

CERTIFICATE OF AUTHENTICITY

STATE OF COLORADO)
)
TOWN OF WINDSOR) SS:
)
COUNTY OF WELD)
COUNTY OF LARIMER)

I, Catherine M. Kennedy, Town Clerk, for said Town of Windsor, in the County of Weld, and County of Larimer in the State aforesaid, do hereby certify that the attached is a true and correct copy of:

ORDINANCE NO. 2006-1257 - Ordinance of the Town of Windsor, Colorado, Approving the First Amendment to the Consolidated Service Plan for Windshire Park Metropolitan Districts Nos. 1 and 2.

This Ordinance was introduced, read, and ordered published by the Town Board of the Town of Windsor, Colorado, upon a motion duly made, seconded and passed on first reading at its meeting held on the 28th day of August, 2006.

The Ordinance was finally adopted, passed, approved and ordered published by title with any amendments by the Town Board of the Town of Windsor, Colorado, upon a motion duly made, seconded and passed on second reading at its meeting held on the 11th day of September, 2006.

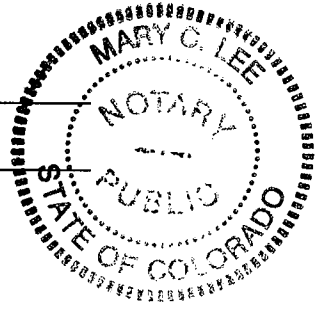
In witness whereof, I have hereunto set my hand and the seal of the Town of Windsor, this 28th day of September, 2006.



Cathy M Kennedy
Catherine M Kennedy
Town Clerk
Town of Windsor

Signed by CATHY M. KENNEDY before me this 28TH day of SEPTEMBER, 2006

Notary Public: Mary C. Lee
My Commission Expires: 9-2-2007



TOWN OF WINDSOR, COLORADO

ORDINANCE NO. 2006-1257

BEING AN ORDINANCE OF THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, APPROVING THE FIRST AMENDMENT TO THE CONSOLIDATED SERVICE PLAN FOR WINDSHIRE PARK METROPOLITAN DISTRICTS NOS. 1 AND 2

WHEREAS, the Town of Windsor, Colorado (the "Town"), is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, the members of the Windsor Town Board (the "Town Board") have been duly elected, chosen and qualified; and

WHEREAS, pursuant to the provisions of the "Special District Control Act", Part 2 of Article 1, Title 32, C.R.S, the Town Board approved the Consolidated Service Plan ("Service Plan") for Windshire Park Metropolitan Districts Nos. 1 and 2 (the "Districts") on July 11, 2005; and

WHEREAS, pursuant to Section 32-1-207(2), C.R.S., the representatives of the Districts submitted to the Town Board a First Amendment to the Service Plan, which amendment grants the Districts with the power to provide covenant enforcement and design review services within the Districts' boundaries in accordance with Section 32-1-1004(8), C.R.S.; and

WHEREAS, pursuant to Sections 32-1-203 and 204.5, C.R.S., as amended, the First Amendment to the Service Plan for the Districts has been reviewed and recommended for approval by the Town Attorney and Town Planning Department, and has now been submitted to the Town Board for the Town of Windsor, Colorado (the "Town Board") for its final approval; and

WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., as amended, and Article IV of the Town Charter, the Town Board introduced and approved this ordinance on the First Amendment to the Service Plan (the "Ordinance") at the first reading at the meeting of the Town Board held on August 28, 2006 at 7:00 p.m. and at the second reading at the meeting of the Town Board held on September 11, 2006 at 7:00 p.m.; and

WHEREAS, notice of the date, time and location and purpose of the Ordinance was duly posted by the Town as required by the Town Charter, and forwarded to the petitioners as well as the Division of Local Government as required by law; and

WHEREAS, prior to taking final action on this Ordinance, the Town Board did on August 28, 2006, permit public comments on the ordinance, and held a vote to adopt this Ordinance and take such other action as it deems appropriate; and

WHEREAS, the Town Board has considered the First Amendment to the Service Plan, and all other testimony and evidence presented at the first and second reading of this Ordinance; and

WHEREAS, the Town Board's approval of the First Amendment to the Service Plan is subject to and based upon those conditions and limitations contained in the First Amendment to the Service Plan and attached to this Ordinance, if any.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO:

Section 1. The Town Board hereby determines that all of the jurisdictional and other requirements of Section 32-1-207(2), C.R.S., the Service Plan, and the Town Charter have been fulfilled, including those relating to the filing and form of the First Amendment to the Service Plan and that notice and/or posting of the public meetings on this Ordinance was given in the time and manner required by law and the Town Charter.

Section 2. The Town Board further determines that all pertinent facts, matters and issues were submitted at the first and second reading of this Ordinance; that all interested parties were heard or had the opportunity to be heard; and, that evidence satisfactory to the Town Board was presented.

Section 3. The Town Board hereby grants and approves by this Ordinance the First Amendment to the Service Plan. The services and facilities to be provided by the Districts and the powers provided by the Districts shall be subject to the limitations expressed in the Service Plan and First Amendment to the Service Plan. Any material departure by the Districts from the provisions of the Service Plan and First Amendment to the Service Plan must be approved by resolution or ordinance of the Town Board as applicable.

Section 4. The officers of the Town are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 5. This Ordinance shall take effect ten (10) days after publication following final adoption.

Section 6. Repealer. All acts, orders, resolutions, or parts thereof, of the Town that are inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

Section 7. Severability. Should any part or provision of this Ordinance be adjudged unenforceable or invalid, such judgment shall not affect, impair, or invalidate

the remaining provisions of this Ordinance, it being the intention that the various provisions hereof are severable.

Section 8. The Town Clerk is hereby directed to advise the representatives of the Districts in writing of this action and to attach a certified copy of this Ordinance for the purpose of filing the same with the District Court of Weld County.

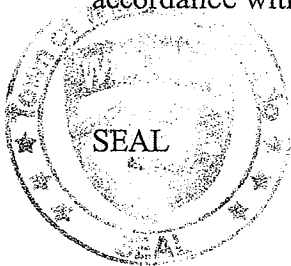
Section 9. Any reconsideration of this Ordinance is hereby waived.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE 28th DAY OF AUGUST, 2006.

TOWN BOARD
TOWN OF WINDSOR

By: *Edward M. Starck*
EDWARD STARCK, Mayor

I hereby certify that the above Ordinance was introduced to the Town Board of the Town of Windsor at its meeting of August 28, 2006, and posted or published in accordance with the Town Charter on August 31, 2006.



ATTEST:

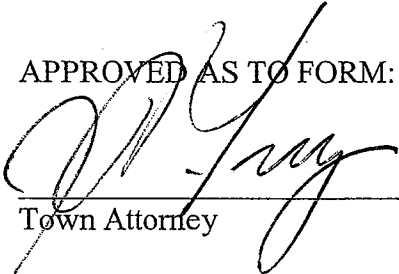
By: *Cathy M. Kennedy*
CATHY KENNEDY, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED AND ORDERED PUBLISHED BY TITLE AND WITH ANY AMENDMENTS, BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE 11th DAY OF SEPTEMBER, 2006, BY A VOTE OF 7 IN FAVOR AND 0 AGAINST.

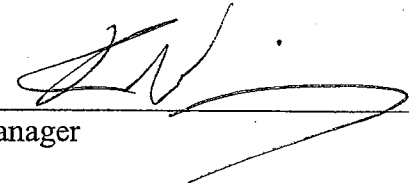
TOWN BOARD
TOWN OF WINDSOR

By: *Edward M. Starck*
EDWARD STARCK, Mayor

APPROVED AS TO FORM:



Town Attorney

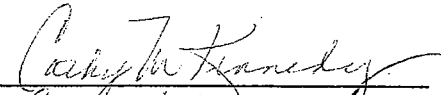


Town Manager

I hereby certify that the above Ordinance was finally adopted by the Town Board of the Town of Windsor at its meeting of the 11th day of September, 2006, and published by title only, with amendments if any, one time by the *Windsor Beacon* newspaper on September 14, 2006.



ATTEST:

By: 

Cathy M. Kennedy, Town Clerk

Windsor Beacon

BEING AN ORDINANCE OF THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, APPROVING THE FIRST AMENDMENT TO THE CONSOLIDATED SERVICE PLAN FOR WINDSHIRE PARK METROPOLITAN DISTRICTS NOS. 1 AND 2

WHEREAS, the Town of Windsor, Colorado (the "Town"), is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, the members of the Windsor Town Board (the "Town Board") have been duly elected, chosen and qualified; and

WHEREAS, pursuant to the provisions of the "Special District Control Act", Part 2 of Article 1, Title 32, C.R.S., the Town Board approved the Consolidated Service Plan ("Service Plan") for Windshire Park Metropolitan Districts Nos. 1 and 2 (the "Districts") on July 11, 2005; and

WHEREAS, pursuant to Section 32-1-207(2), C.R.S., the representatives of the Districts submitted to the Town Board a First Amendment to the Service Plan, which amendment grants the Districts with the power to provide covenant enforcement and design review services within the Districts' boundaries in accordance with Section 32-1-1004(8), C.R.S.; and

WHEREAS, pursuant to Sections 32-1-203 and 204.5, C.R.S., as amended, the First Amendment to the Service Plan for the Districts has been reviewed and recommended for approval by the Town Attorney and Town Planning Department, and has now been submitted to the Town Board for the Town of Windsor, Colorado (the "Town Board") for its final approval; and

WHEREAS, pursuant to the provisions of Title 32, Article 1, C.R.S., as amended, and Article IV of the Town Charter, the Town Board introduced and approved this ordinance on the First Amendment to the Service Plan (the "Ordinance") at the first reading at the meeting of the Town Board held on August 28, 2006 at 7:00 p.m. and at the second reading at the meeting of the Town Board held on September 11, 2006 at 7:00 p.m.; and

WHEREAS, notice of the date, time and location and purpose of the Ordinance was duly posted by the Town as required by the Town Charter, and forwarded to the petitioners as well as the Division of Local Government as required by law; and

WHEREAS, prior to taking final action on this Ordinance, the Town Board did on August 28, 2006, permit public comments on the ordinance, and held a vote to adopt this Ordinance and take such other action as it deems appropriate; and

WHEREAS, the Town Board has considered the First Amendment to the Service Plan, and all other testimony and evidence presented at the first and second reading of this Ordinance; and

WHEREAS, the Town Board's approval of the First Amendment to the Service Plan is subject to and based upon those conditions and limitations contained in the First Amendment to the Service Plan and attached to this Ordinance, if any.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO:

Section 1. The Town Board hereby determines that all of the jurisdictional and other requirements of Section 32-1-207(2), C.R.S., the Service Plan, and the Town Charter have been fulfilled, including those relating to the filing and form of the First Amendment to the Service Plan and that notice and/or posting of the public meetings on this Ordinance was given in the time and manner required by law and the Town Charter.

Section 2. The Town Board further determines that all pertinent facts, matters and issues were submitted at the first and second reading of this Ordinance; that all interested parties were heard or had the opportunity to be heard; and, that evidence satisfactory to the Town Board was presented.

Section 3. The Town Board hereby grants and approves by this Ordinance the First Amendment to the Service Plan. The services and facilities to be provided by the Districts and the powers provided by the Districts shall be subject to the limitations expressed in the Service Plan and First Amendment

STATE OF COLORADO)
) ss: AFFIDAVIT OF PUBLICATION
COUNTY OF WELD)

Linda Reyez, being duly sworn, deposes and says that said is the legal clerk of the Windsor Beacon; that the same is a weekly newspaper of general circulation and printed and published in the Town of Windsor, in said county and state; that the notice or advertisement, of which the annexed is a true copy, has been published in said weekly newspaper for

1 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 on

August 31, 2006, A.D.;

that the last publication thereof was contained in the issue of said newspaper on

August 31, 2006, A.D.;

that said Windsor Beacon has been published continuously and uninterrupted during the period of at least six months next prior to the first publication of said notice or advertisement above referred to; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof; and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

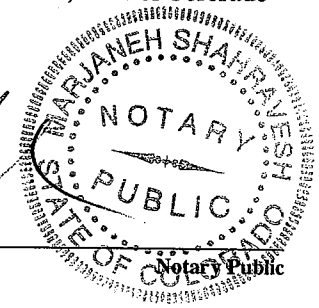
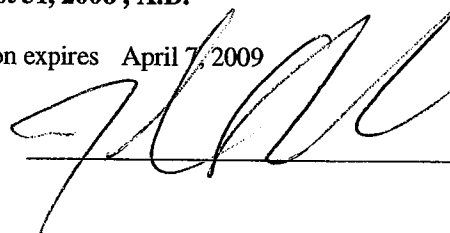


Legal Clerk

Subscribed and sworn to before me, within the County of Weld, State of Colorado this

August 31, 2006, A.D.

My Commission expires April 7, 2009



Legal No. 32868590

Delivered to:
Town of Windsor
301 Walnut St.
Windsor, CO 80550