

# STATE OF COLORADO

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## Colorado Water Conservation Board Department of Natural Resources

1580 Logan Street, Suite 600  
Denver, Colorado 80203  
Phone: (303) 866-3441  
Fax: (303) 894-2578  
[www.cwcb.state.co.us](http://www.cwcb.state.co.us)



February 3, 2014

Town of Ignacio  
Attn: Mr. Michael Lee, Town Manager  
P. O. Box 459  
Ignacio, CO 81137

John W. Hickenlooper  
Governor

Mike King  
DNR Executive Director

James Eklund  
CWCB Director

Subject: Loan Contract No. C153630  
Loan Compliance Confirmation

Dear Mr. Lee:

Attached for your records are the original documents relative to the agreement between the Town of Ignacio and the Colorado Water Conservation Board, Loan Contract No. C153630, dated October 23, 1992, as amended. The documents have been stamped "PAID IN FULL" denoting that the terms of the agreement have been satisfied in full by you.

Also attached are the original documents for the Request for Full Release of Deed of Trust and Release and the Deed of Trust recorded September 19, 1997.

Should you have any questions, please contact me at Telephone No. (303) 866-3441, ext. 3205. If we can be of any further assistance to you, please let us know.

Very truly yours,

S. S. Biondo  
Finance Manager  
Finance Section

Attachments

cc: CWCB Files

Original Note and Deed of Trust Returned to:  
WHEN RECORDED RETURN TO:  
CWCB  
1580 Logan St. Suite 600  
Denver, CO 80203  
Prepared/Received by:

REQUEST FOR FULL ☒ / PARTIAL ☐

RELEASE OF DEED OF TRUST AND RELEASE BY OWNER OF INDEBTEDNESS WITH PRODUCTION OF EVIDENCE  
OF DEBT PURSUANT TO § 38-39-102 (1) (a), COLORADO REVISED STATUTES

January 22, 2014  
Town of Ignacio  
P.O. Box 459  
Ignacio, CO 81137

☐ Check here if current address is unknown

State of Colorado, Department of Natural Resources

September , 1997

09/19/1997

La Plata County, 732805 (1 page)

County Rept. No. and/or Film No. and/or Book/Page No. and/or Torrens Reg. No.

Date  
Original Grantor (Borrower)  
Current Address of Original Grantor,  
Assuming Party, or Current Owner

Original Beneficiary (Lender)

Date of Deed of Trust  
Date of Recording and/or Re-Recording of Deed  
of Trust  
Recording Information

TO THE PUBLIC TRUSTEE OF  
La Plata COUNTY (The County of the Public Trustee who is the appropriate grantee to whom the above Deed of Trust should  
grant an interest in the property described in the Deed of Trust.)

PLEASE EXECUTE AND RECORD A RELEASE OF THE DEED OF TRUST DESCRIBED ABOVE. The indebtedness secured  
by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied in  
regard to the property encumbered by the Deed of Trust as described therein as to a full release or, in the event of a partial release, only  
that portion of the real property described as: (IF NO LEGAL DESCRIPTION IS LISTED THIS WILL BE DEEMED A  
FULL RELEASE)

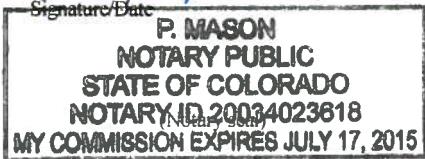
State of Colorado, Colorado Water Conservation Board, 1580 Logan St., Suite 600 Denver, CO 80203

Name and Address of Current Owner, Holder of the Indebtedness and Successor in Interest from the Department of Natural Resources, Secured by Deed of Trust

Kirk Russell, Finance Section Chief, CWCB, 1580 Logan St., Suite 600 Denver, CO 80203

Name, Title and Address of Officer, Agent, or Attorney of Current Owner and Holder

State of Colorado, County of Denver  
The foregoing Request for Release was acknowledged before  
me on (date) by\*  
Kirk Russell  
Finance Section Chief



MY COMMISSION EXPIRES JULY 17, 2015  
Date Commission Expires

\*If applicable, include title of officer and name of current owner and holder

Notary Public  
Witness my hand and official seal

RELEASE OF DEED OF TRUST

WHEREAS, the Grantor(s) named above, by Deed of Trust, granted certain real property described in the Deed of Trust to the  
Public Trustee of the County referenced above, in the State of Colorado, to be held in trust to secure the payment of the indebtedness  
referred to therein; and

WHEREAS, the indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust  
has been fully or partially satisfied according to the written request of the current owner and holder of the indebtedness;

NOW THEREFORE, in consideration of the premises and the payment of the statutory sum, receipt of which is hereby  
acknowledged, I, as the Public Trustee in the County named above, do hereby fully and absolutely release, cancel and forever discharge  
the Deed of Trust or that portion of the real property described above in the Deed of Trust, together with all privileges and  
appurtenances thereto belonging.

(Public Trustee use only; use appropriate label)

(Public Trustee Seal)

Public Trustee

Deputy Public Trustee

(If applicable, Notary Seal)

(If applicable, Name and Address of Person Creating New Legal Description as Required by § 38-35-106.5, Colorado Revised Statutes.)

DEED OF TRUST

THIS DEED OF TRUST, Dated September 1997, between  
THE TOWN OF IGNACIO, COLORADO, A Colorado Statutory Town  
the grantor herein, whose address is P.O. Box 459, Ignacio, CO 81137

of the  
\*County of La Plata and State of Colorado, and  
the PUBLIC TRUSTEE of the County or City and County in which the property described  
below is situated, in the State of Colorado,

Witness:

The grantor, to secure a promissory note or notes, hereinafter referred to in the singular, dated October 23, 1992,  
for the total principal sum of one hundred eighty thousand and no/100 - - - - dollars,  
payable to the order of The STATE OF COLORADO, Department of Natural Resources  
the beneficiary herein, whose address is 1313 Sherman Street, Denver, CO 80203

, after the date thereof,  
with interest thereon from the date thereof at the rate of five (5) percent per annum, principal and interest payable  
in annual installments in accordance with the terms of the said Promissory Note

does hereby grant and convey unto said Public Trustee the following described property, situate in the County  
of La Plata, State of Colorado, to wit:

The outside irrigation system for the Town of Ignacio in accordance with the map  
attached hereto as Attachment A, which map was prepared in 1992 by the Durango  
Office of the Soil Conservation Service and which indicated the location and  
size of the irrigation pipelines.

**PLEASE REFER TO:  
TOWN OF IGNACIO  
RAW WATER IRRIGATION SYSTEM  
MAP RECEPTION #733583  
LA PLATA COUNTY, CO .**

~~also known by street and number as~~

TO HAVE AND TO HOLD the same together with all appurtenances, in trust nevertheless, that in case of default in the payment of said note or any part thereof or interest  
thereon, or in the performance of any covenants hereinafter set forth, then upon the beneficiary (note holder) filing notice of election and demand for sale, said Public Trustee,  
after advertising notice of said sale weekly, for not less than four weeks, in some newspaper of general circulation in said county, shall sell said property in the manner provided  
by law in effect at the time of filing said notice and demand, at public auction for cash, at any proper place designated in the notice of sale. Out of the proceeds of said sale said  
Trustee shall retain or pay first all fees, charges and costs and all moneys advanced for taxes, insurance and assessments, or on any prior encumbrance, with interest thereon, and  
pay the principal and interest due on said note, rendering the overplus (if any) unto the grantor; and after the expiration of the time of redemption, said Trustee shall execute and  
deliver to the purchaser a deed to the property sold. The beneficiary may purchase said property or any part thereof at such sale.

The grantor covenants that at the time of delivery of these presents, he is seized of said property in fee simple, and that said property is free of encumbrances, except  
None

The grantor also covenants that he will keep all buildings insured with a company approved by the beneficiary for fire and extended coverage in an amount equal to the unpaid  
balance of said note with loss payable to the beneficiary, will deliver a copy of the policy to the beneficiary and will pay all taxes and assessments against said property and  
amounts due on prior encumbrances. If grantor shall fail to pay insurance premiums, taxes or amounts due on prior encumbrance, the beneficiary may pay the same and all  
amounts shall become additional indebtedness due hereunder; and in case of foreclosure, he will pay an attorney's fee of a reasonable amount

Should the beneficiary hereunder be made a party to any action affecting this deed of trust or the title to said property, the grantor agrees that all court costs and a reasonable  
attorney's fee paid by the beneficiary shall become additional indebtedness due hereunder; and the grantor does hereby release and waive all claims in said property as a  
homestead exemption or other exemption now or hereafter provided by law.

It is agreed that in case of default in payment of said principal or interest or a breach of any of the covenants herein, then said principal sum hereby secured and interest thereon  
may at the option of the beneficiary become due and payable at once, anything in said note to the contrary notwithstanding and possession of said property will thereupon be  
delivered to the beneficiary, and on failure to deliver such possession the beneficiary shall be entitled to a receiver for said property, who may be appointed by any court of  
competent jurisdiction.

Whenever used herein the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders. All of the covenants  
herein shall be binding upon the respective heirs, personal representatives, successors and assigns of the parties hereto.

Executed the day and year first above written.

THE TOWN OF IGNACIO, COLORADO:  
By: Gerardo W. Silva  
Gerardo W. Silva, Mayor

ATTEST:  
By: Jose B. Quintana, Town Manager

STATE OF COLORADO } ss.  
County of La Plata

The foregoing instrument was acknowledged before me this day of September 1997,  
by The Town of Ignacio, Colorado by: Gerardo W. Silva, Mayor, Attested by:  
Jose B. Quintana, Town Manager.  
My commission expires . Witness my hand and official seal.

My Commission Expires 1 - 9 - 2001

Notary Public  
110 1/2 Browning Ave. Ignacio  
Address

\*If in Denver, insert "City and."

**CANCELLED**  
JAN 25 2014  
Edward J. Murray, Public Trustee  
La Plata County, Colorado