

ORDINANCE NO. 141

AN ORDINANCE ADOPTING A PLAN FOR THE ACQUISITION OF A MUNICIPAL WATERWORKS SYSTEM TO BE OWNED AND OPERATED BY THE TOWN OF CREEDE, COLORADO, AND DESCRIBING THE PROPERTY TO BE ACQUIRED, THE METHOD OF PAYMENT AND THE TOTAL OBLIGATIONS TO BE INCURRED

WHEREAS, The Board of Trustees of the Town of Creede, Mineral County, Colorado, deems it advisable and to the best interests of said Town and its inhabitants to acquire a waterworks system to be owned and operated by the Town; and

WHEREAS, Such public utility may not be acquired until a plan for such acquisition has been adopted by ordinance and such ordinance has been approved by a majority of the qualified property electors of the Town as shall in the next year preceding the year of election have paid a property tax thereon;

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

Section 1. The plan hereby adopted for the acquisition of a waterworks system is for the Town to secure a water supply at such elevation as to provide a proper gravity system and to install a flow line to the Town limits and a distribution system in said Town, together with valves, fire hydrants and necessary appurtenances.

Section 2. The property to be acquired in the accomplishment of said plan is as follows:

An 8 inch flow line approximately 4,600 feet in length from the source of supply, being the penstock at the power plant owned and operated by the Town. The source of supply for the penstock

is the constructed dam about 2,600 feet upstream from said power plant.

A distribution system consisting of 4 inch pipe approximately 15,000 feet long.

Approximately 18 fire hydrants.

Such connections, parts, appurtenances and equipment as may be required for a complete waterworks system for said Town.

Section 3. The full purchase price to be paid by the Town for the property to be acquired is Thirty Thousand Dollars (\$30,000.00).

Section 4. The method of payment for said property so to be acquired is by the issuance and sale of general obligation Water Bonds of said Town. Such bonds shall bear interest at the rate of Four and One-Quarter Per Centum ($4\frac{1}{4}\%$) per annum, payable semi-annually, and they shall mature serially during a period not exceeding fifteen (15) years after the date thereof and shall be redeemable at par plus a premium of Three Per Centum (3%), said premium to be payable only from the revenues derived from such water system.

Section 5. All revenues derived by the Town from the operation of its waterworks system, after paying the cost and expense of necessary repairs, operation and maintenance, shall be deemed and considered net revenue, and such net revenue shall be, and the same is hereby irrevocably pledged and shall be applied to the payment of indebtedness incurred for the purpose of supplying said Town with water and for the payment of premium on said bonds.

Section 6. All revenues derived by the Town from the operation of its electric light and power system, after paying the cost and

expense of necessary repairs, operation and maintenance, shall be deemed and considered net revenue, and such net revenue shall be, and the same is hereby irrevocably pledged for and shall be applied to the payment of the waterworks indebtedness evidenced by the said Water Bonds and the interest thereon.

Section 7. There shall be paid by the Town into the fund out of which said obligations are payable reasonable amounts for services to be rendered for municipal purposes.

Section 8. This ordinance shall not become effective until it has been approved by a majority of the qualified property electors of the Town as shall, in the next year preceding the year of election, have paid a property tax thereon.

ADOPTED AND APPROVED This 27th day of February,
A. D. 1940.

(SEAL)

W. S. Wilson
acting Mayor

ATTEST:

J. T. Jackson
Town Clerk

It was then moved by Trustee Leurke
and seconded by Trustee Beck that all rules
of this Board which might prevent, unless suspended, the final passage
and adoption of this ordinance at this meeting, be, and the same are
hereby suspended for the purpose of permitting the final passage and
adoption of this ordinance at this meeting.

The question being upon the adoption of said motion and the
suspension of the rules, the roll was called with the following result:

Those voting Aye: Trustees Water Beck Leary
French Lemke Johnson

Those voting Nay: None
Five members of the Board of Trustees having

voted in favor of said motion, the presiding officer declared said
motion carried and the rules suspended.

Trustee Leary then moved that said
ordinance be passed and adopted as read.

Trustee Leurke seconded the motion.

The question being upon the passage and adoption of said
ordinance, the roll was called with the following result:

Those voting Aye: Trustees Water Beck Leary
French Lemke Johnson

Those voting Nay: None.

The presiding officer thereupon declared that Leary
Trustees having voted in favor thereof, the said motion was carried
and the said ordinance duly passed and adopted.

On motion duly adopted, it was ordered that said ordinance
be numbered 141, and after approval by the Mayor, be pub-

lished and recorded according to law.

Thereupon, Trustees French introduced

the following ordinance, which was thereupon read in full and is as follows, to-wit: