

RESOLUTION NO. R-024- 068

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

**A RESOLUTION APPROVING THE SERVICE PLAN OF
TWIN MESA METROPOLITAN DISTRICT**

WHEREAS, on or about April 8, 2024, a service plan for the proposed **TWIN MESA 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 April 8, 2024; and

WHEREAS, on April 15, 2024, the Douglas County Planning Commission recommended approval of the Service Plan to the Board; and

WHEREAS, on May 14, 2024, the Board set a public hearing on the Service Plan for May 21, 2024 (“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 25, 2024, and (2) caused notice of the date, time and location of the Public Hearing to be mailed on April 23, 2024, 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 Twin Mesa Metropolitan District (“District”) and, on April 23, 2024, to the petitioners and to the property owners, pursuant to the provisions of § 32-1-204(1.5), C.R.S.; and

WHEREAS, on May 21, 2024, 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 on the condition that the properties shown in **Exhibit A**, attached hereto and incorporated herein by reference (the “Exclusion Property”), shall not be included within the District boundaries unless the fee owner or owners of the property to be included files a petition with the District’s board of directors requesting that such owner’s property be included in the District pursuant to § 32-1-401, C.R.S. Such action by the Board 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 property that may be included within the District boundaries, subject to Section 3 above, is provided in **Exhibit B**, 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 21st day of May, 2024, in Castle Rock, Douglas County, Colorado.

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

BY: DocuSigned by:
Geo. P. Teal
E5CD14592431405...

GEORGE TEAL, Chair

ATTEST: DocuSigned by:
Hayley Hall
166E3E33E00249B... DocuSigned by:

SEAL
EST. 1974

Deputy Clerk
Hayley Hall

EXHIBIT A TO RESOLUTION NO. R-024- 068

(Exclusion Property)

[Addresses and state parcel numbers.]

EXHIBIT B TO RESOLUTION NO. R-024- 068

The District consists of the following legally described parcels:

1. TWIN OAKS SUBDIVISION – As shown on the Castle Mesa South Subdivision Plat recorded June 21, 1973 at reception #161972:

Part of sections 21 and 22, township 8 south, range 67 west of the sixth principal meridian, county of Douglas, state of Colorado being more particularly described as follows:

commencing at the northwest corner of said section 21 being the true point of beginning; thence north $89^{\circ}54'23''$ east along the north line of the northwest one-quarter of said section 21 a distance of 2628.85 feet to the north one-quarter corner of said section 21; thence south $89^{\circ}27'04''$ east along the north line of the northeast one-quarter of said section 21 a distance of 2628.34 feet to the northeast corner of said section 21; thence south $89^{\circ}09'11''$ east along the north line of the northwest one-quarter of said section 22 a distance of 2635.82 feet to the north one-quarter corner of said section 22; thence south $00^{\circ}03'00''$ west along the north – south centerline of said section 22 a distance of 1330.11 feet to the southeast corner of the north one-half of the northwest one-quarter of said section 22; thence north $89^{\circ}07'05''$ west along the south line of the north one-half of the northwest one-quarter a distance of 1316.36 feet to the northeast corner of the southwest one-quarter of the northwest one-quarter of said section 22; thence south $00^{\circ}01'04''$ east along the east line of the southwest one-quarter of the northwest one-quarter a distance of 1329.32 feet to the southeast corner of the southwest one-quarter of the northwest one-quarter of said section 22; thence north $89^{\circ}04'58''$ west along the south line of the southwest one-quarter of said section 22 a distance 65.07 feet to a point on the centerline of territorial road which is recorded in Book 1 at page 5 of the Douglas County records; thence south $17^{\circ}39'12''$ west along the centerline of said road a distance of 1390.06 feet to a point on the south line of the northwest one-quarter of the southwest one-quarter of said section 22; thence north $89^{\circ}05'55''$ west along said south line a distance of 826.17 feet to the southwest corner of the northwest one-quarter of the southwest one-quarter of section 22; thence north $89^{\circ}33'14''$ west along the south line of the north one-half of the southeast one-quarter a distance of 2643.14 feet to a point on the north-south centerline of said section 21; thence continuing north $89^{\circ}33'14''$ west along the south line of the north one-half of the southwest one-quarter of said section 21 a distance of 2643.27 feet to the southwest corner of the north one-half of the southwest one-quarter of said section 21; thence north $00^{\circ}20'09''$ east along the west line of the southwest one-quarter of said section 21 a distance of 1322.83 feet to the west of one-quarter corner of said section 21; thence north $00^{\circ}20'09''$ east along the west line of the northwest one-quarter of said section 21 a distance of 2645.65 feet to the true point of beginning.

Excluding:

- a) Lot 3, Twin Oaks Plat recorded June 21, 1973 at reception #161972, County of Douglas, State of Colorado

- b) Lot 4, Twin Oaks Plat recorded June 21, 1973 at reception #161972, County of Douglas, State of Colorado
 - c) Lot 59, Twin Oaks Amended Replat recorded January 28th, 1980 at reception #2489215, County of Douglas, State of Colorado
 - d) Lot 58, Twin Oaks Amended Replat recorded January 28th, 1980 at reception #2489215, County of Douglas, State of Colorado
 - e) Lot 60, Twin Oaks Amended Replat recorded January 28th, 1980 at reception #2489215, County of Douglas, State of Colorado
 - f) Tract C, Twin Oaks Plat recorded June 21, 1973 at reception #161972, County of Douglas, State of Colorado
 - g) That portion of Briscoe Lane vacated under Ordinance 86-24 at book 680, page 920 at reception #198625694
 - h) All of Clarkes Circle adjacent to the east side of Lot 58
 - i) All of Territorial Road
2. (SCHULL PARCELS) East ½ of the Southeast ¼ of Section 16, Township 8 South, Range 67 West of the 6th P.M., County of Douglas, State of Colorado.
Including:
a) Parcel 3, Quiet Oaks Rural Site Plan recorded November 18, 1998 at reception #9892467, County of Douglas, State of Colorado.
- Excluding:
a) Parcel 1, Quiet Oaks Rural Site Plan recorded November 18, 1998 at reception #9892467, County of Douglas, State of Colorado.
3. CASTLE MESA SOUTH SUBDIVISION – As shown on the Castle Mesa South Subdivision Plat recorded September 24, 1997 at reception #145078:

Being the East one half of Section 20, Township 8 South, Range 67 West of the 6th Principal Meridian, including:
a) All of the Laton Exemption recorded at reception #2014076603
b) All of the Castle Mesa South 1st Amendment recorded at reception #9516208
4. CASTLE MESA WEST SUBDIVISION – As shown on the Castle Mesa West Subdivision Plat recorded November 15, 1972 at reception #155776:

Being the west one half of section 20, township 8 south, range 67 west of the 6th principal meridian, including: Castle Mesa West Replat of Lot 16 recorded at reception #1980250347

5. CASTLE MESA SUBDIVISION – As shown on the Castle Mesa Subdivision Plat recorded February 19, 1969 at reception #132468:

Part of Section 17, Township 8S, Range 67W of the 6th P.M., Douglas County, State of Colorado, more particularly described as follows:

Beginning at the SE corner of said Sec. 17, thence S88°07'E along the south boundary of said Sec. 17, 5392.32 ft to the S W corner of said Sec. 17, thence N 01°31'E along the west boundary of said Sec. 17, 2636.08 ft to the west ¼ corner of said Sec. 17, thence S 88 21 30 E along the east west centerline of said Sec 17, 4232.38 ft to a point, thence N 00°34'45"W- 1682.00 to a point on the southerly R.O.W. of County Road No. 214, Thence southeasterly along the southerly R.O.W. of County Road No. 214, 324.46 ft to a point on the east boundary of said Sec. 17, thence S 01°49'E along the East Boundary of said Sec. 17, 4202.78 ft, more or less to the point of beginning.

Excluding:

- a) Lot 18, Castle Mesa Subdivision,
County of Douglas, State of Colorado
- b) Lot 1, Castle Mesa Subdivision,
County of Douglas, State of Colorado
- c) Lot 2, Castle Mesa Subdivision
County of Douglas, State of Colorado

6. (OSBORNE PARCEL) A tract of land located in the Northeast ¼ of Section 17, Township 8 South, Range 67 West of the 6th Principal Meridian, more particularly described as follows:

Beginning at a point on the West line of the Northeast ¼ and 1001.8 feet South of the North ¼ corner of Section 17;

Thence South along the West line of the Northeast ¼ 1585.7 feet to the Southwest corner of the Northeast 1/4 of Section 17;

Thence East along the South line of the Northeast 1/4 1605.86 feet to a point;

Thence North 552.9 feet to a point in the center line of South Peakview Drive;

Thence North 89°12' West 421.3 feet to a point;

Thence North 42°37'13" West 1456.16 feet to a point;

Thence North 89°45'30" West 193.4 feet more or less to the True Point of Beginning.

Except that part that lies within South Peakview Drive, and except that part described in the instrument recorded May 18, 1976 in Book 289 at Page 876, and except that part described in the instrument recorded February 2, 1998, in Book 1507 at Page 1188, County of Douglas, State of Colorado.

7. (POMARICO PARCEL) A tract of land located in the Northeast ¼ of Section 17, Township 8 South, Range 67 West of the 6th Principal Meridian, County of Douglas, State of Colorado, more particularly described as follows:

Beginning at a point on the South boundary of Wolfensberger Road, 340.6 feet South of the North $\frac{1}{4}$ corner of Section 8;

Thence South $69^{\circ}16'$ East along Wolfensberger Road 1686.9 feet to a point on the West boundary of South Peakview Drive;

Thence South $0^{\circ}21'$ West along the West boundary of South Peakview Drive, 1140.2 feet to a point;

Thence North $89^{\circ}12'$ West 391.3 feet to a point;

Thence North $42^{\circ}37'13''$ West 1456.16 feet to a point;

Thence South $89^{\circ}45'30''$ West 193.4 feet to a point on the West line of the Northwest $\frac{1}{4}$ of Section 8;

Thence North along the West line of the Northwest $\frac{1}{4}$ of Section 8 661.2 feet more or less to the point of beginning.

8) All of Peak View Drive lying within section 17, township 8 south, range 67 west of the 6th principal meridian.