

RESOLUTION NO. 125

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO
APPROVING THE AMENDED AND RESTATED SERVICE PLAN FOR
TALLMAN GULCH METROPOLITAN DISTRICT**

WHEREAS, § 32-1-207 of the Colorado Revised Statutes, as amended, provides that material modifications of a service plan for a special district may be approved by the Board of County Commissioners in substantially the same manner as is provided for the approval of an original service plan; and

WHEREAS, on April 3, 2006, the Douglas County Board of County Commissioners (the "Board") approved the original Service Plan of the Tallman Gulch Metropolitan District (the "District"), which approval was memorialized in Board Resolution No. R-006-052 and recorded in the official records of the Douglas County Clerk and Recorder on April 3, 2006 at Reception No. 2006027195; and

WHEREAS, on October 17, 2016, the Douglas County Planning Commission recommended approval of the District's Amended and Restated Service Plan (as amended and restated, the "Service Plan"); and

WHEREAS, the Service Plan has been submitted to the Board by the District pursuant to part 2, article 1, title 32, C.R.S., as amended; and

WHEREAS, the territory of the District is located wholly within the boundaries of Douglas County, Colorado; and

WHEREAS, on _____, the Board set a public hearing on the Service Plan for November 15, 2016 ("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 October 20, 2016; and (2) caused notice of the date, time and location of the Public Hearing to be mailed on October 10, 2016, 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 boundaries of the District and, on October 17, 2016, to the petitioners and to the property owners, pursuant to the provisions of § 32-1-204(1.5), C.R.S.; and

WHEREAS, on November 15, 2016, the Public Hearing was opened, at which time all interested parties, as defined in C.R.S. § 32-1-204, as amended, were afforded an opportunity to be heard, and all testimony and evidence relevant to the Service Plan was heard, received and considered by the Board.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, COLORADO:**

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

b. that the existing service in the area to be served by the District is inadequate for present and projected needs.

c. that the District is capable of providing economical and sufficient service to the area within its boundaries.

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

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 and political subdivisions of the State of Colorado, including other special districts, within a reasonable time and on a comparable basis.

f. that the facility and service standards of the District is compatible with the facility and service standards of Douglas County and each municipality that is an interested party under C.R.S. § 32-1-204, as amended.

g. that the proposal is in substantial compliance with the Douglas County Comprehensive Master Plan.

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

i. That the District acts in the best interests of the area proposed to be served by the District.

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

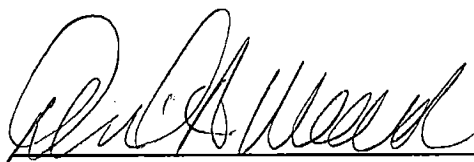
Section 3. The Board hereby approves the Service Plan without conditions; provided, however, that such action shall not imply the approval of any land development activity within the District or its service area, or of any specific number of buildable units identified in the Service Plan, unless the 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 15th day of November, 2016, in Castle Rock, Douglas County, Colorado.

DOUGLAS COUNTY COMMISSIONERS
DOUGLAS COUNTY, COLORADO

BY: 
David A. Weaver
Chairman, Board of Douglas County Commissioners

ATTEST:

BY: 
Meghan McCann
Clerk to the Board

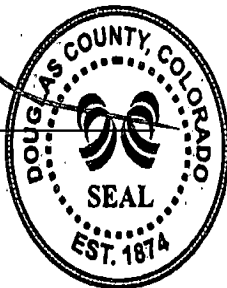


EXHIBIT A

Legal Description Tallman Gulch Metropolitan District

TALLMAN GULCH METRO DISTRICT

DESCRIPTION

A parcel of land in the East Half of Section 31, Township 6 South, Range 65 West and in the Northeast Quarter of Section 6, Township 7 South, Range 65 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, more particularly described as follows:

BEGINNING at the North Quarter corner of said Section 31;
Thence South 89°15'33" East along the northerly line of said section a distance of 2,636.45 feet to the Northeast corner of said section;
Thence South 00°14'11" West along the easterly line of said section a distance of 2,634.24 feet to the East Quarter corner of said section;
Thence South 00°14'14" West continuing along said easterly line a distance of 2,633.63 feet to the Northeast corner of said Section 6;
Thence South 01°03'22" West along the easterly line of said Section 6 a distance of 2,716.07 feet to the East Quarter corner of said section;
Thence North 88°57'35" West along the east-west centerline of said section a distance of 1,107.09 feet to the northerly right of way line of Hilltop Road;
Thence along said northerly right of way line the following three (3) courses;
1. North 49°23'55" West a distance of 1,138.89 feet to a point of curvature;
2. along the arc of a curve to the right having a central angle of 08°06'25", a radius of 3,175.08 feet, and an arc length of 449.25 feet (chord bears North 45°20'43" West, 448.87 feet);
3. North 41°17'30" West a distance of 368.97 feet to the easterly line of the parcel described in Book 1473 at Page 2194 of the Douglas County Clerk and Recorder's Office;
Thence along said parcel the following two (2) courses;
1. North 00°39'49" East a distance of 1,380.37 feet to the southerly line of said Section 31;
2. North 89°35'01" West along said southerly line a distance of 116.11 feet to the South Quarter corner of said Section 31;
Thence North 00°45'39" East along the north-south centerline of said Section 31 a distance of 3409.86 feet to the southerly line of the parcel described in Book 7653 at Page 839 of said county records;
Thence along the southerly, easterly and northerly lines of said parcel the following three (3) courses;
1. South 89°14'19" East a distance of 639.97 feet;
2. North 00°45'52" East a distance of 440.23 feet;
3. North 89°15'33" West a distance of 640.00 feet to said north-south centerline;



HIGH COUNTRY ENGINEERING, INC.

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1517 BLAKE AVENUE, STE 101, GLENWOOD SPRINGS, CO 81601
PHONE (970) 945-8570 FAX (970) 945-2553
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DATE:
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J:/EXH/10MD
PROJECT NO:
2042024
DRAWN BY:
SMC


EXHIBIT

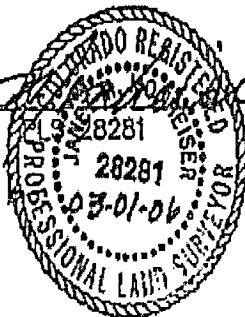
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Thence North 00°45'39" East continuing along said north-south centerline a distance of 1,433.00 feet to the POINT OF BEGINNING.

Containing 19,781,230 square feet or 454.12 acres, more or less.

Basis of Bearing: Northerly line of the North Quarter of Section 31, Township 6 South, Range 65 West of the Sixth Principal Meridian as monumented by a 2" aluminum cap stamped "Bell Surveying" PLS 7361 at the North Quarter corner and by a 2-1/2" aluminum cap stamped "Stell Surveying Services PLS 16154 2000" at the Northeast corner, bearing South 89°15'33" East, 2636.45 feet.


Janet M. Monheiser,
For and On Behalf of
High Country Engineering,
14 Inverness Drive East
Suite F-120
Englewood, CO 80112



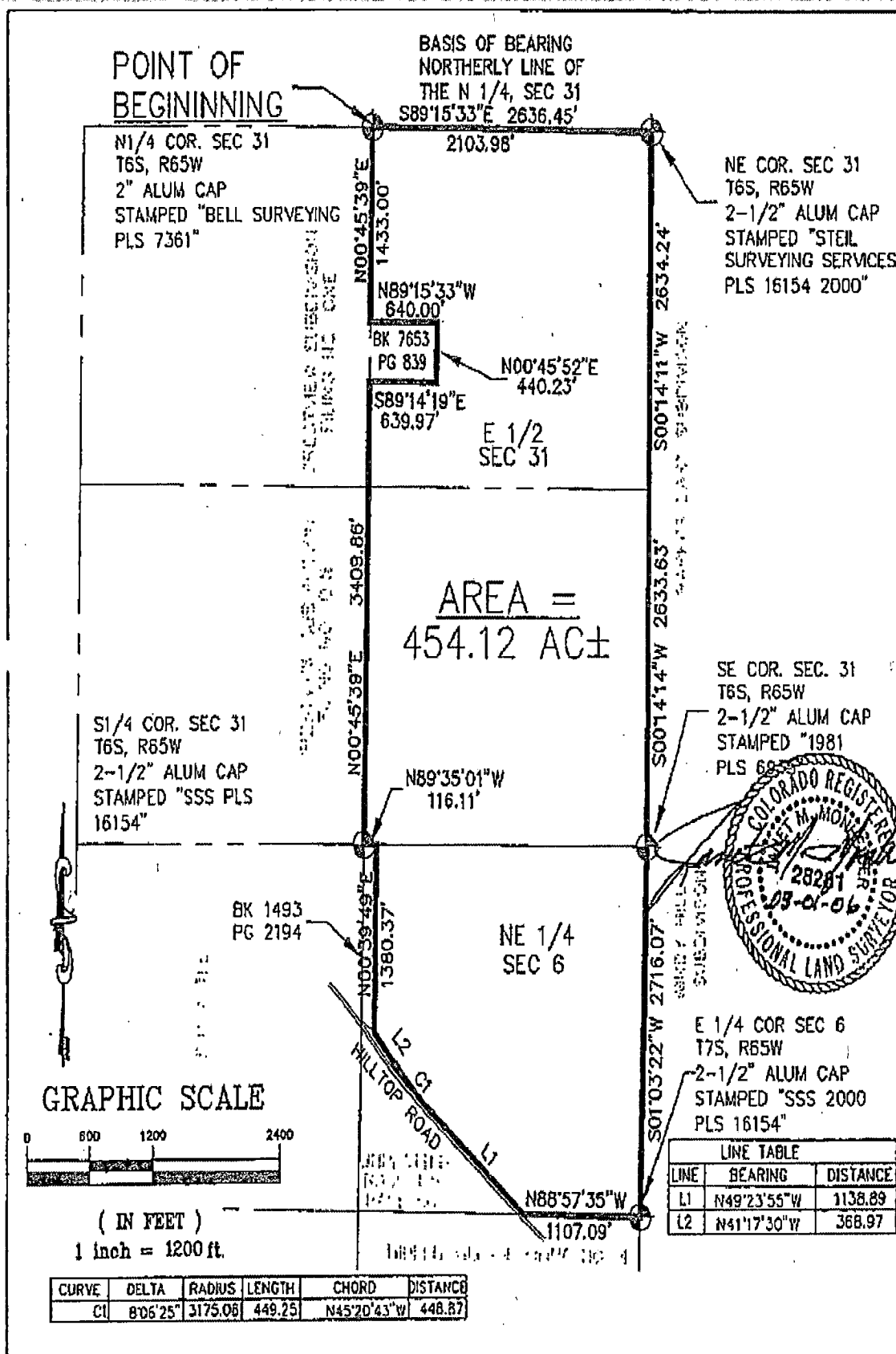
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DRAWN BY:	SMG

EXHIBIT _____

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EXHIBIT

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