

RESOLUTION NO. R-023- 062

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

**A RESOLUTION APPROVING THE SECOND AMENDMENT OF
THE SOUTHEAST PUBLIC IMPROVEMENT METROPOLITAN DISTRICT
SERVICE PLAN**

WHEREAS, on March 2, 2023, a Second Amendment for the Southeast Public Improvement Metropolitan District Service Plan ("Service Plan Second Amendment") 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 March 9, 2023; and

WHEREAS, on April 17, 2023, the Douglas County Planning Commission recommended approval of the Service Plan Second Amendment to the Board; and

WHEREAS, on May 9, 2023, the Board set a public hearing on the Service Plan Second Amendment for May 23, 2023 ("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 April 27, 2023; and (2) caused notice of the date, time and location of the Public Hearing to be mailed on April 24, 2023, 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 Southeast Public Improvement Metropolitan District ("District") and, on April 24, 2023, to the property owners, pursuant to the provisions of § 32-1-204(1.5), C.R.S.; and

WHEREAS, on May 23, 2023, a Public Hearing on the Service Plan Second Amendment 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 Second Amendment 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 Second Amendment 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 a continuation of organized service in the area to be serviced by the proposed District; and

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

(c) 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

(d) 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

(e) 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

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

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

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

(i) that the Service Plan Second Amendment, 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 Second Amendment 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 Second Amendment, unless the Board has approved such development activity as part of a separate development review process.

Section 4. The District Boundaries as submitted to the State Department of Local Affairs Division of Local Government shall be as provided in **Exhibit A**, attached hereto and incorporated herein by reference.

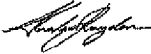
Section 5. A certified copy of this resolution shall be filed in the records of Douglas County.

PASSED AND ADOPTED this day of May 23, 2023, in Castle Rock, Douglas County, Colorado.

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

BY:

DocuSigned by:



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DS

ABE LAYDON, Chair



ATTEST:

DocuSigned by:

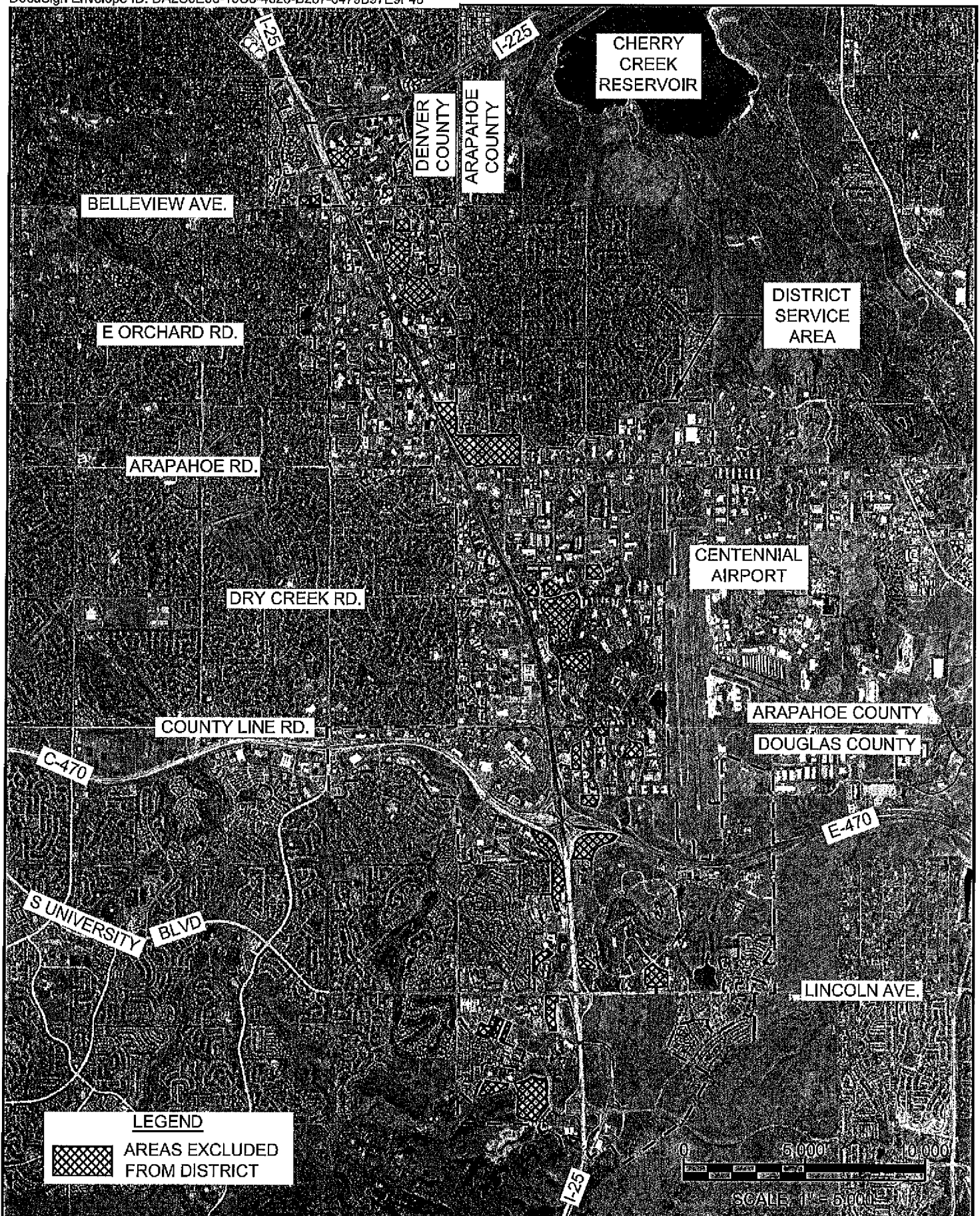


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ROBERTA NELSON, Clerk to the Board

EXHIBIT A

District Boundaries as submitted to the State Department of Local Affairs Division of Local Government.



SOUTHEAST PUBLIC IMPROVEMENT METROPOLITAN DISTRICT
TAX AUTHORITY # 4615 ARAPAHOE COUNTY, # 4452 DOUGLAS COUNTY &
DENVER COUNTY



12/22/21

Mulhern
MRE, Inc.
Managing Resources thru Engineering