

RESOLUTION NO. R-014-098

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION APPROVING THE SERVICE PLAN OF  
STONE CREEK METROPOLITAN DISTRICT

WHEREAS, on July 23, 2014, a service plan for the proposed Stone Creek Metropolitan District ("Service Plan") was filed with the Douglas County Clerk and Recorder ("Clerk"), and the Clerk, on behalf of the Board of County Commissioners ("Board"), mailed a Notice of Filing of Special District Service Plan to the Division of Local Government in the Department of Local Affairs on July 23, 2014; and

WHEREAS, on August 18, 2014, the Douglas County Planning Commission recommended denial of the Service Plan to the Board as the property within the boundaries of the proposed Stone Creek Metropolitan District was zoned Agricultural-One (A-1) and Large Rural Residential (LRR); and

WHEREAS, a rezoning application was submitted by the applicants concurrently with the Service Plan, requesting to rezone the property within the boundaries of the proposed Stone Creek Metropolitan District to Planned Development (PD) (the "Rezoning Application"); and

WHEREAS the Rezoning Application was considered and approved by the Board on [September 23], 2014; and

WHEREAS, on September 9, 2014, the Board set a public hearing on the Service Plan for September 23, 2014 ("Public Hearing"), and (1) ratified publication of the notice of the date, time, location and purpose of such Public Hearing, which was published in *The Douglas County News-Press* on August 28, 2014 and (2) caused notice of the date, time and location of the Public Hearing to be mailed on August 28, 2014, to the governing body of the existing municipalities and special districts which have levied an *ad valorem* tax within the next preceding tax year, and which have boundaries within a radius of three miles of the proposed boundaries of the Stone Creek Metropolitan District ("District") and, on August 28, 2014, to the petitioners and property owners, pursuant to the provisions of § 32-1-204(1.5), C.R.S.; and

WHEREAS, on September 23, 2014, a Public Hearing on the Service Plan was opened at which time all interested parties, as defined in § 32-1-204, C.R.S., were afforded an opportunity to be heard, and all testimony and evidence relevant to the Service Plan and the organization of the proposed District was heard, received and considered.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, THAT:

Section 1. The Board does hereby determine that all procedural requirements of §§ 32-1-201., *et seq.*, C.R.S., relating to the Service Plan have been fulfilled and that the Board has jurisdiction in this matter.

Section 2. The Board does hereby find:

(a) that there is sufficient existing and projected need for organized service in the area to be serviced by the proposed District; and

(b) that the existing service in the area to be served by the proposed District is inadequate for present and projected needs; and

(c) that the proposed District is capable of providing economical and sufficient service to the area within the proposed boundaries; and

(d) that the area to be included in the proposed District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis; and

(e) that adequate service is not, or will not be, available to the area through Douglas County or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis; and

(f) that the facility and service standards of the proposed District are compatible with the facility and service standards of Douglas County and each municipality which is an interested party under § 32-1-204, C.R.S.; and

(g) that the proposal is in substantial compliance with the Douglas County Comprehensive Master Plan; and

(h) that the proposal is in compliance with any duly adopted county, regional, or state long-range water quality management plan for the area; and

(i) that the creation of the proposed District will be in the best interests of the area proposed to be served; and

(j) that the Service Plan, based upon the statements set forth in the Service Plan and upon all evidence presented at the Public Hearing on the Service Plan, meets all conditions and requirements of §§ 32-1-201, *et seq.*, C.R.S.

Section 3. The Board hereby approves the Service Plan without conditions; provided, however, that such action shall not imply the approval of any land development activity within the proposed District or its service area, or of any specific number of buildable units identified in the Service Plan, unless the Board has approved such development activity as part of a separate development review process.

Section 4. The legal description of the District shall be as provided in Exhibit A, attached hereto and incorporated herein by reference.

Section 5. A certified copy of this resolution shall be filed in the records of Douglas County.

PASSED AND ADOPTED this 13 day of Sept, 2014, in Castle Rock, Douglas County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF DOUGLAS, COLORADO

BY: Roger A. Partridge  
Roger A. Partridge  
Chair

ATTEST:

Melissa Pelletier  
Melissa Pelletier  
Deputy Clerk



EXHIBIT A

STONE CREEK METROPOLITAN DISTRICT

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF SECTION 15, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH EAST CORNER OF SAID SECTION 15, N89°57'57"W A DISTANCE OF 1123.09 FEET TO THE POINT OF BEGINNING;

- THENCE S04°35'48"W A DISTANCE OF 334.60 FEET;
- THENCE S00°25'18"W A DISTANCE OF 700.93 FEET;
- THENCE S00°25'18"W A DISTANCE OF 344.67 FEET;
- THENCE S06°48'33"W A DISTANCE OF 557.40 FEET;
- THENCE S02°42'42"E A DISTANCE OF 716.97 FEET;
- THENCE N89°56'33"W A DISTANCE OF 633.00 FEET;
- THENCE N89°56'33"W A DISTANCE OF 3498.31 FEET;
- THENCE N00°19'46"E A DISTANCE OF 2647.12 FEET;
- THENCE S89°57'57"E A DISTANCE OF 2652.93 FEET;
- THENCE S89°57'56"E A DISTANCE OF 1030.41 FEET;
- THENCE S89°57'57"E A DISTANCE OF 499.43 FEET TO THE POINT OF BEGINNING;

CONTAINING 10,962,075.38 SQ. FT. OR 251.655 ACRES, MORE OR LESS.



L. KELLEY STEVENSON

DATE

COLORADO P.L.S. NO. 38231  
FOR AND ON BEHALF OF PEAK CIVIL CONSULTANTS, INC.  
200 W. HAMPDEN AVENUE, SUITE 200  
ENGLEWOOD, CO 80110

DATE: 11/06/13

The logo for Peak Civil Consultants features the word "Peak" in a large, bold, sans-serif font with a stylized mountain peak above the letter 'k'. Below "Peak" is the text "Civil Consultants" in a smaller font. Underneath the logo is the company's address and contact details: "200 W. HAMPDEN AVE., SUITE 200", "ENGLEWOOD, COLORADO 80110", "PH: 720.855.3850", "FAX: 720.528.8167", and "CONTACT: JEFF FRENCH".