; that the first publication of said notice was contained in the issue of said newspaper bearing date 14th day of April, A.D., 1930; and the last publication thereof, in the

-4-

"Notice is hereby given that at a regular meeting of The Board of County Commissioners of Weld County, Colorado, held in the Court house in Greeley, in said County and State, at 10:00 o'clock A.M., on the ninth day of April, A.D., 1930, pursuant to a due adjournment of the regular April meeting of said Board, a petition was presented to the said Board by James A. Stewart, Fred Root and J. M. Faris, constituting the committee of three petitioners selected by the petition for the purpose, praying that said Board cause the question of the organization of the proposed "The Big Bend Drainage District," to be submitted to a vote of the owners of the lands lying within the boundaries thereof, to determine, fix and designate the boundaries thereof as required by law, and to do each and everything necessary and needful prescribed by law looking to the organization of the said proposed drainage district all under the provisions of an Act of the General Assembly of the State of Colorado, entitled "An Act To Provide for the Organization and Government of Drainage Districts," approved June 2, 1911, as the same has been amended by said General Assembly. There was also filed by said committee with said Board at said time and place, proof of the due publication of the notice of the presentation of the same, together with a bond duly executed according to law conditioned for the payment of the preliminary expenses incident to the organization of said District in the event that the organization of the same was not finally effected, which bond was ordered filed and approved.

"That said Board thereupon considered said petition and examined the same and the Board found that the petition together with a notice signed by a committee of the petitioners selected by the petition for that purpose had been duly given and pub-



lished as required by law, and that said petition has been signed by the requisite number of petitioners as required by said "ACT" as amended and that said petition was accompanied by a good and sufficient bond as provided by law which said bond was approved by said Board, and that said petitioners had complied in all respects with the requirements of said "Act" as amended, preliminary to and at the presentation of the said petition and the hearing thereon.

"The Board, therefore, and thereupon, ordered that the prayer of the said petition be allowed, and that the said proposed district be designated and named "The Big Bend Drainage District," and that the boundaries of said proposed District shall be determined, defined and established as follows, to-wit:

"Beginning at the center quarter corner of Section Twenty-three (23), Township four (4) North, of Range Sixty-six (66), West of the Sixth Principal Meridian; thence West one-fourth ( $1/4$ ) mile; thence North one-half ( $1/2$ ) mile to the North line of Section twenty-three (23); thence East to a point 913.65 feet East of the North Quarter corner of Section twenty-three (23); thence North four hundred ninety-four and  $8/10$  (494.8) feet to the East right-of-way line of The Union Pacific Railroad Company; thence in a Northeasterly direction along the East line of the right-of-way of the U. P. R. R. Co. to the quarter quarter corner on the North and South quarter section line of Section fourteen (14), Township four (4) North, of Range Sixty-six (66), West of the Sixth P.M.; thence East one and one-fourth ( $1\ 1/4$ ) miles; thence North three-fourths mile; thence East one-fourth ( $1/4$ ) mile; thence North 1527 feet; thence South  $64^{\circ}\ 00'$  East 542 feet; thence South  $56^{\circ}\ 00'$  East thirty-six (36) feet; thence North  $11^{\circ}\ 58'$  East two hundred eighty-two (282) feet; thence North  $12^{\circ}\ 58'$  West one hundred sixty-six (166) feet; thence North  $1^{\circ}\ 30'$  East one hundred fifty-five (155) feet; thence North  $2^{\circ}\ 35'$  West two hundred sixty-six (266) feet; thence North  $16^{\circ}\ 54'$  East eighty-eight (88) feet; thence North  $55^{\circ}\ 30'$  East one hundred ninety-eight (198) feet; thence North  $40^{\circ}\ 13'$  East two hundred ninety-eight (298) feet; thence North  $73^{\circ}\ 38'$  East two hundred eighty-two (282) feet; thence North  $37^{\circ}\ 23'$  East thirty-three (33) feet; thence North  $13^{\circ}\ 02'$  East four hundred seventeen (417) feet; thence North  $59^{\circ}\ 57'$  East one hundred seventy-eight (178) feet; thence North  $6^{\circ}\ 42'$  West one hundred eighty-one (181) feet; thence South  $62^{\circ}\ 10'$  East one thousand two hundred sixty-three (1263) feet to the center quarter

corner of Section seven (7), Township four (4) North, of Range sixty-five (65) West of the Sixth Principal Meridian; thence North one (1) mile; thence East one-fourth ( $1/4$ ) mile; thence South sixty (60) feet; thence South  $31^{\circ} 40'$  East nine hundred forty (940) feet; thence South  $68^{\circ} 43'$  East eight hundred (800) feet; thence South  $51^{\circ} 05'$  East two hundred (200) feet; to the east line of Section six (6), Township four (4) North, of Range Sixty-five (65), West of the Sixth P.M., one thousand two hundred forty-five (1245) feet south of the East quarter corner; thence South to the Southeast corner of Section six (6), Township four (4) North of Range sixty-five (65) West of the Sixth P.M.; thence South one-fourth ( $1/4$ ) mile; thence East one-half ( $1/2$ ) mile; thence North ( $1/4$ ) one-fourth mile; thence East one-half ( $1/2$ ) mile; thence South one-half ( $1/2$ ) mile; thence West one-half ( $1/2$ ) mile; thence South three-fourths ( $3/4$ ) mile; thence West one-half ( $1/2$ ) mile; thence South one-fourth ( $1/4$ ) mile; thence West three-fourths ( $3/4$ ) mile; thence South one-fourth ( $1/4$ ) mile; thence West one-fourth ( $1/4$ ) mile; thence South one-half ( $1/2$ ) mile; thence West one (1) mile; thence South one-fourth ( $1/4$ ) mile; thence West one-half ( $1/2$ ) mile; to place of beginning.

"The Board further found that there should be but one election district and but one election precinct therein and that said petition did not and does not request that the said proposed District should be divided into three divisions and that the boundaries of the said election District shall be the same as the boundaries of said proposed drainage district.

"The Board also then and there established and designated as the polling place within said District the school house of Big Bend School District, No. 29,

"It was further ordered by the Board of County Commissioners that an election of qualified electors of said proposed District be called and held on the thirtieth day of April, A.D., 1930, for the purpose of determining whether said District shall be organized under the provisions of the said "Act" as amended and for the purposes of electing three directors who shall be owners of land within said District by the qualified electors of the whole District, and that public notice of such election be published in The Greeley Daily

Tribune and The Greeley Republican, a daily newspaper published in Weld County, Colorado, two weeks in issues thereof, once a week for three issues, prior to said election.

"That the names of three or more persons eligible for directors of said District to be voted for directors therein, were designated and submitted by said Board as follows: P. A. Cogburn, James A. Stewart, Fred Root, J. M. Faris and Otto Hertz.

"That Albert Finley, Charles Root and W. L. Carroll, qualified electors in said proposed district, are hereby named to act as Judges of said Election.

"NOW, THEREFORE, Pursuant to the provisions of said "Act" as amended and the said orders of the said Board, notice is hereby given that an election will be held in said proposed District as hereinbefore bounded and described, of the qualified electors within the said proposed district, that is to say: of the owners of land within the said boundaries of said District, as above determined and defined, being citizens of the United States, or those who have declared their intention to become citizens of the United States and reside within the State of Colorado, on the thirtieth day of April, A.D., 1930, at the polling place hereinbefore designated between the hours of eight o'clock a.m. and six o'clock p. m., of said day for the purpose of determining whether or not said proposed "The Big Bend Drainage District" shall be organized and formed under the provisions of said "Act" as amended, under said name and within the boundaries hereinbefore stated, and for the purpose of electing three directors of said District and the ballots to be cast at said election on the question of the formation of said District shall be substantially as follows:

"Drainage District--Yes" or "Drainage District--No" and shall also contain the names of the persons to be voted for as members of The Board of Directors of said District.

"Each qualified elector under said "Act" as amended may vote for three directors from said District and shall indicate his vote by placing a marginal cross upon the ballot for or against any question submitted thereat or name voted upon and opposite thereto.

"The Board of County Commissioners of the County of Weld and State of Colorado.

"By WM. A. CARLSON,  
Chairman.

"ATTEST:

H. C. GRABLE,  
County Clerk and Recorder.  
By R. E. HANNA,  
Acting Clerk of the Board.

(SEAL OF WELD COUNTY)."

WHEREAS, Said Order of this Board made and entered on the ninth day of April, 1930, as aforesaid, it was declared that said district should not be divided into separate precincts, but that there should be but one voting place therein, which was by said order designated as set forth in said notice of election; and, also, by said Order, said Board of County Commissioners, named Judges of election, and also named qualified candidates for directors of such district, as in said notice specified; and,

WHEREAS, On the said 30th day of April, 1930, said election was accordingly duly held at the time and place specified in said order and notice, and in all respects as required by law, and by the terms of said notice; and at said time and

place all of said Judges of election were personally present and the said Albert Finley, Charles Root and W. L. Carroll, qualified as such Judges of election, and at said time and place the voters and qualified electors as provided by said Drainage District Act, assembled and voted by ballot on the question submitted, as to the formation and organization of said drainage district, and for the directors of said district, as required by said act and the said notice of election; and,

WHEREAS, Now, on the twelfth day of May, A.D., 1930, the same being the second Monday after said election of April 30, 1930, at a regular meeting of the Board of County Commissioners, of Weld County, Colorado, said Board having met for the purpose of canvassing the vote cast at said election, proceeded to canvass the same;

NOW, THEREFORE, Said Board having fully canvassed said election, and the returns thereof, and the votes cast thereat, finds from said canvass as follows:

FIRST: That the total number of persons voting and casting ballots at said election was twenty-seven, and that each person casting a ballot at said election was a duly qualified elector for said election, under the terms, provisions and requirements of said Drainage District Act, and the acts amendatory thereof;

SECOND: That the total number of ballots cast at said election was twenty-seven; that nineteen of said ballots were "Drainage District--Yes", and that eight of said ballots were "Drainage District--No", and that a majority of the votes cast at said election were, and are, "Drainage District--Yes", and in favor of the organization of said district."

THIRD: That the following persons were balloted for at said election for directors of said District, and they received, respectively, the number of votes set opposite the name of each, to-wit:

P. A. Cogburn-----14

James A. Stewart-----21

Fred Root-----20

J. M. Feris-----13

Otto Hartz-----11

and that James A. Stewart, Fred Root and P. A. Cogburn received, respectively, the highest number of votes cast at said election for the office of director of said drainage district;

FOURTH: That said election was in all respects duly called, held and conducted as provided by said drainage district Act;

IT IS, THEREFORE, HEREBY ORDERED AND DECLARED, By said Board of County Commissioners of said County, Colorado, that the said "The Big Bend Drainage District" as described and bounded in and by said order of this board, made and entered on the ninth day of April, 1930, and in said notice of election, has been and now is, duly organized, under the name and style of "The Big Bend Drainage District", under the terms and provisions of an Act of the General Assembly of the State of Colorado, entitled "An Act to Provide for the Organization and Government of Drainage Districts," approved June 2, 1911, and the acts amendatory thereof;

IT IS FURTHER HEREBY ORDERED AND DECLARED, By said Board of County Commissioners by virtue of the foregoing premises, that James A. Stewart, Fred Root and P. A. Cogburn

have been duly elected directors of the said "The Big Bend Drainage District", and that they are accordingly authorized, and by said Act they are required to qualify as such directors, and thereupon to organize into a Board of Directors for the said "The Big Bend Drainage District" and to enter upon the discharge of their duties as said Board.

IT IS FURTHER HEREBY ORDERED, That a certified copy of this order, together with a copy of the plat of the said "The Big Bend Drainage District", be forthwith filed with the County Clerk of said County, Colorado.

There being no further business to come before the Board, the same was on motion duly made and seconded, adjourned.

APPROVED:

W<sup>m</sup> A Carlson  
Chairman.

ATTEST:

H. C. Grable

County Clerk.

By,

R. Hanna

Clerk of the Board of County  
Commissioners.

ORDER OF THE  
BOARD OF COUNTY COMMISSIONERS

Organizing the

BIG BEND DRAINAGE DISTRICT

STATE OF COLORADO )  
COUNTY OF WELD } ss.

I HEREBY CERTIFY THAT THIS INSTRUMENT  
WAS FILED FOR RECORD IN MY OFFICE AT

OCCOCK, Ia. \_\_\_\_\_  
IS \_\_\_\_\_ AND IS DULY RECORDED IN BOOK NO.

\_\_\_\_\_, PAGE \_\_\_\_\_

\_\_\_\_\_  
RECORDER

BY \_\_\_\_\_  
DEPUTY

FEE \$ \_\_\_\_\_