

**RESOLUTION NO. R-23- 095**

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

**A RESOLUTION APPROVING THE SERVICE PLAN OF  
SCOTT GULCH METROPOLITAN DISTRICT**

WHEREAS, on July 27, 2023, a service plan for the proposed Scott Gulch 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 31, 2023;

WHEREAS, on August 7, 2023, the Douglas County Planning Commission recommended approval of the Service Plan to the Board;

WHEREAS, on August 7, 2023, the Board set a public hearing on the Service Plan for September 12, 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 August 17, 2023 and (2) caused notice of the date, time and location of the Public Hearing to be mailed on August 17, 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 Scott Gulch Metropolitan District (“District”) and, on August 17, 2023, to the petitioners and property owners, pursuant to the provisions of § 32-1-204(1.5), C.R.S.; and

WHEREAS, on September 12, 2023, a Public Hearing for 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 the 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 provided in Exhibit A, attached hereto and incorporated herein by reference.

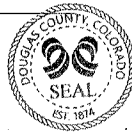
Section 5. A certified copy of this resolution shall be filed in the records of Douglas County.

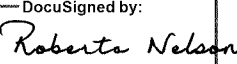
PASSED AND ADOPTED this 12th day of September, 2023, in Castle Rock, Douglas County, Colorado.

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

By:   
Abe Laydon, Chair

DS



ATTEST:   
Deputy Clerk to the Board  
Roberta Nelson

## EXHIBIT A

### LEGAL DESCRIPTION – CROSS CREEK

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END BY A FOUND 2-1/2" ALUMINUM CAP STAMPED "AZTEC CONSULTANTS INC. 2008 PLS 29036" AND AT THE EAST END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "1990 PLS 13213". SAID SOUTH LINE BEARS SOUTH 89°43'50" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

**COMMENCING** AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST CORNER OF SAID SECTION 10;

THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER LINE NORTH 00°20'12" WEST 54.56 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SCOTT ROAD AS DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2018019426 AND RE-RECORDED AT RECEPTION NO. 2019007557, DOUGLAS COUNTY RECORDS, AND THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID WEST LINE NORTH 00°20'12" WEST 1568.30 FEET;

THENCE DEPARTING SAID WEST LINE NORTH 89°40'19" EAST 800.75 FEET;

THENCE SOUTH 00°14'42" EAST 1572.24 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SCOTT ROAD AS DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2018019426 AND RE-RECORDED AT RECEPTION NO. 2019007557, DOUGLAS COUNTY RECORDS;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWELVE (12) COURSES:

1. SOUTH 82°12'29" WEST 18.98 FEET;
2. SOUTH 83°40'23" WEST 84.79 FEET;
3. SOUTH 83°36'04" WEST 36.66 FEET;
4. NORTH 89°41'52" WEST 112.46 FEET;
5. NORTH 84°51'50" WEST 30.47 FEET;
6. NORTH 89°44'01" WEST 332.65 FEET;
7. NORTH 86°38'35" WEST 5.87 FEET;
8. NORTH 00°00'00" EAST 28.02 FEET;
9. NORTH 90°00'00" WEST 32.15 FEET;
10. SOUTH 00°00'00" EAST 26.13 FEET;
11. NORTH 86°38'35" WEST 138.00 FEET;
12. NORTH 88°32'02" WEST 7.52 FEET TO THE **POINT OF BEGINNING**;

SAID TRACT OF LAND CONTAINS 1,262,656 SQUARE FEET, OR 28.99 ACRES, MORE OR LESS.