PROOF OF PUBLICATION

STATE OF COLORADO }
COUNTY OF SUMMIT } ss

I, [signature]
being duly sworn, deposes and says

1. That he is the publisher of the Summit County Journal, a weekly newspaper printed and published in the Town of Breckenridge, County of Summit and State of Colorado.

2. That the said Summit County Journal is printed and published at regular intervals, one time each week, on Friday, and that it has a general circulation in the County of Summit and elsewhere.

3. That the said Summit County Journal has been published in said County un-interruptedly and continuously in said Summit County, for a period of more than fifty-two weeks next prior to the first publication of the annexed legal notice entitled Ordinance No. 65A.

4. That the said newspaper has been admitted to the United States Mails as second class matter under the provisions of the Act of Congress of March 3, 1879, or any amendments thereof.

5. That the said the Summit County Journal is a weekly newspaper within the meaning of the Act of the General Assembly of the State of Colorado, Session Laws of the State of Colorado, 1935, entitled: "A Bill for an Act relating to legal notices and advertisements, and amending Section 1 of Chapter 13, Session Laws of 1931," being Chapter 155, Session Laws of Colorado, 1935.

6. That the annexed legal notice entitled Ordinance No. 65A was published in the regular and entire issue of every number of said newspaper once each week on the same day of each week, for one week by one insertion and that the first publication thereof was in the issue dated March 25th, A.D. 1938.

[signature]

Subscribed and sworn to before me this 28th day of March, A. D. 1936.

My commission expires March 6, 1939.

Mabel Lund
Notary Public.

(SEAL)

ORDINANCE No. 65A

AN ORDINANCE TO CONTRACT AN INDEBTEDNESS ON BEHALF OF THE TOWN OF BRECKENRIDGE, COLORADO, AND UPON THE CREDIT THEREOF, BY ISSUING BONDS OF SAID TOWN TO THE AMOUNT OF EIGHT THOUSAND DOLLARS ($8,000) FOR THE CONSTRUCTION, IMPROVEMENT AND EXTENSION OF WATERWORKS FOR FIRE AND DOMESTIC PURPOSES, PRESCRIBING THE FORM OF SAID BONDS AND PROVIDING FOR THE LEVYING OF TAXES TO PAY THE SAME, PRINCIPAL AND INTEREST, AND DECLARING AN EMERGENCY.

WHEREAS, a majority of the voters of the Town of Breckenridge who were taxpayers under the law, voting on the question at an election held in and for the Town of Breckenridge, on the 26th day of July, A. D. 1920, by their vote approved and authorized the Town Board of Trustees, to erect a system of waterworks for fire and domestic purposes, the same to be owned and operated by the Town; and

WHEREAS, the present water system is inadequate for the said Town and the inhabitants thereof, and in order that the present and future needs of the people may be met, it is necessary to erect and construct additions, extensions and improvements to the said water system in order to supply the said town and the inhabitants thereof with a proper and adequate supply of water; and

WHEREAS, there are not sufficient funds in the Treasury of said Town to provide for the necessary additions, extensions and improvements to said water system, and the Board of Trustees deems it advisable and necessary to issue cupon bonds of the said Town to supply the said Town and its inhabitants with water, as hereinafter set forth;

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

Section 1. That for the purpose of providing funds for the extension and improvement of the Town of Breckenridge waterwork system, as originally contemplated and authorized by the Town of Breckenridge, the Town shall issue the negotiable cupon bonds thereof in the aggregate amount of Eight Thousand Dollars ($8,000), consisting of sixteen (16) bonds in the denomination of Five Hundred Dollars ($500) each, payable in lawful money of the United States of America, and bearing interest from and after the first day of January, A. D. 1938, at the rate of two per centum (2%) per annum, payable semi-annually on the first day of January and the first day of July, in each year, and evidenced by interest cupons attached to said bonds. Said bonds shall be numbered in regular and consecutive order, commencing with number one (1) and shall be due on January 1st, A. D. 1948, and shall be redeemable serially, $1,000 of bonds on January 1st of each of the years 1939 to 1946, both inclusive. Said bonds and the cupons attached thereto shall be payable at the office of the State Treasurer, in the City of Denver, Colorado. Said bonds shall bear date the first day of January, A. D. 1938, and shall be signed by the Mayor, attested by the Town Clerk under the official seal of said Town, countersigned by the Town Treasurer, and shall be recorded in a book to be kept by the said Town Clerk for that purpose; all cupons shall bear the facsimile signature of the Treasurer of said Town.

Section 2. That the said bonds and the cupons thereto attached shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF COLORADO
COUNTY OF SUMMIT

TOWN OF BRECKENRIDGE

BRECKENRIDGE WATER EXTENSION BOND SERIES

OF JANUARY 1, 1938

No.—— $500.00

The Town of Breckenridge, in the County of Summit and State of Colorado, for value received, acknowledges itself indebted and hereby promises to pay to bearer

FIVE HUNDRER DOLLARS

in lawful money of the United States of America, on the first day of January, A. D. 1948, with interest thereon at the rate of Two Per Centum (2%) per annum, payable semi-annually on the first day of January and the first day of July in each year, upon presentation and surrender of the annexed cupons and this bond as they severally become due, both principal and interest being payable at the office of the State Treasurer, in Denver, Colorado.

This bond is redeemable on and after January 1, 19—.

This bond is issued by the Board of Trustees of the Town of Breckenridge for the purpose of supplying said Town with water, under the authority of and in full conformity with the Constitution of the State of Colorado, the provisions of Chapter CLXXIII, Compiled Laws of Colorado, 1921, and pursuant to an ordinance of said Town duly adopted, published and made a law of said Town prior to the issuance of this bond; and it is hereby certified and recited that all the requirements of law have been fully complied with by the proper officers in the issue of this bond, and that the total debt of the Town, including that of this bond, does not exceed any limit of indebtedness prescribed by the Constitution or laws of the State of Colorado, and that provision has been made for the levy of the State of Colorado, and that provision has been made for the levy and collection of an annual tax sufficient to pay the interest on this bond and [illegible] the principal thereof when the same become due.

The faith and credit of the Town of Breckenridge are hereby pledged for the punctual payment of the principal and interest of this bond.

IN TESTIMONY WHEREOF, the Board of Trustees of the Town of Breckenridge has caused this bond to be signed by the Mayor of said Town, attested by the Clerk thereof, under the seal of the Town and countersigned by its Treasurer, [illegible] first day of January, A. D. 1938.

George Robinson
Mayor

(SEAL)
ATTEST:
Ellen L. Marz
Town Clerk

COUNTERSIGNED:
Edith L. Marz
Town Treasurer

(FORM OF CUPON)

No.—— $5.00

July.
On the first day of January, A. D. 19—, (unless the bond to which this cupon is attached has been called for prior redemption), the Town of Breckenridge, in the County of Summit and State of Colorado, will pay to bearer

FIVE AND NO/100 DOLLARS

in lawful money of the United States of America, at the offices of the State Treasurer, in Denver, Colorado, being six months interest on its Water Extension Bond, Series of January 1st, A. D. 1938, bearing

No.——

Facsimile Signature
Town Treasurer

Section 3. That when said bonds have been duly executed as aforesaid the same shall be delivered by the Town Treasurer to the lawful purchaser thereof, and the funds raised thereby shall be applied solely to the purpose aforesaid, of the construction, improvement and extension of waterworks for fire and domestic purposes within and for said Town, and for no other purpose whatever, but the purchasers of said bonds shall in no manner be responsible for the application or disposal of any of the funds derived from the sale thereof by said Town or any of its officers.

Section 4. The interest falling due on said bonds on July 1st, A. D. 1938, and January 1st, A. D. 1939, shall be paid out of the general fund, and for the purpose of reimbursing said general fund and to meet the interest accruing on said bonds after January 1st, A. D. 1939, and for the purpose of creating a sinking fund for the ultimate redemption of said bonds, there shall be levied on all the taxable property in said Town, in addition to all other taxes, direct annual taxes sufficient to produce the following amounts, at the following times, to-wit:

Yr. of Levy	Prin.	Int.	Total
1938	$1,000	$304.	$1,304.
1939	800	128.	928.
1940	800	112.	912.
1941	800	96.	896.
1942	800	80.	880.
1943	800	64.	864.
1944	800	48.	848.
1945	800	32.	832.
1946	800	16.	816.

and said taxes, when collected, shall be applied solely to the purpose of the payment of the interest and principal of said bonds respectively, and for no other purpose whatever, until the indebtedness so contracted under this ordinance, both principal and interest, shall have been fully paid, satisfied and discharged; but nothing herein contained shall be so construed as to prevent said Town from applying any other funds that may be in the Town treasury and available for the purpose to the payment of said interest or principal as the same respectively mature, and the levy or levies herein provided for may thereupon to that extent be diminished.

And the sum hereinbefore provided to meet the interest on said bonds, and to discharge the principal thereof when due, are hereby appropriated for that purpose, and said amount for each year shall also be included in the annual appropriation bills passed by the Board of Trustees of said Town in each year respectively.

Section 5. It shall be the duty of the Board of Trustees of said Town, annually, at the time and in the manner provided by law for levying other Town taxes, if such action shall be necessary to effectuate the provisions of this ordinance, to ratify and carry out the provisions hereof with reference to the levying and collecting of taxes; and said Board shall require the officers of and for said Town to levy, extend and collect such taxes in the manner provided by law for the purpose of creating a fund for the payment of the principal of said bonds and the interest thereon, and such taxes, when collected, shall be kept for and applied solely to the payment of the interest and principal of said bonds as hereinbefore specified.

Section 6. All revenues derived from the operation of the municipal water system of the Town of Breckenridge, Colorado, after the payment of the cost of the operation and maintenance of said system, shall be irrevocably pledged to the payment of the principal and interest of said Water Extension Bonds of said Town, and upon application of such revenues to such purpose, the tax levies hereinbefore specified may be reduced as provided in Section 4 of this ordinance.

Section 7. All ordinances, bylaws and resolutions of the Town of Breckenridge, in conflict with this ordinance, are hereby repealed.

Section 8. After said bonds are issued, this ordinance shall be and remain irrepealable until said bonds and the interest thereon shall have been fully paid, satisfied and discharged as herein provided.

Section 9. This ordinance, immediately on its final passage, shall be recorded in the Town book of ordinances kept for that purpose, authenticated by the signatures of the Mayor and Clerk, and shall be published in the Summit County Journal, a newspaper published in Breckenridge, Colorado.

Section 10. By reason of the fact that the Town and its inhabitants are not properly or adequately supplied with sufficient water at the present time, it is hereby declared that an emergency exists, that this ordinance is necessary for the immediate preservation of the public peace and safety, and that it shall be in full force and effect five days after publication.

PASSED, ADOPTED AND APPROVED this 22nd day of March, A. D. 1938.

George Robinson
Mayor

(SEAL)
ATTEST:
Ellen L. Marz
Town Clerk

Published March 25, 1938