

RESOLUTION NO. R-019- 069

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

AMENDING THE PRELIMINARY ORDER CONCERNING
SAGEPORT 2018 LOCAL IMPROVEMENT DISTRICT, DOUGLAS
COUNTY, COLORADO; SETTING THE DATE OF A PUBLIC
HEARING; AND ORDERING PUBLICATION AND MAILING OF
NOTICE OF HEARING TO OWNERS OF PROPERTY TO BE
ASSESSED

WHEREAS, pursuant to part 6 of article 20 of title 30, Colorado Revised Statutes, as amended (the "Act"), the Board of County Commissioners (the "Board") of Douglas County, Colorado (the "County") after receiving petitions from the property owners representing more than half of the estimated costs to be burdened by any assessment (the "Petitioners") of the proposed Sageport 2018 Local Improvement District, Douglas County, Colorado (the "Proposed District") the Board passed a resolution (R-018-060) to initiate proceedings for the creation of the Proposed District for the purpose of acquiring, constructing and installing certain improvements (the "Original Resolution"); and

WHEREAS, the Original Resolution also serves as the preliminary order adopting preliminary estimates, describing the materials to be used or stating that one of several specified materials shall be chosen, determining the number of installments and time at which the cost of the Improvements shall be payable, describing the property to be assessed for the cost of the Improvements, and requiring an estimate of cost and a map by the County Public Works – Engineering staff, and adopting a schedule showing the approximate amounts to be assessed upon the several lots or parcels of property within the Proposed District; and

WHEREAS, the Original Resolution stated a date certain for a hearing on the creation of the LID and final approval of the improvements but published notice was not timely made in the local paper so the hearing was postponed and the process put on hold; and

WHEREAS, the process may now proceed for a 2019 TABOR election with a new date for a hearing and pursuant to §30-20-603(8) C.R.S. the Original Resolution or order may be modified at any time prior to passage of the final resolution authorizing the improvements.

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

Section 1. A public hearing concerning the creation of the Proposed District and the construction of the Improvements therein is anticipated to be held on Tuesday, August 13, 2019, at 2:30 p.m. at the County Philip S. Miller Building, 100 Third Street, Castle Rock, Colorado.

Section 2. Notice of the intention of the Board to create a local improvement district pursuant to the state statutes and to construct the Improvements therein and of a public hearing

thereon shall be given by the County Clerk by publication once in the *Douglas County News Press*, a newspaper of general circulation in the County, at least 30 days prior to the date of the hearing, as required by law. The Notice shall be in substantially the form indicated in the resolution but with the new Public Hearing date of August 13, 2019.

Section 3. In all other respects the Resolution shall remain unchanged.

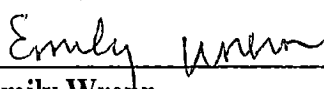
ADOPTED AND APPROVED this 25th day of June 2019.



Roger A. Partridge, Chair
Board of County Commissioners

(SEAL)

ATTEST:



Emily Wrenn,
Clerk to the Board



NOTICE

OF HEARING ON THE PROPOSED CREATION OF SAGEPORT 2018 LOCAL IMPROVEMENT DISTRICT, DOUGLAS COUNTY, COLORADO, FOR THE PURPOSE OF CONSTRUCTING CERTAIN IMPROVEMENTS

All owners of real estate and property hereinafter described, and all persons generally are hereby notified that the Board of County Commissioners of Douglas County, Colorado (the "County") has adopted preliminary cost estimates for certain improvements to be acquired, constructed and installed within a proposed local improvement district in the County, to be known as Sageport 2018 Local Improvement District, Douglas County, Colorado (the "Proposed District").

1. A description of the boundaries of the Proposed District is as follows and includes generally the real property described herein:

Lots 6 – 12, Block 6, and Lots 1 – 7, Block 7 Sageport Filing #2

The improvements to be made are as follows and are collectively referred to as the "Improvements":

Construction of water main and lot services, sanitary sewer main and lot services, roadway and drainage improvements by the County, installation of natural gas mains by Black Hills Energy, and installation of electric mains by IREA on the following roadways:

Poncho Road for the existing asphalt roadway at the Marshall Road intersection on the west to the east end of Poncho Road.

Each and every buildable lot or parcel listed below will receive one full assessment for the Improvements within the Proposed District:

Lots 6 – 12, Block 6, and Lots 1 – 7, Block 7 Sageport Filing #2

2. The Improvements described above shall be financed by the issuance of special assessment bonds of the County (the "Bonds"), to be paid from special assessments imposed against the real property included within the boundaries of the Proposed District and specially benefited by the construction and installation of the Improvements. The estimated total cost of constructing the Improvements, but less the amount expected to be provided by other sources as described in paragraph 5 below, is **\$840,000.00**. The method of assessment shall be as follows:

Each buildable lot and parcel within the boundaries of the Proposed District shall be assessed an equal share of the total cost of the Improvements. The assessment for each buildable lot or parcel for the Improvements is estimated to be **\$60,000**. The estimated costs of the Improvements exclude the costs of inspection, engineering, surveying, testing, incidentals, County administration, and general legal expenses. If such assessment is paid in installments, additional costs

including interest and additional statutory County Treasurer collection fees will be added to such payments.

3. Property owners assessed as set forth above will have the option of paying assessments in full, including statutory County Treasurer collection fees, within 30 days after the effective date of the final assessing resolution described below (the "Assessing Resolution"). However, all such assessments may be paid, at the election of the property owner, in ten annual installments of principal, interest and County collection fee. The first of such installments shall be due and payable not more than two years from the date of the Assessing Resolution, as shall be determined in and by the Assessing Resolution. The times of payment of installments shall be the same as the times of payment for installments of property taxes. The entire cost shall therefore be payable within ten years of the first installment date.

4. The rate of interest on unpaid and deferred installments shall be determined by the Board of County Commissioners and set forth in the Assessing Resolution. In addition, County collections fees will be charged on full payments and installment payments as State law requires.

5. As shown by the estimates previously prepared and filed with the County Clerk, the probable total cost of the Improvements in the Proposed District, including, without limitation, construction, contingency, design, administration and supervision, and legal is **\$949,500.00**. Of said cost it is estimated that **\$109,500** will be paid by the County and the Perry Park Water & Sanitation District for survey, design, administration, and construction management of the Improvements. It is estimated that approximately **\$840,000.00** will be assessed against the benefited property within the Proposed District.

Upon completion and acceptance of the Improvements or any part thereof, or as soon as the total actual cost thereof can be reasonably ascertained, such cost shall be apportioned to each lot or parcel of land in the Proposed District. Notice of such apportionment shall be given, and a hearing will be held prior to the adoption of the Assessing Resolution, all as provided by law.

6. Not less than 30 days after publication of this Notice, *i.e.* on Tuesday, August 13, 2019, at 2:30 p.m., a resolution creating the Proposed District and authorizing the Improvements will be considered and a public hearing thereon will be held by the Board of County Commissioners at the Philip S. Miller Building, 100 Third Street, Castle Rock, Colorado.

7. An estimate of costs, a map, and a schedule showing the approximate amount to be assessed and all resolutions and proceedings are on file and may be seen and examined by any person interested at the County Department of Public Works – Engineering, Engineering Services Division, 100 Third Street, Castle Rock, Colorado at any time during business hours on or before the date specified in paragraph 6 hereof.

8. Owners of any real property to be assessed may appear before the Board and be heard at the public hearing. All complaints and objections that may be made in writing concerning the Improvements by the owner or owners of any real property to be assessed will be heard and determined by the Board of County Commissioners at the public hearing referred to above, or at some adjournment thereof, before final action thereon.

DATED this 25th day of June 2019.

(SEAL)

/s/ Merlin Klotz
County Clerk and Recorder
Douglas County, Colorado

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