

NOTICE AND ORDER FOR REMOVAL OF RUBBISH

Description of Property: The E ½ of Section 11, Township 46 N, Range 8 W, the NW ¼; the N ½ SW ¼ of Section 12, Township 46 N, Range 8 W; and the N ½ NE ¼ of Section 14, Township 46 N, Range 8 W.

County Assessor Parcel Numbers: 425511400010 and 425512200009

**To: Lawrence Gunn, Owner
Bertha Gunn, Life Estate Interest Holder**

Date: October 5, 2011

This Notice and Order for Removal of Rubbish (Notice and Order) is issued by the Ouray County Board of County Commissioners (Board) pursuant to Ouray County Ordinance 95-1. The illegal dumping of tires and other items of rubbish on the above property was considered by the Board at its regular meeting on October 4, 2011. Based upon the information obtained on that meeting and previous regular meetings at which this matter was discussed as agenda item, the Board has determined and found the following:

1. The above described property is under your control, possession or ownership and
2. You have permitted tires and other rubbish to accumulate on the above property and as a result, an unlawful condition exists in violation of Ordinance 95-1.

Pursuant to Ordinance 95-1 and by this Notice and Order, the Board requires you to:

1. Remove all rubbish, including all tires and associated rubbish, dumped by you or anyone one else, from the above property within twenty (20) days from the date of this Notice and Order.

OR

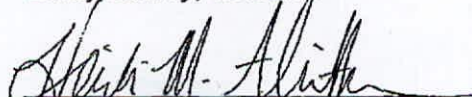
2. Appear before the Board within twenty (20) days from the date of this Notice and Order to show cause why said Order should not be enforced. Such show cause hearing shall be scheduled at 1:30 p.m. on October 25, 2011 at the 4-H Events Center, Ridgway, Colorado.


If you fail or refuse to remove such rubbish within twenty (20) days from the date of this Notice and Order or fail to change the decision of the Board at the show cause hearing, the Board shall have the authority to remove the rubbish, either by and through County forces, contract or otherwise. You will be liable and responsible for the costs of such removal.


If you fail to pay the costs of removal within five (5) days of removal, the whole cost, including five (5) percent for inspection and incidental costs in connection therewith, may be assessed upon the property from which such rubbish has been removed. Any such assessment shall be a lien against the property until paid and shall have priority over all other liens except general taxes and prior special assessments. In the event that the assessment is not paid with ninety (90) days from the date of removal of such rubbish by Ouray County, such assessment may be certified to the Ouray County Treasurer, who shall collect such assessment, together with a ten (10) percent penalty for the cost of collection, in the same manner as other taxes are collected.

APPROVED AND ISSUED THIS 4th DAY OF OCTOBER 2011.

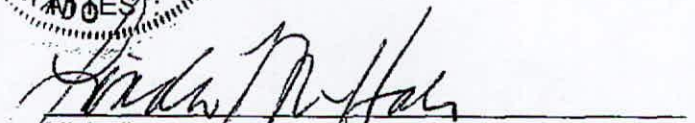
Board of County Commissioners of
Ouray County, Colorado


Heidi M. Albritton, Chair


Lynn M. Padgett, Vice-Chair


F. Mike Fedel, Commissioner Member




Michelle Nauer, Ouray County Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk to the Board

DURAY COUNTY BOARD OF COUNTY COMMISSIONERS
County/District Court DURAY County, Colorado
Case Number _____

Certificate of Service

I Warren L. Waterman, Civil Process Server state under oath that I am 18 years of age or older, I am not a party to this action and I have served a copy of the:

- | | |
|--|--|
| <input type="checkbox"/> Summons & Complaint | <input type="checkbox"/> Temporary/Permanent Protection Order |
| <input type="checkbox"/> Summons/Complaint/Answer | <input type="checkbox"/> Writ of Garnishment/Notice of Exemption/Levy |
| <input type="checkbox"/> Subpeona/Subpeona Duces Tecum | <input type="checkbox"/> Writ of Continuing Garnishment |
| <input type="checkbox"/> Summons & Petition | <input type="checkbox"/> Citation/Order to Show Cause |
| <input type="checkbox"/> Motion, Order, Interrogatories | <input type="checkbox"/> Summons & Complaint/Forcible Entry & Detainer |
| <input type="checkbox"/> Small Claims Notice/Claim/Summons | <input checked="" type="checkbox"/> Notice <u>AND ORDER FOR REMOVAL OF RUBBISH</u> |
| <input type="checkbox"/> Courier Service | <input checked="" type="checkbox"/> Other <u>DURAY COUNTY ORDINANCE 95-1</u> |

I declare under oath that I served the aforementioned papers in this case to LAWRENCE GUNN in MONTROSE County of Colorado, on the 5th day of OCT., 2011 at 6:45 P. M. at 17158 CHIPETA RD., MONTROSE, COLO.
By leaving with _____ related as _____, and is over the age of eighteen, at their usual place of abode.

By leaving with _____, Registered Agent or Designee for _____

Not Found Return

I attempted to serve _____ on _____ occasions, this _____ day of _____, 20 _____.

By: Warren L. Waterman
Warren L. Waterman, Civil Process Server

Subscribed and sworn to before me on 10-5-11
My commission expires: 3-19-15

Deborah L. Waterman
Notary Public
920 LAUREL LN.
Montrose, Colorado 81401

Waterman's Process Service
warrenwaterman@bresnan.net
Home Phone No.: (970) 249-1776
Cell Phone No.: (970) 596-4415