

RESOLUTION NO. R-018- 097

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

A RESOLUTION APPROVING THE SERVICE PLAN OF
ROCK CANYON METROPOLITAN DISTRICT

WHEREAS, on August 2, 2018, a service plan for the proposed Rock Canyon 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 August 6, 2018; and

WHEREAS, on September 10, 2018, the Douglas County Planning Commission recommended approval of the Service Plan to the Board; and

WHEREAS, on September 25, 2018, the Board set a public hearing on the Service Plan for September 26, 2018 ("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 30, 2018; and (2) caused notice of the date, time and location of the Public Hearing to be mailed on August 29, 2018, 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 Rock Canyon Metropolitan District ("District") and, on August 29, 2018, to the petitioners and to the property owners, pursuant to the provisions of § 32-1-204(1.5), C.R.S.; and

WHEREAS, on September 26, 2018, 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 the 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 26 day of September, 2018, in Castle Rock, Douglas County, Colorado.

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

BY: Lora L. Thomas
Lora Thomas, Chair

ATTEST:

Emily Wrenn
Emily Wrenn, Deputy Clerk

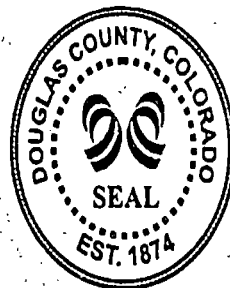


EXHIBIT A

Legal Description

PARCEL A:

A TRACT OF LAND SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND CONSIDERING THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 TO BEAR SOUTH 00 DEGREES 52 MINUTES 54 SECONDS WEST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTH 00 DEGREES 52 MINUTES 54 SECONDS WEST ALONG SAID EAST LINE A DISTANCE OF 338.32 FEET; THENCE NORTH 89 DEGREES 07 MINUTES 06 SECONDS WEST A DISTANCE OF 267.65 FEET; THENCE SOUTH 00 DEGREES 49 MINUTES 46 SECONDS WEST A DISTANCE OF 328.05 FEET TO THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 89 DEGREES 52 MINUTES 09 SECONDS WEST A DISTANCE OF 398.65 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE NORTH 00 DEGREES 55 MINUTES 25 SECONDS EAST A DISTANCE OF 660.70 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE NORTH 89 DEGREES 44 MINUTES 39 SECONDS EAST, A DISTANCE OF 665.59 FEET TO THE POINT OF BEGINNING, COUNTY OF DOUGLAS, STATE OF COLORADO.

PARCEL B:

A TRACT OF LAND BEING A PORTION OF THAT PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NUMBER 321597 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER; SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 67 WEST OF THE 6th PRINCIPAL MERIDIAN; COUNTY OF DOUGLAS, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17; THENCE NORTH 89°15'33" EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 17 (WITH ALL BEARINGS HEREIN RELATIVE THERETO), A DISTANCE OF 572.80 FEET TO THE POINT OF BEGINNING, BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY OF MCARTHUR RANCH ROAD AND ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 50.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 67°41'11" EAST; THENCE THE FOLLOWING NINE (9) COURSES; 1. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°19'12", AN ARC LENGTH OF 18.61 FEET; 2. NORTH 00°58'20" WEST, A DISTANCE OF 204.61 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 845.50 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 87°08'42" WEST; 3. NORTHERLY

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $06^{\circ}43'22''$, AN ARC LENGTH OF 99.21 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 5.50 FEET; 4. NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $89^{\circ}59'15''$, AN ARC LENGTH OF 8.64 FEET; 5. NORTH $80^{\circ}42'08''$ EAST, A DISTANCE OF 11.88 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 826.25 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH $79^{\circ}55'42''$ WEST; 6. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $19^{\circ}47'06''$, AN ARC LENGTH OF 285.32 FEET; 7. NORTH $52^{\circ}49'50''$ EAST, A DISTANCE OF 26.06 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 65.67 FEET; 8. NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $48^{\circ}04'06''$, AN ARC LENGTH OF 55.09 FEET; 9. NORTH $89^{\circ}05'32''$ EAST, A DISTANCE OF 148.97 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NUMBER 2008038940 IN SAID RECORDS; THENCE SOUTH $00^{\circ}18'41''$ WEST, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 660.15 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL, BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY OF SAID MCARTHUR RANCH ROAD; THENCE SOUTH $89^{\circ}15'33''$ WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 93.25 FEET TO THE POINT OF BEGINNING.

JAMES E. LYNCH, PLS NO. 37933 FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC. 300 E. MINERAL AVE., SUITE 1, LITTLETON, CO 80122 303-713-1898