

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS  
OF THE PUEBLO CONSERVANCY DISTRICT

July 19, 1951

A Special Meeting of the Board of Directors of the Pueblo Conservancy District was held at the office of the District, 113 West Fifth Street at 1:30 P. M., o'clock on July 19, 1951.

Directors Present: John M. Holmes and Frank Pryor

The minutes of the meetings of March 14, 1951 and June 12, 1951 were read and approved.

Upon motion of Mr. Holmes, seconded by Mr. Pryor, the sale of Certificates listed below was approved because they were sold in a manner believed to be in the best interest of the District and the property holder:

Receipt Pages 479 - 497 inclusive

Certs. Nos.	101197	19.87	John P. Morgan etal
	102301; 103579; 104563; 105428	43.36	Mrs. May Helm
	98745	366.37	Leach Realty Co.
	103658; 105493	127.72	Aub. Ambrose
	103764	33.59	Harry A. Atwater
	101110; 102405; 103671	70.40	City of Pueblo
	101111; 102406; 103672	24.28	City of Pueblo
	101112; 102407; 103673	24.28	City of Pueblo
	101113; 102408; 103674	663.24	City of Pueblo
	101114; 102409; 103675	44.05	City of Pueblo
	101115; 102410; 103676	242.27	City of Pueblo
	101116; 102411; 103677	133.88	City of Pueblo
	101117; 102412; 103678	25.61	City of Pueblo
	101118; 102413; 103679	45.15	City of Pueblo
	101119; 102414; 103680	20.96	City of Pueblo
	101120; 102415; 103681	25.46	City of Pueblo
	101121; 102416; 103682	29.13	City of Pueblo
	101142; 102421; 103684	292.39	City of Pueblo
	75205; 77969; 90527; 87815;		
	85494; 88140; 90904; 92895;		
	94711; 96353; 97628; 98774;		
	100011; 101135; 102517; 103767;		
	104713; 105557	912.34	Abe & Rose Litvack

The following Vouchers were read and approved:

11781	J. E. Creel, County Treas.	.55
11782	Mt. St. Tel & Tel Co.	4.59
11783	John M. Holmes	110.00
11784	Charles M. Rose @Mar.	100.00
11785	Elbert D. Greene - Mar.	276.70
11786	Collector of Internal Revenue	48.30
11787	John M. Holmes	10.00
11788	Frank Pryor	10.00
11789	J. E. Creel, Co. Treas.	27.84
11790	J. E. Creel, Co. Treas.	10.00
11791	Ray H. Talbot, Postmaster	4.50
11792	J. E. Creel, Co. Treas.	2.00

RECORD OF PROCEEDINGS

100 LEAVES

11793	John M. Holmes	20.00
11794	Mt. St Tel & Tel Co.	12.46
11795	First National Bank of Pueblo	70,000.00
11796	First National Bank of Pueblo	1.25
11797	Charles M. Rose - Apr.	100.00
11798	Elbert D. Greene - Apr.	276.70
11799	Collector of Internal Revenue	48.30
11800	J. E. Creel, Co. Treas.	.55
11801	Blackburn Engineering Co.	3,382.67
11802	J. E. Creel, Co. Treas.	1.00
11803	Simon F. Elliot	90.00
11804	J. E. Creel, Co. Treas.	3,957.54
11805	John M. Holmes	10.00
11806	Pueblo Title Guaranty Co.	.55
11807	J. E. Creel, Co. Treas.	.55
11808	J. E. Creel, Co. Treas.	21.90
11809	First Natl Bank of Pueblo	7,125.00
11810	Mt. St. Tel & Tel Co.	4.59
11811	Abell-Beaty Agency	125.00 ✓
11812	Charles M. Rose - May	100.00
11813	Elbert D. Greene - May	276.70
11814	Collector of Internal Revenue	48.30
11815	John M. Holmes	10.00
11816	John M. Holmes	10.00
11817	J. E. Creel, Co. Treas.	9.00
11818	J. E. Creel, Co. Treas.	199.66
11819	John M. Holmes	10.00
11820	First Natl Bank of Pueblo	19,700.00
11821	John M. Holmes	20.00
11822	Mt. St Tel & Tel Co.	2.93
11823	Pueblo Title Guaranty Co.	30.00
11824	Charles M. Rose - June	100.00
11825	Elbert D. Greene - June	276.70
11826	Collector of Internal Revenue	48.30
11827	John M. Holmes	10.00
11828	J. E. Creel, Co. Treas.	10.00
11829	Underwood and Underwood	185.00
11830	John M. Holmes	10.00
11831	John M. Holmes	10.00
11832	Pueblo Title Guaranty Co.	7.50
11833	John M. Holmes	30.00
11834	Blackburn Engineering Co.	2,237.34
11835	John M. Holmes	10.00
11836	W. T. Mathis	10.00
11837	Frank Pryor	10.00
11838	John M. Holmes	10.00
11839	Frank Pryor	10.00

Greene submitted records of Certificates cancelled by Court Decree where property has been acquired by Tax Title based on delinquent General taxes. Cancellation records submitted are numbered 53 to 60 inclusive, which are attached hereto and made a part hereof. Greene reported that to the best of his knowledge these cancellations were in order. Upon motion of Mr. Holmes, seconded by Mr. Pryor, the cancellation of Taxes as shown on pink sheets Nos. 53 to 60 inclusive, were ratified and approved.

THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT DECREE

R. C. 232

Plaintiff FRANK MASCIANTONIO

Docket No. 34189 Conservancy File No. 892

Decree Entered 6/13/51

Description of Property:

Lot 7, Block 68, South Pueblo

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1930	61619	4.27	1941	94763	4.21
1931	64782	4.25	1942	96404	4.21
1932	70885	4.25	1943	97676	4.21
1933	75252	4.22	1944	98822	4.19
1934	78015	4.20	1945	100054	4.19
1935	90568	5.24	1946	101106	4.20
1936	87861	4.76	1947	102401	5.48
1937	85548	4.23	1948	103668	5.47
1938	88191	4.21	1949	104651	5.52
1939	90955	4.20	1950	105503	5.49
1940	92946	4.21			

Number Certs. Cancelled 21 Total Amount Cancelled \$ \$95.21

FUTURE ASSESSMENTS CANCELLED

19 51 to 1954, Inc. 4 years @ \$ 3.37 \$ 13.48

1955 - 1 year @ \$ .84 \$ .84

Total Future Cancelled \$ 14.32 \$ 14.32

Total Canc. Certs and Future Assess. \$ 109.53

THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT DECREE

R. C. 231

Plaintiff FRANK MASCIANTONIO

Docket No. 34189 Conservancy File No. 891  
Decree Entered 6/13/51  
Description of Property:

Lots 5 and 6, Block 68, South Pueblo

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1926	2382	11.87	1939	90954	6.94
1927	56285	6.99	1940	92945	6.92
1928	58130	7.00	1941	94762	6.92
1929	59829	6.98	1942	96403	6.94
1930	61618	6.98	1943	97675	6.94
1931	64781	6.99	1944	98821	6.91
1932	70884	6.98	1945	100053	6.95
1933	75251	6.92	1946	101105	6.93
1934	78014	6.90	1947	102400	8.19
1935	90567	8.80	1948	103667	8.19
1936	87860	7.85	1949	104650	8.21
1937	85547	6.93	1950	105502	8.19
1938	88190	6.91			

Number Certs. Cancelled 25 Total Amount Cancelled \$ 186.33

FUTURE ASSESSMENTS CANCELLED

19 51 to 1954, Inc. 4 years @ \$ 5.92 \$ 23.68

1955 - 1 year @ \$ 1.48 \$ 1.48

Total Future Cancelled \$ 25.16 \$ 25.16

Total Canc. Certs and Future Assess. \$ 211.49

THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT DECREE

R. C. 187

Plaintiff FRANK MASCIANTONIO

Docket No. 34189 Conservancy File No. 822

Decree Entered 6/13/51

Description of Property:

Lot 10, Block 58, South Pueblo

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1933	75213	19.61	1942	96365	19.63
1934	90410	26.60	1943	97635	19.61
1935	81084	19.50	1944	98784	19.50
1936	87826	22.42	1945	100020	19.54
1937	85506	19.59	1946	101073	19.54
1938	88153	19.64	1947	102371	20.82
1939	90916	19.59	1948	103639	20.82
1940	92907	19.63	1949	104628	20.82
1941	94723	19.61	1950	105486	20.82

Number Certs. Cancelled 18 Total Amount Cancelled \$ 367.29

FUTURE ASSESSMENTS CANCELLED

1951 to 1954, Inc. 4 years @ \$ 18.10 \$ 72.40

1955 - 1 year @ \$ 4.54 \$ 4.54

Total Future Cancelled \$ 76.94 \$ 76.94

Total Canc. Certs and Future Assess. \$ 444.23

THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT DECREE

R. C. 186

Plaintiff FRANK MASCIANTONIO

Docket No. 34189 Conservancy File No. 821

Decree Entered 6/13/51

Description of Property:

Lot 9, Block 58, South Pueblo

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1935	81083	110.95	1943	97634	111.47
1936	87825	127.80	1944	98783	110.96
1937	85505	111.49	1945	100019	110.97
1938	88152	111.48	1946	101072	110.94
1939	90915	111.49	1947	102370	112.26
1940	92906	111.59	1948	103638	112.26
1941	94722	111.62	1949	104627	112.26
1942	96364	111.58	1950	105485	112.26

Number Certs. Cancelled 16 Total Amount Cancelled \$ 1,801.38

FUTURE ASSESSMENTS CANCELLED

19 51 to 1954, Inc. 4 years @ \$ 106.02 \$ 424.08

1955 - 1 year @ \$ 26.58 \$ 26.58

Total Future Cancelled \$ 450.66 \$ 450.66

Total Canc. Certs and Future Assess. \$ 2,252.04

THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT DECREE

R. C. 185

Plaintiff FRANK MASCIANTONIO

Docket No. 34189 Conservancy File No. 820

Decree Entered June 13, 1951

Description of Property:

Lot 8, Block 58, South Pueblo

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1935	81082	75.60	1943	97633	75.98
1936	87824	82.14	1944	98782	75.62
1937	85504	75.98	1945	100018	75.62
1938	88151	75.98	1946	101071	75.62
1939	90914	75.98	1947	102369	76.90
1940	92905	76.03	1948	103637	76.92
1941	94721	76.03	1949	104626	76.90
1942	96363	76.05	1950	105484	76.92

Number Certs. Cancelled 16 Total Amount Cancelled \$ 1,224.27

FUTURE ASSESSMENTS CANCELLED

19 51 to 1954, Inc. 4 years @ \$ 72.03 \$ 288.12

1955 - 1 year @ \$ 18.12 \$ 18.12

Total Future Cancelled \$ 306.24 \$ 306.24

Total Canc. Certs and Future Assess. \$ 1,530.51

THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT DECREE

R.C. 94

Plaintiff FRANK MASCIANTONIO

Docket No. 34189 Conservancy File No. 513

Description of Property:

N. 33.87 ft of Lot 5 and S. 16 ft 2 in of Lot 6,  
Block 29, Pueblo Addition

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1932	70781	221.81	1939	90824	218.87
1933	75114	210.85	1940	92813	219.45
1934	77877	218.20	1941	94633	219.45
1935	90471	285.21	1942	96280	219.43
1936	83248	219.22	1943	97555	219.21
1937	85412	219.23	1944	98696	218.19
1938	88057	240.13			

Number Certs. Cancelled 13 Total Amount Cancelled \$ 2,929.25

FUTURE ASSESSMENTS CANCELLED

19 51 to 1954, Inc. 4 years @ \$ 209.08 \$ 836.32  
1955 - 1 year @ \$ 52.28 \$ 52.28  
Total Future Cancelled \$ 888.60 \$ 888.60  
Total Canc. Certs and Future Assess. \$ 3,817.85



THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT DECREE

R. C. 367

Plaintiff S. W. PRESSEY and S. W. PRESSEY, JR.

Docket No. 34166 Conservancy File No. 1460

Description of Property:

All of Lots 5 and 6, less AT&SF R/W, Block 14, State Addition

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1926	2445	\$12.80			

Number Certs. Cancelled One Total Amount Cancelled \$ 12.80

FUTURE ASSESSMENTS CANCELLED

1927	to 1954, Inc.	28	years @ \$ 1.56	\$	43.68
1955	- 1 year @ \$			\$	nil
Total Future Cancelled				\$	43.68
Total Canc. Certs and Future Assess.				\$	56.48

THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT DECREE

R. C. 209

Plaintiff Juan Vigil

Docket No. 33932 Conservancy File No. 848

Description of Property:

Lots 11 and 12, Block 59, South Pueblo

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1933	75233	79.03	1942	96385	79.20
1934	77997	78.75	1943	97655	79.13
1935	90552	99.12	1944	98805	78.73
1936	87843	90.73	1945	100039	78.73
1937	85527	79.13	1946	101091	78.73
1938	88171	78.96	1947	102388	80.03
1939	90935	79.15	1948	103657	80.02
1940	92927	79.18	1949	104643	80.05
1941	94743	79.18	1950	105492	80.03

Number Certs. Cancelled 18 Total Amount Cancelled \$ 1,457.88

FUTURE ASSESSMENTS CANCELLED

19 51 to 1954, Inc. 4 years @ \$ 74.98 \$ 299.92

1955 - 1 year @ \$ 18.75 \$ 18.75

Total Future Cancelled \$ 318.67 \$ 318.67

Total Canc. Certs and Future Assess. \$ 1,776.55

THE PUEBLO CONSERVANCY DISTRICT

TAX CERTIFICATES LISTED BELOW HAVE  
BEEN CANCELLED BY COURT ~~WARRANT~~ ORDER

R.C. No. 177 C

Plaintiff EMANUEL and RUTH STEIN

Docket No. Nil Conservancy File No. 804 (Parcel C)

Description of Property: SW 21' of Lot 29 and the NE 2.02' of Lot 30, Block 50, South Pueblo. Certificates owned by the District and all future Conservancy taxes cancelled by Court Order dated June 5, 1951. Cancellation of Certificates and future taxes on the SW 21' of Lot 29 authorized because Stein owned through Tax Deed. Cancellation of Certificates and future taxes on 2.02' of Lot 30, which Stein owned through Warranty Deed authorized because Stein paid \$101.86, which, on a pro rata basis was an equitable settlement for Certificates and future taxes on this 2.02' strip.

CERTIFICATES CANCELLED

<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>	<u>Year</u>	<u>Cert. No.</u>	<u>Amount</u>
1933	75205	49.11	1942	96353	49.16
1934	77969	48.88	1943	97628	49.12
1935	90527	63.92	1944	98774	48.88
1936	87815	56.37	1945	100011	48.89
1937	85494	49.12	1946	101134	49.49
1938	88140	49.11	1947	102516	50.77
1939	90904	49.12	1949	104712	50.76
1940	92895	49.16	1950	105556	50.76
1941	94711	49.15			

Number Certs. Cancelled 4 Total Amount Cancelled \$ 861.77

FUTURE ASSESSMENTS CANCELLED

19   to 1954, Inc.    years @ \$    \$   

1955 - 1 year @ \$    \$   

Total Future Cancelled \$    \$   

Total Canc. Certs and Future Assess. \$ 861.77

Less Amount paid by Stein 6/5/51 \$ 101.86

\$ 759.91

COMPROMISE OF CONSERVANCY ASSESSMENTS ON PROPERTY  
WITH TAX TITLE IN CHAIN OF TITLE

Conservancy File No. 1540

Owner of Property E. E. and MAYBELLE FULLIN

Description of Property Lot 26, Block 3, Thatcher & Gast Addition

Tax Deed issued to L. D. Roley on April 10, 1940

Face Value of Certificates of Sale held by the District for the years 1931 to 1950 inclusive. \$382.15

Conservancy Taxes for years 1951 to 1955 Inc. \$ 72.16

TOTAL . . . . . \$454.31

Compromise Amount accepted by the District and authorized by Court Order signed April 9, 1951 \$ 72.16

;; ;

Conservancy File No. 1540 - Certificates cancelled by Compromise:  
Nos. 64869; 71023; 75423; 78173; 90657; 87954; 85670; 88337; 91093;  
93077; 94892; 96532; 97805; 98944; 100147; 101212; 102488;  
103739; 104693; 105542

Greene reported that Compromise Settlement of Conservancy Assessments on property involving Tax Title had been made with E. E. and Maybelle Pullin, in accordance with Court Order signed by Judge Leddy. Additional information regarding this settlement is shown on pink sheet attached hereto.

Mr. Holmes moved the adoption of the following Resolution, Mr. Pryor seconded the motion and the Resolution was adopted as follows, to-wit:

WHEREAS, the Pueblo Conservancy District was the owner of Lots 25 and 26, Block 21, Stanton and Snyder's Addition, and such property was acquired by the District for flood protection purposes, together with other adjoining land, and the said Lots have not been utilized for the purposes of the District, and cannot be so utilized, and are property held by the District as surplus for flood protection, and

WHEREAS, the District has caused said property to be appraised, and the appraisal thereof was \$450.00.

NOW, THEREFORE, BE IT RESOLVED that the conveyance of said property to the W. G. Brown Lumber and Hardware Company in consideration of the sum of \$500.00, be and the same is hereby authorized, confirmed and approved.

Thereupon Greene reported that as of March 6, 1950, he had received a letter from the Fountain Sand and Gravel Co., in which they stated that they elected to cancel and forfeit the 30 year lease entered into by the District and the Gravel Co., on June 30, 1926.

Greene reported that on receipt of this letter, he had a conference with J. A. Bullen, the Manager of the Fountain Sand and Gravel Co., and it was agreed that the final adjustment of the lease would be deferred probably until such time as the District could advise Mr. Bullen what ground the District would have to acquire from his Company as part of the site for the proposed backwater levee.

At the time the cancellation letter was written in March of 1950, it was hoped that funds for the construction of the backwater levee would soon be available and the matter of adjusting the final settlement of the lease would not be long delayed.

Greene said after he was advised on June 14, 1951, that the House Appropriations Committee of the U. S. Congress had not approved this levee appropriation, he then asked Mr. Holmes, Bullen and Rose to have a conference with him regarding cancellation of this lease. Following this conference Greene wrote a letter dated June 19, 1951, to the Fountain Sand and Gravel Co., a copy of which is attached hereto and made a part hereof and on June 22, 1951, received a reply from the Fountain Sand and Gravel Co., copy of the reply likewise being attached hereto and made a part hereof.

Mr. Pryor moved and Mr. Holmes seconded the motion which was unanimously carried that these two letters be approved.

THE PUEBLO CONSERVANCY DISTRICT

June 19, 1951

Mr. J. A. Bullen, Manager,  
The Fountain Sand and Gravel Co.  
803 North Main Street,  
Pueblo, Colorado

Dear Joe:

We acknowledge receipt of your letter of March 6, 1950, same having been previously verbally acknowledged, whereby you informed us that you had elected to cancel and forfeit the lease which had been executed July 30, 1926, between The Pueblo Conservancy District as Lessor and The Fountain Sand and Gravel Co., as Lessee.

The District waives any objection to cancellation of lease but reserves question of amount of payment up to date of cancellation, particularly as to the \$4500 item or some portion thereof.

It is our understanding as a result of conference this morning between you, Charlie Rose, John Holmes and myself that all agreed that question reserved may be postponed for the present and probably until we can adjust acquisition of land from you for site of proposed backwater levee.

Please confirm.

Very truly yours,

(Sgd) ELBERT D. GREENE

Elbert D. Greene - Secy-Treas.

THE PUEBLO CONSERVANCY DISTRICT

C  
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Y

FOUNTAIN SAND AND GRAVEL CO.

June 22, 1951

C  
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Y

Mr. Elbert D. Greene, Secy-Treas.  
Pueblo Conservancy District  
113 West 5th Street  
Pueblo, Colorado

Dear Elbert:

This will acknowledge receipt of your letter of June 19 relative to the cancellation of our lease executed July 30, 1926.

We note that the District waives any objection to cancellation of the lease, but reserves question of the amount of payment due up to the time of cancellation due to the reduction of early payments on lease from the original date.

We have referred this matter to our attorney, Mr. Petersen, and no doubt we can come to some terms relative to payments due on lease as well as the acquisition of land which you require for your proposed back water levee.

Yours very truly,

(Sgd) J. A. BULLEN

J. A. Bullen, General Manager  
The Fountain Sand & Gravel Co.

JAB/j  
CC - Harry Petersen

# Trustees of Pueblo Water Works

319 WEST FOURTH STREET — TELEPHONE 87

## MEMBERS OF BOARD

HARPER GARDNER, Chairman  
W. H. COOZE, Treasurer  
HOWARD E. WHITLOCK, Secretary

Pueblo, Colorado

P. O. BOX 1664

J. ORVILLE JONES, Superintendent  
H. R. WEABER, Cashier

July 10, 1951

Mr. Elbert D. Greene,  
Secretary,  
Pueblo Conservancy District,  
Pueblo, Colorado.

Dear Mr. Greene:

In connection with the program for improvement and extension of the water works system of Water District No. 1 of the City of Pueblo, it is necessary for us to acquire from the Pueblo Conservancy District certain easements or rights-of-way which are shown and described on the accompanying white prints.

We shall greatly appreciate it if you will place this matter before your Board of Directors and expedite the handling of the matter as much as possible, so that our work of construction can be undertaken as soon as materials are available.

Very truly yours,

TRUSTEES OF THE PUEBLO  
WATER WORKS,

BY Harper Gardner  
Chairman



THIS DEED, Made this 18th day of July,  
A.D. 1951, between The Pueblo Conservancy District, a body  
corporate and a political subdivision of the State of Colorado,  
organized and existing under the Conservancy Act of Colorado,  
hereinafter called the grantor, and Harper Gardner, Howard E.  
Whitlock and W.H. Cooze, as Trustees of the Pueblo Water Works,  
a public quasi corporation, of the State of Colorado, herein-  
after called the grantee, WITNESSETH:

That said grantor for and in consideration of the  
sum of One Dollar (\$1.00) and other valuable consideration,  
less than One Hundred Dollars (\$100), to it in hand paid, the  
receipt whereof is by it hereby acknowledged, has granted,  
bargained, sold and conveyed, and by these presents does grant,  
bargain, sell, convey and confirm unto the said grantees, their  
successors in office as such Trustees and their assigns, the  
right, privilege and easement to construct, maintain, repair,  
replace and operate an underground thirty (30) inch steel  
water pipe line, for the carriage of water therein and there-  
through, over, upon, across and under the following described  
property, situate in the County of Pueblo, and State of  
Colorado, to-wit:

Lots One (1), Two (2), Twenty-one (21) and  
Twenty-two (22), in Block Nine (9), in  
Adee, Chamberlin and Wiley's Subdivision,  
according to the recorded plat of said  
Subdivision, and a strip of land ten (10)  
feet in width, being five (5) feet on each  
side of a center line described as follows:

Beginning at a point on the East line of Lot  
Forty (40), Block Twenty (20) in Adee, Chamberlin  
and Wiley's Subdivision, said point being 54.15  
feet North of the Southeast corner of said Lot  
Forty (40); thence South 29° - 21' West a distance  
of 62.12 feet to a point on the South line of Lot  
Thirty-nine (39) in said Block Twenty (20), said  
point being 5.45 feet West of the Southeast corner  
of said Lot Thirty-nine (39); thence continuing  
South 29° - 21' West a distance of 91.78 feet to

a point on the North line of Lot Seventeen (17), Block Twenty-one (21) in said Adee, Chamberlin and Wiley's Subdivision; said point being 0.44 feet West of the Northeast corner of said Lot Seventeen (17); thence continuing South 29° - 21' West a distance of 137.67 feet to a point on the South line of Lot Fifteen (15), in said Block Twenty-one (21), said point being 17.92 feet West of the Southeast corner of said Lot Fifteen (15); thence continuing South 29° - 21' West a distance of 18.36 feet to a point on the North line of Lot Thirty-four (34), Block Twenty-one (21) in said Adee, Chamberlin and Wiley's Subdivision, said point being 1.92 feet West of the Northeast corner of said Lot Thirty-four (34); thence continuing South 29° - 21' West a distance of 73.43 feet to a point; thence South 10° - 39' East a distance of 43 feet more or less to a point on the Northerly right-of-way line of the Atchison, Topeka & Santa Fe Railway Company.

TO HAVE AND TO HOLD the same unto the said grantees, their successors in office and their assigns, for so long only as the same shall be used for the purpose aforesaid, and if for a period of two (2) years any portion of either of the rights-of-way hereby granted shall no longer have been used for the purpose aforesaid, the title to such portion of either of such rights-of-way as shall for such period of two (2) years not have been used for such purpose shall revert to said grantor, its successors and assigns.

PROVIDED always that the easement hereby granted shall always be subject and subservient to the purposes of the grantor to which the property over which said easement is granted shall be devoted by said grantor, and in case said easement shall ever be inconsistent with such purposes of the grantor, said grantees will at the request of the grantor remove their pipe line from the property hereinbefore described at their own cost and expense; and said grantees shall assume all liability for personal injury or death or for property damage arising or growing out of the easement hereby granted.

IN WITNESS WHEREOF said grantor has caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be hereunto affixed and attested by its Secretary, the day and year first above written.

THE PUEBLO CONSERVANCY DISTRICT,

ATTEST:

(Sgd) By John M. Holmes  
its President

(Sgd)

Elbert D. Greene  
its Secretary

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF PUEBLO )

The foregoing instrument was acknowledged before me this 18th day of July, A.D. 1951, by J.M. Holmes, as President, and by Elbert D. Greene, as Secretary, of The Pueblo Conservancy District.

My commission expires May 11, 1954

WITNESS my hand and official seal.

(Sgd) Barbara Greene  
Notary Public

July 21, 1951

Board of Pueblo County Commissioners,  
Court House,  
Pueblo, Colorado

Gentlemen:

The undersigned being the owner of certain tracts of land included within the line designated as R/W for construction purposes on the map of the Corps of Engineers, U. S. Army, designated Emergency Flood Control Bank Protection Right of Way, Arkansas River; Water Shed, Pueblo, Colorado, and dated June, 1951, in the records there and now on file in the office of the Pueblo Conservancy District, reference to which map is hereby made, does hereby grant to the County of Pueblo (the public agency sponsoring said project) a right of way over said land to permit construction work in connection with certain emergency protection work to be performed by the United States of America, under the Emergency Flood Control Act of Congress of the United States; including the right to enter upon, dig or cut away and remove any land or soils that may be required to perform the necessary construction work; and with right of ingress and egress over lands adjacent thereto; provided however, that no such right shall be exercised damaging or interfering with the works of the Pueblo Conservancy District heretofore constructed.

The same rights are hereby granted to the County of Pueblo, with respect to subsequent repairs and maintenances necessary to accomplish the desired emergency protection work. However, that such maintenance and repair operations with reference to the lands owned by the Pueblo Conservancy District, shall be subject at all times to the paramount rights of the Pueblo Conservancy District.

Very truly yours,

THE PUEBLO CONSERVANCY DISTRICT

By \_\_\_\_\_  
President

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P  
Y

RECORD OF PROCEEDINGS

Mr. Holmes moved the adoption of the following Resolution. Mr. Pryor seconded the motion and the Resolution was adopted as follows, to-wit:

WHEREAS, the North Side Water Works find it necessary to acquire from the Pueblo Conservancy District a right-of-way easement for a new pipeline in the vicinity of the Dry Creek Bridge, and

WHEREAS, the granting of this easement will not be in any way detrimental to the interests of the District.

NOW, THEREFORE, BE IT RESOLVED by the Directors of the Pueblo Conservancy District; that the issuing of this easement, copy of which is attached hereto and made a part hereof be and is hereby ratified and approved.

Mr. Holmes moved the adoption of the following Resolution, Mr. Pryor seconded the motion and the Resolution was adopted as follows, to-wit:

WHEREAS, The County of Pueblo by action of the Board of County Commissioners has requested that the United States of America under the Emergency Flood Act of Congress, to do some work on the South bank of the Arkansas River east of the Santa Fe Avenue bridge to prevent further erosion of this South bank, and

WHEREAS, The United States of America has agreed to do this work providing the County of Pueblo complies with certain conditions, and

WHEREAS, one of the conditions is that the County of Pueblo acquire from the Pueblo Conservancy District as easement of certain lands owned by the District in the vicinity of where the work is to be done.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Pueblo Conservancy District that the issuing of this easement, copy of which is attached hereto and made a part hereof be and is hereby ratified and approved.

Greene submitted to the Directors the audit report made by Mr. Turner S. Underwood for the fiscal year ending May 31, 1951. This report was compared to reports of previous years - special attention being given to the fact that the cash position of the District showed a marked increase.

There being no further business, the meeting adjourned.

Read and approved:

J. M. Holmes  
Frank Pryor  
Walter Matlock

Edward P. [Signature]  
Secretary