

RESOLUTION NO. 70-20

A RESOLUTION OF THE CITY OF COLORADO SPRINGS
APPROVING A SERVICE PLAN FOR THE REAGAN
RANCH METROPOLITAN DISTRICT NOS. 1-3

WHEREAS, Section 32-1-204.5, C.R.S., provides that no special district shall be organized within a municipality except upon adoption of a resolution approving or conditionally approving the Service Plan of a proposed special district; and

WHEREAS, the City Council passed Resolution No. 9-06 adopting a Special District Policy to be applied to applications to create or modify a district authorized under Titles 31 and 32 of the Colorado Revised Statutes and adopting 'Model Service Plans' to be used in establishing and modifying metropolitan districts (the "Policy and Model Service Plan"); and

WHEREAS, the City Council has considered the consolidated service plan ("Service Plan") for the Reagan Ranch Metropolitan District Nos. 1-3 (the "Districts") with the recommended maximum mill levies and all other testimony and evidence presented at the Council meeting; and

WHEREAS, it appears to the City Council that the recommended maximum mill levies and other provisions of the Service Plan are consistent with the Policy and Model Service Plan.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. The above and foregoing recitals are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The City Council of the City of Colorado Springs, having reviewed the Petition for Approval of the Service Plan and the Service Plan, as submitted by the petitioner, has determined, based solely upon the Petition for Approval and evidence presented to City Council in support of said Service Plan, that:

- a. There is a sufficient existing and projected need for organized service in the area to be served by the District;
- b. The existing service in the area to be served by the District is not adequate for present and projected needs;

- c. The proposed District is capable of providing economic and sufficient service to the area within its boundaries; and
- d. The area to be included in the proposed special district has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

Section 3. As set forth in 7-100 of the City Charter and in the Service Plan, the total debt of any proposed District shall not exceed 10 percent of the total assessed valuation of the taxable property within the District unless this Resolution was approved by at least a two-thirds vote of the entire City Council.

Section 4. The Districts shall not be authorized to operate or maintain public improvements other than those listed in Exhibit D of the Service Plan until and unless such power is subsequently granted by the City. Such an approval may be by separate resolution, which would not require a formal amendment of the Service Plan.

Section 5. No property within the current or future boundaries of the Districts shall have a concurrent property tax obligation imposed against by any other special district created under Titles 31 or 32 of the Colorado Revised Statutes without prior approval by City Council.

Section 6. The Districts shall not certify a debt service mill levy and shall not formally issue any debt, until the land uses contemplated by this Service Plan for each particular district have been included as part of an "approved development plan", as that term is defined in this Service Plan.

Section 7. In the event the initially included properties to be served by the Districts have not been rezoned to substantially allow for the land uses contemplated by

this Service Plan, on or before December 31, 2022, the Districts shall either initiate dissolution of the Districts or petition for an amended service plan.

Section 8. The Service Plan for the Districts is hereby approved.

Section 9. The City's approval of the Service Plan is not a waiver of, nor a limitation upon any power that the City is legally permitted to exercise with respect to the property subject to the proposed District.


Section 10. This Resolution shall be in full force and effect immediately upon its adoption.


DATED at Colorado Springs, Colorado this 25th day of August 2020.



Council President

ATTEST:


Sarah B. Johnson, City Clerk



**SERVICE PLAN
FOR
REAGAN RANCH METROPOLITAN DISTRICT NOS. 1-3
IN THE CITY OF COLORADO SPRINGS, COLORADO**

Prepared

by

SPENCER FANE LLP
1700 LINCOLN STREET, SUITE 2000
DENVER, COLORADO 80203

Submittal Date: May 20, 2020

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I. INTRODUCTION

A. Purpose and Intent

The Districts are independent units of local government, separate and distinct from the City, and, except as may otherwise be provided for by State or local law or this Service Plan, their activities are subject to review by the City only insofar as they may deviate in a material matter from the requirements of the Service Plan. It is intended that the Districts will provide a part or all of the Public Improvements for the use and benefit of all anticipated inhabitants and taxpayers of the Districts. The primary purpose of the Districts will be to finance the construction of these Public Improvements.

The Districts are not being created to provide ongoing operations and maintenance services other than those specifically set forth in Exhibit D to this Service Plan.

B. Need for the Districts

There are currently no other governmental entities, including the City, located in the immediate vicinity of the Districts that consider it desirable, feasible or practical to undertake the planning, design, acquisition, construction installation, relocation, redevelopment, and financing of the Public Improvements needed for the Project. Formation of the Districts is, therefore, necessary in order for the Public Improvements required for the Project to be provided in the most economic manner possible.

C. Objective of the City Regarding Districts Service Plan

The City's objective in approving the Service Plan for the Districts is to authorize the Districts to provide for the planning, design, acquisition, construction, installation, relocation, and redevelopment of the Public Improvements from the proceeds of Debt to be issued by the Districts. All Debt is expected to be repaid by taxes imposed and collected for no longer than the Maximum Debt Mill Levy Imposition Term for residential properties and at a tax mill levy no higher than the Maximum Debt Mill Levy for commercial and residential properties, and/or repaid by Fees, as long as such Fees are not imposed upon or collected from Taxable Property owned or occupied by an End User for the purpose of creating a capital cost payment obligation as further described in Section V.A.11. Debt which is issued within these parameters and, as further described in the Financial Plan, will insulate property owners from excessive tax burdens to support the servicing of the Debt and will result in a timely and reasonable discharge of the Debt.

This Service Plan is intended to establish a limited purpose for the Districts and explicit financial constraints that are not to be violated under any circumstances. The primary purpose is to provide for the Public Improvements associated with development and regional needs. Operational activities are allowed, but only as specified in Exhibit D to this Service Plan.

It is the intent of the Districts to dissolve upon payment or defeasance of all Debt incurred or upon a court determination that adequate provision has been made for the payment of all Debt, and if any District has authorized operating functions under an intergovernmental

agreement (IGA) with the City, to retain only the power necessary to impose and collect taxes or Fees to pay for these costs.

The Districts shall be authorized to finance the Public Improvements that can be funded from Debt to be repaid from tax revenue collected from a mill levy which shall not exceed the Maximum Debt Mill Levy in any District and which shall not exceed the Maximum Debt Mill Levy Imposition Term in Residential Districts. It is the intent of this Service Plan to assure to the extent possible that no property in any District bears an economic burden that is greater than that associated with the Maximum Debt Mill Levy in amount, and that no property in a Residential District bears an economic burden that is greater than that associated with the Maximum Debt Mill Levy Imposition Term in duration even under bankruptcy or other unusual situations. Generally, the costs of Public Improvements that cannot be funded within these parameters are not costs to be paid by the Districts.

II. DEFINITIONS

In this Service Plan, the following terms shall have the meanings indicated below, unless the context hereof clearly requires otherwise:

Approved Development Plan: a Master Plan and other more detailed land use approvals established by the City for identifying, among other things, Public Improvements necessary for facilitating the development of property within the Service Area as approved by the City pursuant to the City Code and as amended pursuant to the City Code from time to time.

Board: the board of directors of one District or the boards of directors of all Districts, in the aggregate.

Bond, Bonds or Debt: bonds or other obligations for the payment of which any District has promised to impose an ad valorem property tax mill levy.

City: the City of Colorado Springs, Colorado.

City Code: the City Code of the City of Colorado Springs, Colorado.

City Council: the City Council of the City of Colorado Springs, Colorado.

Commercial Districts: District No. 3, containing property classified for assessment as nonresidential.

Debt: any bond, note debenture, contract or other multiple-year financial obligation of a District which is payable in whole or in part from, or which constitutes a lien or encumbrance on the proceeds of ad valorem property tax imposed by a District.

Debt to Actual Market Value Ratio: the ratio derived by dividing the then-outstanding principal amount of all Debt of the District by the actual market valuation of the taxable property of the District, as such actual market valuation is certified from time to time by the appropriate county assessor.

District No. 1: the Reagan Ranch Metropolitan District No. 1.

District No. 2: the Reagan Ranch Metropolitan District No. 2.

District No. 3: the Reagan Ranch Metropolitan District No. 3.

District or Districts: any one or all of the District Nos. 1 through 3 inclusive.

End User: means any owner, or tenant of any owner, of any taxable improvement within the District, who is intended to become burdened by the imposition of ad valorem property taxes subject to the Maximum Debt Mill Levy. By way of illustration, a resident homeowner, renter, commercial property owner, or commercial tenant is an End User. The business entity that constructs homes or commercial structures is not an End User.

External Financial Advisor: a consultant that: (1) advises Colorado governmental entities on matters relating to the issuance of securities by Colorado governmental entities, including matters such as the pricing, sales and marketing of such securities and the procuring of bond ratings, credit enhancement and insurance in respect of such securities; (2) shall be an underwriter, investment banker, or individual listed as a public finance advisor in the Bond Buyer's Municipal Market Place; and (3) is not an officer of the District.

Fees: means any fee imposed by the District for services, programs or facilities provided by the District, as described in Section V.A.11. below.

Financial Plan: the Financial Plan described in Section VII which describes (a) how the Public Improvements are to be financed; (b) how the Debt is expected to be incurred; and (c) the estimated operating revenue derived from property taxes for the first budget year.

Inclusion Area Boundaries: the boundaries of the area described in the Inclusion Area Boundary Map.

Inclusion Area Boundary Map: the map attached hereto as Exhibit C-2, describing the property proposed for inclusion within one, but not any more than one, of the boundaries of the Districts.

Initial District Boundaries: the boundaries of the area described in the Initial District Boundary Map.

Initial District Boundary Map: the map attached hereto as Exhibit C-1, describing the District's initial boundaries.

Maximum Debt Mill Levy: the maximum mill levy any of the Districts is permitted to impose for payment of Debt as set forth in Section VI.E below.

Maximum Debt Mill Levy Imposition Term: the maximum term for imposition of a Debt Service mill levy in Residential Districts as set forth in Section VI.F below.

Maximum Operating Mill Levy: the maximum mill levy any of the Districts is permitted to impose for payment of operating and maintenance expenses as set forth in Section VI.J below.

Project: the development or property commonly referred to as Reagan Ranch.

Public Improvements: a part or all of the improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped and financed as generally described in the Special District Act, except as specifically limited in Section V below to serve the future taxpayers and inhabitants of the Service Area as determined by the Board of one or more of the Districts.

Residential Districts: District Nos. 1 and 2, inclusive, containing property classified for assessment as residential. (NOTE: all districts which include or are expected to include any residential property must be defined as Residential Districts and not Commercial Districts.)

Service Area: the property within the Initial District Boundary Maps for all Districts and the Inclusion Area Boundary Maps for all Districts.

Service Plan: the service plan for the Districts approved by City Council.

Service Plan Amendment: an amendment to the Service Plan approved by City Council in accordance with the City's ordinance and the applicable State law.

Special District Act: Section 32-1-101, et seq., of the Colorado Revised Statutes, as amended from time to time.

State: the State of Colorado.

III. BOUNDARIES

The area of the Initial District Boundaries includes approximately 133.58 acres and the total area proposed to be included in the Inclusion Area Boundaries is approximately 101.83 acres. Legal descriptions of the Initial District Boundaries are attached hereto as Exhibit A. Maps of the Initial District Boundaries are attached hereto as Exhibit C-1, and maps of the Inclusion Area Boundaries are attached hereto as Exhibit C-2. A vicinity map is attached hereto as Exhibit B. It is anticipated that the District's Boundaries may change from time to time as it undergoes inclusions and exclusions pursuant to Section 32-1-401, et seq., CRS, and Section 32-1-501, et seq., CRS, subject to the limitations set forth in Article V below. Further, in order to accommodate the needs of development phasing and other contingencies, the boundaries of the Districts may be adjusted via the inclusion and exclusion of property within the Service Area in accordance with the applicable provisions of the Special District Act.

IV. PROPOSED LAND USE/POPULATION PROJECTIONS/ASSESSED VALUATION

The Service Area consists of approximately 235.41 acres of residential and commercial land. The current assessed valuation of the Service Area is \$0.00 for purposes of this Service Plan and, at build out, is expected to be sufficient to reasonably discharge the Debt under the Financial Plan. The population of the Districts at build-out is estimated to be approximately 2,595 people.

Approval of this Service Plan by the City does not imply approval of the development of a specific area within the Districts nor does it imply approval of the number of residential units or the total site/floor area of commercial or industrial buildings identified in this Service Plan or any of the exhibits attached thereto, unless the same is contained within an Approved Development Plan.

V. DESCRIPTION OF PROPOSED POWERS, IMPROVEMENTS AND SERVICES

A. Powers of the Districts and Service Plan Amendment

The Districts shall have the power and authority to provide the Public Improvements and related operation and maintenance services within and without the boundaries of the Districts as such power and authority is described in the Special District Act, and other applicable statutes, common law and the Constitution, subject to the limitations set forth herein.

1. Operations and Maintenance Limitation. The purpose of the Districts is to plan for, design, acquire, construct, install, relocate, redevelop, and finance the Public Improvements. The Districts shall dedicate the Public Improvements to the City or other appropriate jurisdiction or owners association in a manner consistent with the Approved Development Plan and other rules and regulations of the City and applicable provisions of the City Code. The Districts shall not be authorized to operate and maintain any part or all of the Public Improvements after such dedication, including park and recreation improvements, unless the provision of such ongoing operation and maintenance is specifically identified in Exhibit D attached hereto. In the City's sole discretion, an IGA between the City and the District may be required in order to better describe the conditions under which these permitted services will be provided by the District. If the Districts are authorized to operate and maintain certain park and recreation improvements set forth in Exhibit D, any fee imposed by the Districts for access to such park and recreation improvements shall not result in non-District residents paying a user fee that is greater than, or otherwise disproportionate to, similar Fees and taxes paid by residents of the Districts. However, the Districts shall be entitled to impose an administrative fee as necessary to cover additional expenses associated with non-District residents to ensure that such costs are not the responsibility of the Districts residents. All such Fees shall be based upon the determination of the District imposing such fee that such fee does not exceed a reasonable annual market fee for users of such facilities. Notwithstanding the foregoing, all parks and trails shall be open to the general public including non-District residents free of charge.

2. City Charter Limitations. In accordance with Article 7-100 of the City Charter, the Districts shall not issue any Debt instrument for any purpose other than construction

of capital improvements with a public purpose necessary for development. As further set forth in Article 7-100 of the City Charter, the total Debt of any proposed District shall not exceed 10 percent of the total assessed valuation of the taxable property within the District unless approved by at least a two-thirds vote of the entire City Council.

3. Use of Bond Proceeds and Other Revenue of the Districts Limitation.

Proceeds from the sale of debt instruments and other revenue of Districts may not be used to pay landowners within the District for any real property required to be dedicated for public use by annexation agreements or land use codes. Examples of ineligible reimbursements include, but are not limited to: the acquisition of rights of way, easements, water rights, land for prudent line drainage, parkland, or open space, unless consent from the City Council is given. Proceeds from the sale of debt instruments and other revenue of the Districts also may not be used to pay for the construction of any utility infrastructure except for those categories of utility infrastructure covered by utility tariffs, rules, and regulations. Additionally, if the landowner/developer constructs the public infrastructure and conveys it to the District in return for a reimbursement obligation from the District, prior to making such reimbursement for such amounts, the District must receive the report of an independent engineer or accountant confirming that the amount of the reimbursement is reasonable. Further, if a District enters into a reimbursement agreement pursuant to which such District is reimbursed funds from other developers, such funds shall be utilized only for the purpose of repaying and refunding outstanding bonds or debt of the District.

4. Recovery Agreement Limitation. Should the Districts construct

infrastructure subject to a recovery agreement with the City or other entity, the Districts retain all benefits under the recovery agreement. Any subsequent reimbursement for public improvements installed or financed by the Districts will remain the property of the Districts to be applied toward repayment of their Debt, if any. Any reimbursement revenue not necessary to repay the Districts Debt may be utilized by the District to construct additional public improvements permitted under the approved Service Plan.

5. Construction Standards Limitation. The Districts will ensure that the

Public Improvements are designed and constructed in accordance with the standards and specifications of the City and of other governmental entities having proper jurisdiction. The Districts will obtain the City's approval of civil engineering plans and will obtain applicable permits for construction and installation of Public Improvements prior to performing such work.

6. Privately Placed Debt Limitation. Prior to the issuance of any privately

placed Debt for capital related costs, the District shall obtain the certification of an External Financial Advisor substantially as follows: We are [I am] an External Financial Advisor within the meaning of the Districts' Service Plan.

We [I] certify that (1) the net effective interest rate (calculated as defined in Section 32-1-103(12), CRS) to be borne by [insert the designation of the Debt] does not exceed a reasonable current [tax-exempt] [taxable] interest rate, using criteria deemed appropriate by us [me] and based upon our [my] analysis of comparable high yield securities; and (2) the structure of [insert designation of the Debt], including maturities and early redemption provisions, is reasonable considering the financial circumstances of the District.

7. Inclusion Limitation. The Districts shall not include within any of their boundaries any property outside the Service Area without the prior written consent of the City Council.

8. Overlap Limitation. The boundaries of the Districts shall not overlap unless the aggregate mill levy for payment of Debt of the overlapping Districts will not at any time exceed the Maximum Debt Mill Levy of the Districts. Additionally, the Districts shall not consent to the organization of any other district organized under the Special District Act within the Service Area which will overlap the boundaries of the Districts unless the aggregate mill levy for payment of Debt of such proposed districts will not at any time exceed the Maximum Debt Mill Levy of the Districts.

9. Initial Debt Limitation. On or before the date on which there is an Approved Development Plan, the District shall not (a) issue any Debt, (b) impose a mill levy for the payment of Debt by direct imposition or by transfer of funds from the operating fund to the Debt service funds, or (c) impose and collect any Fees used for the purpose of repayment of Debt.

10. Total Debt Issuance Limitation. The issuance of all bonds or other debt instruments of Districts shall be subject to the approval of the City Council. City Council's review of the bonds or other debt instruments of the Districts shall be conducted to ensure compliance with the Service Plan and all applicable laws. District No. 1 shall not issue Debt in the aggregate principal amount in excess of \$51,000,000. District No. 2 shall not issue Debt in the aggregate principal amount in excess of \$36,000,000. Upon the inclusion of the Inclusion Area Boundaries identified for District No. 2 in Exhibit C-2, the Total Debt Issuance Limitation for District No. 2 shall increase to an aggregate principal amount not to exceed \$57,000,000. District No. 3 shall not issue Debt in the aggregate principal amount in excess of \$15,000,000. Upon the inclusion of the Inclusion Area Boundaries identified for District No. 3 in Exhibit C-2, the Total Debt Issuance Limitation for District No. 3 shall increase to an aggregate principal amount not to exceed \$28,000,000. The foregoing shall not include the principal amount of Debt issued for the purpose of refunding or refinancing lawfully issued Debt.

11. Fee Limitation. The District may impose and collect Fees as a source of revenue for repayment of debt, capital costs, and/or for operations and maintenance. No Fee related to the funding of costs of a capital nature shall be authorized to be imposed upon or collected from Taxable Property owned or occupied by an End User which has the effect, intentional or otherwise, of creating a capital cost payment obligation in any year on any Taxable Property owned or occupied by an End User. Notwithstanding any of the foregoing, the restrictions in this definition shall not apply to any Fee imposed upon or collected from Taxable Property for the purpose of funding operation and maintenance costs of the District.

12. Monies from Other Governmental Sources. The Districts shall not apply for or accept Conservation Trust Funds, Great Outdoors Colorado Funds, or other funds available from or through governmental or nonprofit entities that the City is eligible to apply for, except pursuant to an intergovernmental agreement with the City. This Section shall not apply to specific ownership taxes which shall be distributed to and a revenue source for the Districts without any limitation.

13. Consolidation Limitation. The Districts shall not file a request with any court to consolidate with another Title 32 district without the prior written consent of the City.

14. Bankruptcy Limitation. All of the limitations contained in this Service Plan, including, but not limited to, those pertaining to the Maximum Debt Mill Levy and the Maximum Debt Mill Levy Imposition Term have been established under the authority of the City to approve a Service Plan with conditions pursuant to Section 32-1-204.5, CRS. It is expressly intended that such limitations:

(a) Shall not be subject to set-aside for any reason or by any court of competent jurisdiction, absent a Service Plan Amendment; and

(b) Are, together with all other requirements of Colorado law, included in the “political or governmental powers” reserved to the State under the U.S. Bankruptcy Code (11 U.S.C.) Section 903, and are also included in the “regulatory or electoral approval necessary under applicable nonbankruptcy law” as required for confirmation of a Chapter 9 Bankruptcy Plan under Bankruptcy Code Section 943(b)(6).

Any Debt, issued with a pledge or which results in a pledge, that exceeds the Maximum Debt Mill Levy or, for Residential Districts, the Maximum Debt Mill Levy Imposition Term, shall be deemed a material departure from this Service Plan pursuant to Section 32-1-207, CRS and the City shall be entitled to all remedies available under State and local law to enjoin such actions of the Districts.

15. Service Plan Amendment Requirement. This Service Plan has been designed with sufficient flexibility to enable the Districts to provide required services and facilities under evolving circumstances without the need for numerous amendments. While the assumptions upon which this Service Plan are generally based are reflective of an Approved Development Plan for the property within the Districts, the cost estimates and Financing Plan are sufficiently flexible to enable the Districts to provide necessary services and facilities without the need to amend this Service Plan as development plans change. Modification of the general types of services and facilities, and changes in proposed configurations, locations, or dimensions of various facilities and improvements shall be permitted to accommodate development needs consistent with then-current Approved Development Plans for the property. Actions of the Districts which violate the limitations set forth in V.A.1-12 above or in VI.B-F. shall be deemed to be material departures from this Service Plan and the City shall be entitled to all remedies available under State and local law to enjoin such actions of the Districts.

16. Eminent Domain Powers Limitation. Currently, the District does not expect to use the power of eminent domain. The District shall not exercise the power of eminent domain except upon the prior written consent of the City.

B. Preliminary Engineering Survey

The Districts shall have authority to provide for the planning, design, acquisition, construction, installation, relocation, redevelopment, maintenance, and financing of the Public Improvements within and without the boundaries of the Districts, to be more specifically defined in an Approved Development Plan. An estimate of the costs of the Public Improvements which

may be planned for, designed, acquired, constructed, installed, relocated, redeveloped, maintained or financed was prepared based upon a preliminary engineering survey and estimates derived from the Approved Development Plan on the property in the Service Area and is approximately \$126,000,000.

The Districts shall be permitted to allocate costs between such categories of the Public Improvements as deemed necessary in their discretion.

All of the Public Improvements described herein will be designed in such a way as to assure that the Public Improvements standards will be compatible with those of the City and shall be in accordance with the requirements of the Approved Development Plan. All descriptions of the Public Improvements to be constructed, and their related costs, are estimates only and are subject to modification as engineering, development plans, economics, the City's requirements, and construction scheduling may require. Upon approval of this Service Plan, the Districts will continue to develop and refine cost estimates contained herein and prepare for issuance of Debt. All cost estimates will be inflated to then-current dollars at the time of the issuance of Debt and construction. All construction cost estimates assume construction to applicable local, State or Federal requirements.

C. Multiple District Structure.

It is anticipated that the Districts, collectively, will undertake the financing and construction of the Public Improvements. The nature of the functions and services to be provided by each District shall be clarified in an IGA between and among the Districts. The maximum term of such IGA shall be forty (40) years from its effective date. All such agreements will be designed to help assure the orderly development of the Public Improvements and essential services in accordance with the requirements of this Service Plan. Implementation of such IGA is essential to the orderly implementation of this Service Plan. Accordingly, except as may be otherwise provided in such IGA, any determination of any one of the Board of Directors to set aside at the Agreement without the consent of all of the Board of Directors of the other Districts shall be a material modification of the Service Plan. Said IGA may be amended by mutual agreement of the Districts without the need to amend this Service Plan.

VI. FINANCIAL PLAN

A. General

The Districts shall be authorized to provide for the planning, design, acquisition, construction, installation, relocation and/or redevelopment of the Public Improvements from its revenue and by and through the proceeds of Debt to be issued by the Districts. The Financial Plan for the Districts shall be to issue such Debt as the Districts can reasonably pay from revenue derived from the Maximum Debt Mill Levy and other legally available revenue, within the Maximum Debt Mill Levy Term for Residential Districts. The total Debt that the Districts shall be permitted to issue shall not exceed the total Debt issuance limitation set forth in Section V.A.10 hereof, and shall be permitted to be issued on a schedule and in such year or years as the Districts determine shall meet the needs of the Financial Plan referenced above and phased to serve development as it occurs. All bonds and other Debt issued by the Districts may be payable

from any and all legally available revenue of the Districts, including general ad valorem taxes to be imposed upon all taxable property of the Districts. The Districts will also rely upon various other revenue sources authorized by law. These will include the power to assess Fees, rates, tolls, penalties, or charges as provided in the Special District Act or other State statutes. No Districts will be allowed to impose a sales tax.

B. Maximum Voted Interest Rate and Maximum Underwriting Discount

The interest rate on any Debt is expected to be the market rate at the time the Debt is issued. The proposed maximum interest rate on any Debt is not expected to exceed 18%. The proposed maximum underwriting discount will be 5%. Debt, when issued, will comply with all relevant requirements of this Service Plan, State law and Federal law as then applicable to the issuance of public securities.

C. No-Default Provisions

Debt issued by a District shall be structured so that failure to pay debt service when due shall not of itself constitute an event of default or result in the exercise of remedies. The foregoing shall not be construed to prohibit events of default and remedies for other occurrences including, without limitation, (1) failure to impose or collect the Maximum Debt Mill Levy or such portion thereof as may be pledged thereto, or to apply the same in accordance with the terms of the Debt, (2) failure to impose or collect other revenue sources lawfully pledged to the payment thereof or to apply the same in accordance with the terms of the Debt, (3) failure to abide by other covenants made in connection with such Debt, or (4) filing by a District as a debtor under any bankruptcy or other applicable insolvency laws. Notwithstanding the foregoing, Debt will not be structured with a remedy which requires the District to increase the Maximum Debt Mill Levy in any District or, in Residential Districts, the Maximum Debt Mill Levy Imposition Term.

D. Eligible Bondholders

All District bonds or other debt instrument, if not rated as investment grade, must be issued in minimum denominations of \$100,000 and sold only to either accredited investors as defined in rule 501 (a) promulgated under the Securities Act of 1933 or to the developer(s) of property within the District.

E. Maximum Debt Mill Levy

The Maximum Debt Mill Levy shall be the maximum mill levy a District is permitted to impose upon the taxable property of the Districts for payment of Debt, and shall be determined as follows:

1. For Residential Districts the Maximum Debt Mill Levy shall be calculated as follows:

(a) The Maximum Debt Mill Levy shall be 30 mills; provided that if, on or after January 1, 2006, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement; the mill levy limitation applicable to such

Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board of the issuing District in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenue generated by the mill levy, as adjusted for changes occurring after January 1, 2006, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

(b) At such time as the Debt to Actual Market Value Ratio within a Residential District is equal to or less than three percent (3%), the Board of that Residential District may request City Council approval for the right to pledge such mill levy as is necessary to pay the Debt service on such Debt, without limitation of rate. At the time of such request, a majority of the members of the Board must consist of homeowners owning property within the District. Once Debt has been determined to meet the above criterion, so that the District is entitled to pledge to its payment an unlimited ad valorem mill levy, such District may provide that such Debt shall remain secured by such unlimited mill levy, notwithstanding any subsequent change in such District's Debt to Actual Market Value Ratio.

2. For Commercial Districts the Maximum Debt Mill Levy shall be calculated as follows:

(a) The Maximum Debt Mill Levy shall be 50 mills; provided that if, on or after January 1, 2006, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement; the mill levy limitation applicable to such Debt may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board of the issuing District in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenue generated by the mill levy, as adjusted for changes occurring after January 1, 2006, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

To the extent that the Districts are composed of or subsequently organized into one or more subdistricts as permitted under Section 32-1-1101, CRS, the term "District" as used in this Section VI.E. shall be deemed to refer to the District and to each such sub district separately, so that each of the subdistricts shall be treated as a separate, independent district for purposes of the application of this Section VI.E.

F. Maximum Debt Mill Levy Imposition Term

Residential Districts shall not impose a Debt Service mill levy which exceeds 40 years after the year of the initial imposition of such Debt Service mill levy unless (1) a majority of the Board of Directors of the District imposing the mill levy are residents of such District, and (2) such Board has voted in favor of issuing Debt with a term which requires or contemplates the imposition of a Debt service mill levy for a longer period of time than the limitation contained herein. There shall be no Maximum Debt Mill Levy Imposition Term in Commercial Districts.

G. Debt Repayment Sources

Each of the Districts may impose a mill levy on taxable property within its boundaries as a primary source of revenue for repayment of debt service and for operations and maintenance. The Districts may also rely upon various other revenue sources authorized by law. At the Districts discretion, these may include the power to assess Fees, rates, tolls, penalties, or charges as provided in Section 32-1-1001(l), CRS, as amended from time to time. In no event shall the debt service mill levy in any District exceed the Maximum Debt Mill Levy or, for Residential Districts, the Maximum Debt Mill Levy Imposition Term.

H. Debt Instrument Disclosure Requirement

In the text of each Bond and any other instrument representing and constituting Debt, the District shall set forth a statement in substantially the following form:

By acceptance of this instrument, the owner of this Bond agrees and consents to all of the limitations in respect of the payment of the principal of and interest on this Bond contained herein, in the resolution of the District authorizing the issuance of this Bond and in the Service Plan for the District.

Similar language describing the limitations in respect of the payment of the principal of and interest on Debt set forth in this Service Plan shall be included in any document used for the offering of the Debt for sale to persons including, but not limited to, a developer of property within the boundaries of the Districts.

I. Security for Debt

No Debt or other financial obligation of any Districts will constitute a debt or obligation of the City in any manner. The faith and credit of the City will not be pledged for the repayment of any Debt or other financial obligation of any Districts. This will be clearly stated on all offering circulars, prospectuses, or disclosure statements associated with any securities issued by any Districts. Districts shall not utilize the City of Colorado Springs' name in the name of the District.

J. Maximum Operating Mill Levy

In addition to the capital costs of the Public Improvements, the Districts will require operating funds for administration and to plan and cause the Public Improvements to be constructed and maintained. The first year's operating budget is estimated to be \$100,000, which is anticipated to be derived from property taxes and other revenue.

The Maximum Operating Mill Levy for the payment of the Districts operating and maintenance expenses shall be 10 mills; provided that if, on or after January 1, 2006, there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement; the mill levy limitation applicable to such operating and maintenance expenses may be increased or decreased to reflect such changes, such increases or decreases to be determined by the Board in good faith (such determination to be binding and final) so that to the extent

possible, the actual tax revenue generated by the mill levy, as adjusted for changes occurring after January 1, 2006, are neither diminished nor enhanced as a result of such changes. For purposes of the foregoing, a change in the ratio of actual valuation shall be deemed to be a change in the method of calculating assessed valuation.

K. Developer Financial Assurances

The mere existence of the District will not be considered a substitute for financial assurances required under applicable City land use ordinances and regulations.

VII. ANNUAL REPORT

A. General

Each of the Districts shall be responsible for submitting an annual report to the Director of the City's Budget Department no later than August 1 of each year following the year in which the Order and Decree creating the District has been issued. The Districts may cooperate in the creation and submittal of the report, provided the presentation of information in the report clearly identifies the applicable information pertaining to each District.

B. Reporting of Significant Events

The annual report shall include information as to any of the following:

1. Boundary changes made or proposed to the District's boundary as of December 31 of the prior year.
2. Intergovernmental agreements with other governmental entities, either entered into or proposed as of December 31 of the prior year.
3. Copies of the Districts' rules and regulations, if any, as of December 31 of the prior year.
4. A summary of any litigation which involves the any District's Public Improvements as of December 31 of the prior year.
5. Status of the Districts' construction of the Public Improvements as of December 31 of the prior year.
6. A list of all facilities and improvements constructed by the Districts that have been dedicated to and accepted by the City as of December 31 of the prior year.
7. The assessed valuation of the Districts for the current year.
8. Current year budget including a description of the Public Improvements to be constructed in such year.

9. Audit of the Districts' financial statements, for the year ending December 31 of the previous year, prepared in accordance with generally accepted accounting principles or audit exemption, if applicable.

10. Notice of any uncured events of noncompliance by the Districts under any Debt instrument which continue beyond a 90-day period.

11. Any inability of the Districts to pay their obligations as they come due, in accordance with the terms of such obligations, which continue beyond a 90-day period.

12. Copies of any Certifications of an External Financial Advisor provided as required by the Privately Placed Debt Limitation provision.

VIII. DISSOLUTION

Upon an independent determination of the City Council that the purposes for which the Districts were created have been accomplished, the Districts agree to file petitions in the appropriate District Court for dissolution pursuant to the applicable State statutes. In no event shall a dissolution occur until the Districts have provided for the payment or discharge of all of their outstanding indebtedness and other financial obligations as required pursuant to State statutes.

IX. DISCLOSURE TO PURCHASERS

The Districts will use reasonable efforts to assure that all developers of the property located within the Districts provide written notice to all purchasers of property in the Districts regarding the Maximum Debt Mill Levy, as well as a general description of the Districts' authority to impose and collect rates, Fees, tolls and charges. The form of notice shall be substantially in the form of Exhibit E hereto; provided that such form may be modified by the District so long as a new form is submitted to the City prior to modification. Within 90 days of District formation, the District will record the approved Disclosure form with the El Paso County Clerk and Recorder against all property included in the District and a copy to the City Clerk's Office.

X. CONCLUSION

It is submitted that this Service Plan for the Districts, as required by Section 32-1-203(2), CRS, and Section 122-35 of the City Code, establishes that:

1. There is sufficient existing and projected need for organized service in the area to be serviced by the Districts;
2. The existing service in the area to be served by the Districts is inadequate for present and projected needs;
3. The Districts are capable of providing economical and sufficient service to the area within its proposed boundaries; and

4. The area to be included in the Districts does have, and will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

5. Adequate service is not, and will not be, available to the area through the City or County or other existing municipal or quasimunicipal corporations, including existing special districts, within a reasonable time and on a comparable basis.

6. The facility and service standards of the District are compatible with the facility and service standards of the City within which the special district is to be located and each municipality which is an interested party under Section 32-1-204(1), CRS.

7. The proposal is in substantial compliance with a comprehensive plan adopted pursuant to the City Code.

8. The proposal is in compliance with any duly adopted City, regional or State long-range water quality management plan for the area.

9. The creation of the District is in the best interests of the area proposed to be served.

EXHIBIT A
Legal Descriptions

District No. 1 Legal Description

EXHIBIT A
Legal Description

May 20, 2020

A portion of that parcel described in Reception No. 218032766, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

COMMENCING at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence along said Airport overlay zoning line, S01°00'21"E, a distance of 1307.18 feet to a point on the south right-of-way line of Space Village Avenue, also being the **POINT OF BEGINNING**; thence along said south right-of-way line the following three (3) courses:

1. along the arc of a non-tangent curve to the left whose center bears N11°13'11"E, having a radius of 2915.00 feet, a central angle of 07°12'28", a distance of 366.70 feet;
2. S85°28'55"E, a distance of 287.92 feet;
3. along the arc of a non-tangent curve to the left whose center bears N04°03'46"E, having a radius of 1960.35 feet, a central angle of 04°24'43", a distance of 151.52 feet, to the northeast corner of the subject parcel;

thence leaving said south right-of-way line, S00°29'25"E, along the east line of said parcel, a distance of 805.78 feet, to the southeast corner of said parcel; thence S89°28'57"W, along the south line of said parcel, a distance of 793.21 feet, to a point on said Airport overlay zoning line; thence leaving said south line, N01°00'21"W, along said Airport overlay zoning line, a distance of 886.60 feet, to the **POINT OF BEGINNING**.

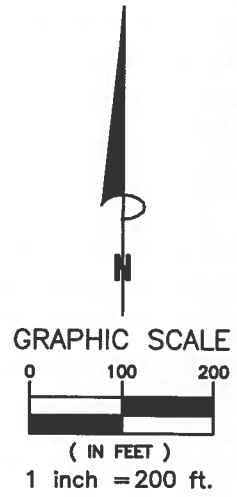
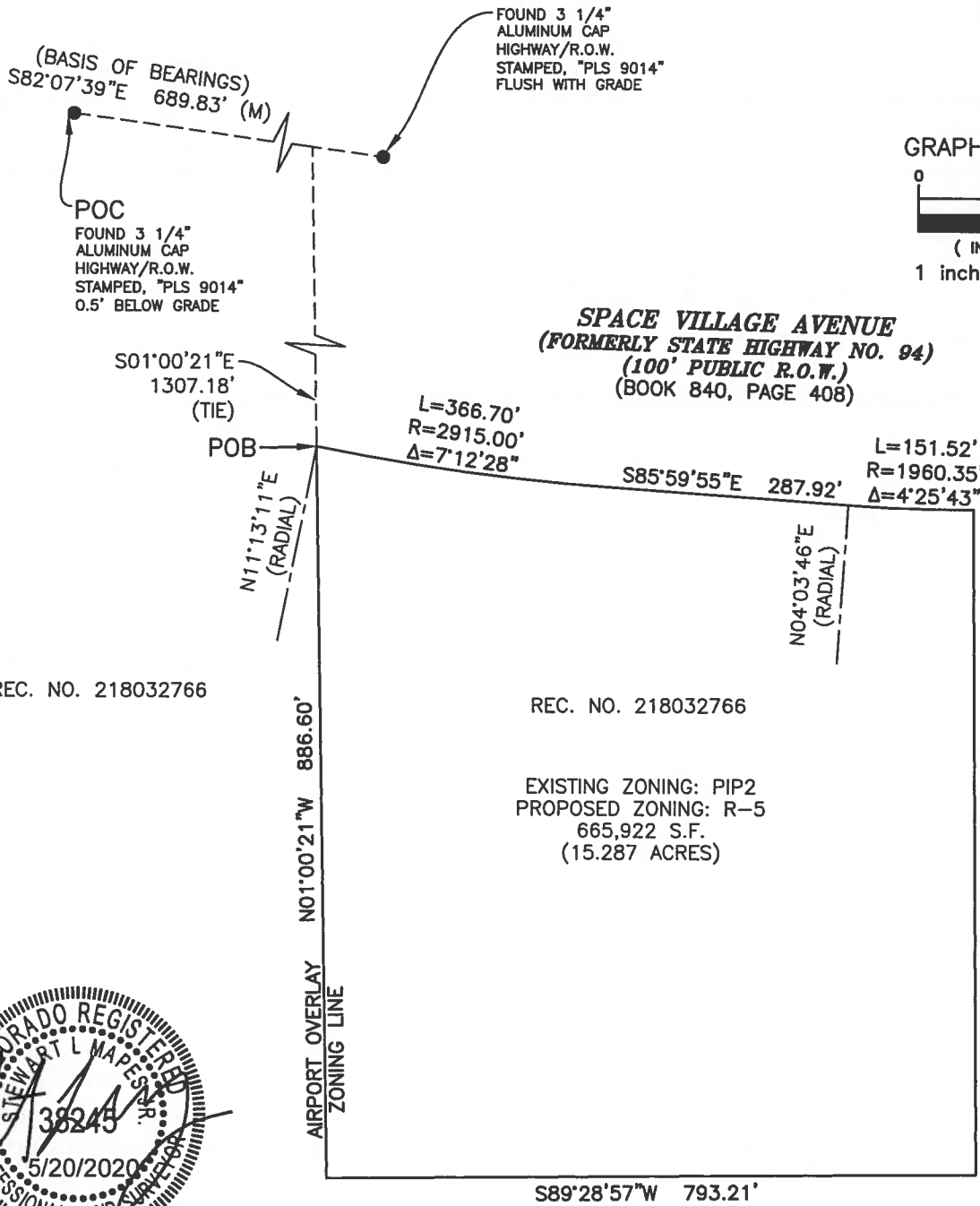
Containing 665,922 Sq. Ft. or 15.287 acres, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A

DEPICTION OF LEGAL DESCRIPTION



NOTE:
This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 2 of 2
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Clark
Land Surveying, Inc.

177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719.582.1270
www.clarks.com

EXHIBIT A
Legal Description

May 20, 2020

A portion of that parcel described in Book 5562, Page 362, recorded October 5, 1988, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

COMMENCING at the northwest corner of said parcel, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line, and the **POINT OF BEGINNING**; thence continuing along said south right-of-way line the following nine (9) courses:

1. S82°07'39"E, a distance of 160.14 feet;
2. S25°57'26"E, a distance of 70.45 feet;
3. S69°31'45"E, a distance of 853.71 feet;
4. S75°00'32"E, a distance of 100.07 feet;
5. S83°32'50"E, a distance of 101.04 feet;
6. S89°01'45"E, a distance of 515.57 feet;
7. S67°14'51"E, a distance of 343.97 feet;
8. S15°23'33"W, a distance of 59.13 feet;
9. S75°19'43"E, a distance of 101.94 feet, to a point on the north right-of-way line of Space Village Avenue;

thence along said north right-of-way line the following eight (8) courses:

1. S11°45'54"W, a distance of 135.13 feet;
2. S49°02'42"W, a distance of 142.67 feet;
3. S14°51'08"W, a distance of 19.96 feet;
4. N74°00'26"W, a distance of 64.31 feet;
5. S67°57'22"W, a distance of 1079.89 feet;
6. along the arc of a non-tangent curve to the right, whose center bears N02°41'04"W, having a radius of 1860.00 feet, a central angle of 06°43'20", a distance of 218.22 feet;
7. N86°01'20"W, a distance of 288.27 feet;
8. along the arc of a curve to the right, having a radius of 2815.00 feet, a central angle of 07°38'54", a distance of 375.77 feet, to a point on said Airport overlay zoning line;

thence leaving said north right-of-way line, N01°00'21"W, along said airport overlay zoning line, a distance of 1204.63 feet, to the **POINT OF BEGINNING**.

Containing 1,658,139 Sq. Ft. or 38.066 acres, more or less.

Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.



EXHIBIT A

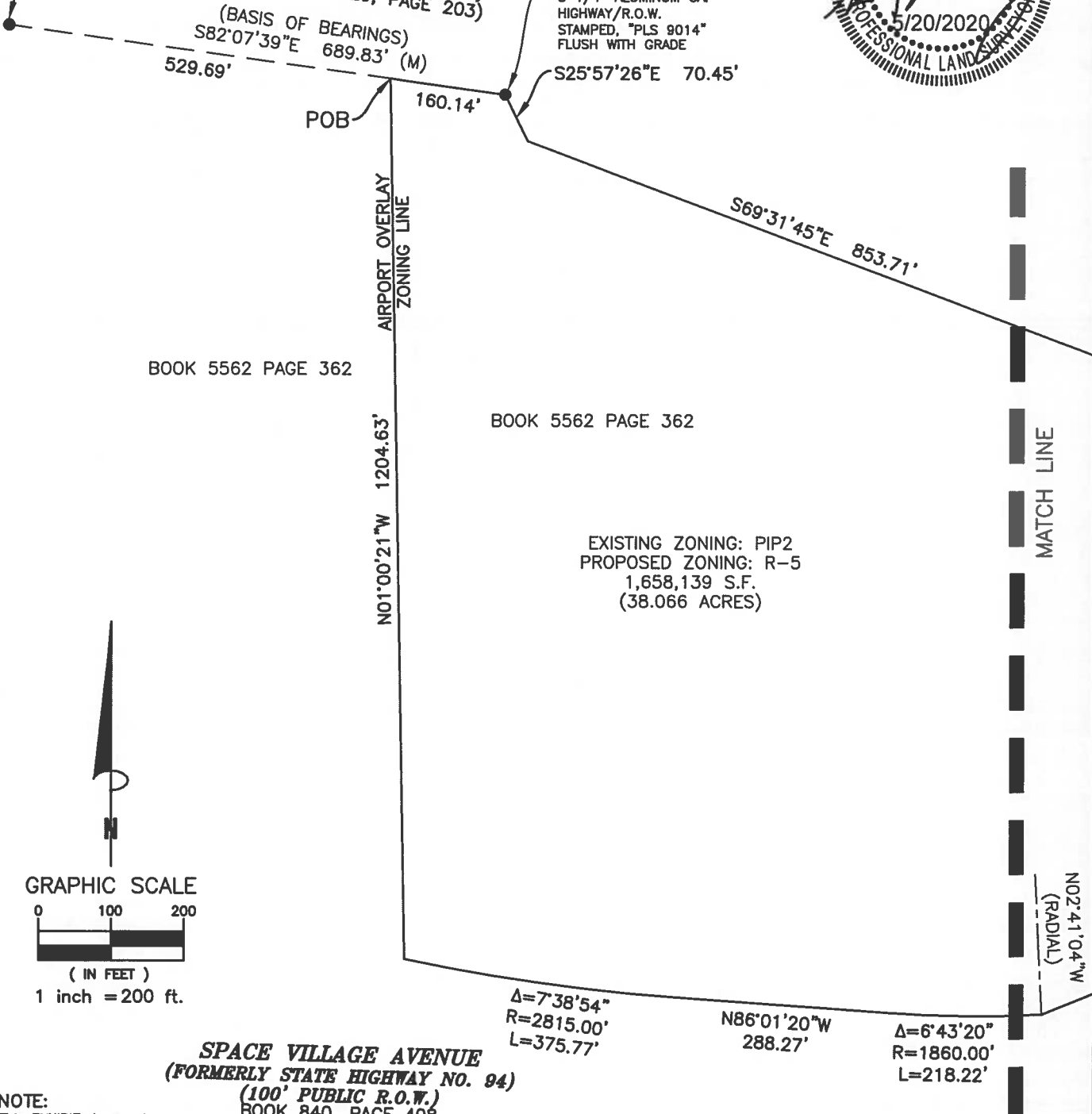
DEPICTION OF LEGAL DESCRIPTION



POB
 FOUND 3 1/4"
 ALUMINUM CAP
 HIGHWAY/R.O.W.
 STAMPED, "PLS 9014"
 0.5' BELOW GRADE

HIGHWAY 94
 (PUBLIC R.O.W. VARIES)
 (BOOK 6620, PAGE 203)

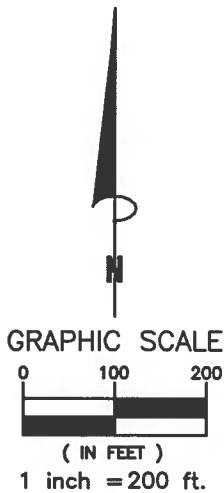
FOUND
 3 1/4" ALUMINUM CAP
 HIGHWAY/R.O.W.
 STAMPED, "PLS 9014"
 FLUSH WITH GRADE



BOOK 5562 PAGE 362

BOOK 5562 PAGE 362

EXISTING ZONING: PIP2
 PROPOSED ZONING: R-5
 1,658,139 S.F.
 (38.066 ACRES)



SPACE VILLAGE AVENUE
 (FORMERLY STATE HIGHWAY NO. 94)
 (100' PUBLIC R.O.W.)
 BOOK 840, PAGE 408

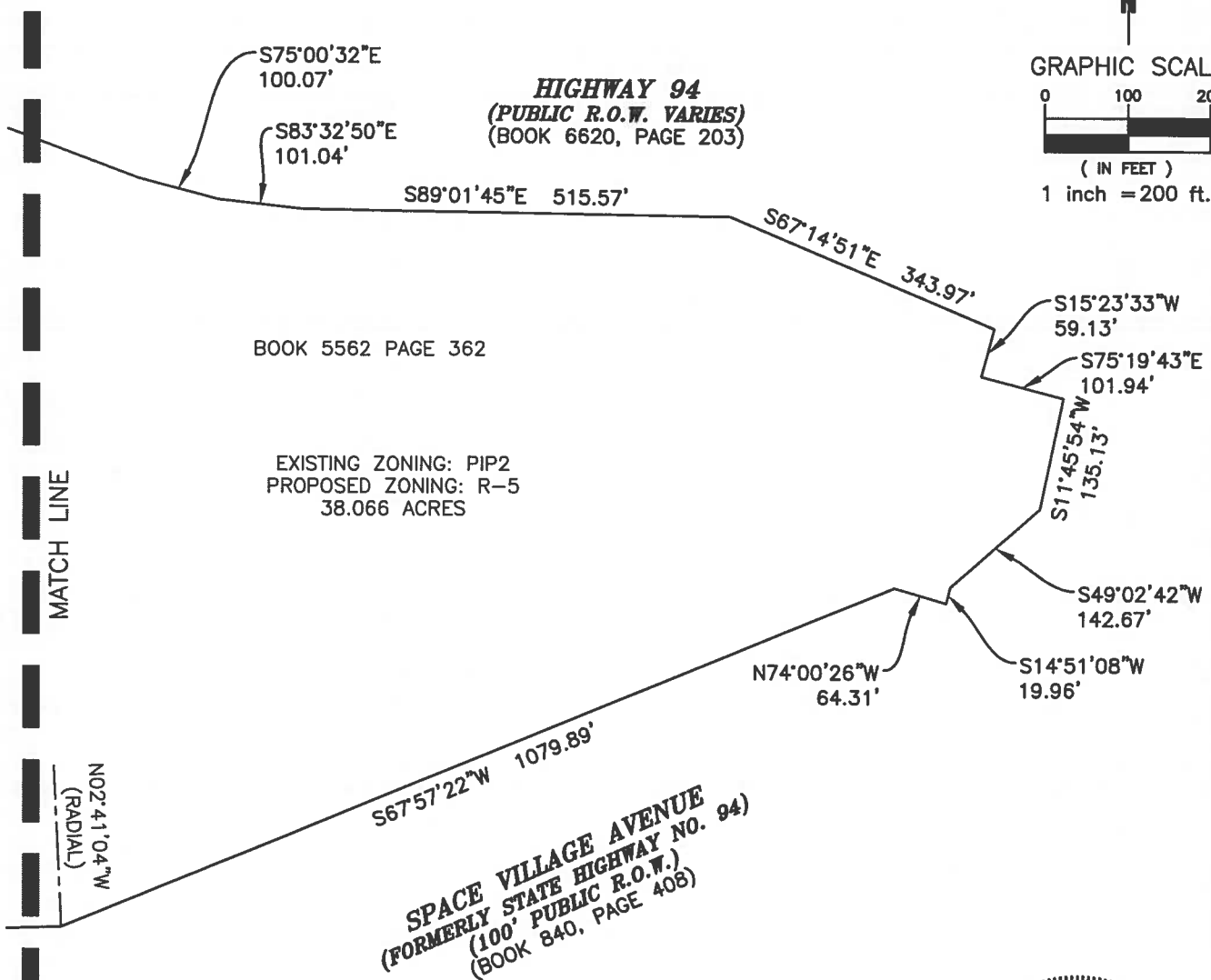
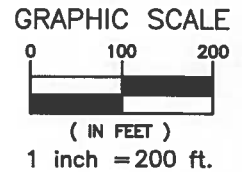
NOTE:
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 represent a monumented
 land survey, and is only
 intended to depict the
 attached LEGAL DESCRIPTION.

Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 2 of 3

Clark

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EXHIBIT A
DEPICTION OF LEGAL DESCRIPTION



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Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 3 of 3

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District No. 2 Legal Description

EXHIBIT A
Legal Description

May 20, 2020

A portion of that parcel described in Reception No. 218032815, recorded March 23, 2018, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

COMMENCING at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence along said Airport overlay zoning line, S01°00'21"E, a distance of 4,922.09 feet to a point on the north line of said parcel, being the **POINT OF BEGINNING**; thence along said north line, N89°29'49"E, a distance of 927.93 feet, to the northeast corner of said parcel; thence along the east line of said parcel the following three (3) courses;

1. S01°21'41"E, a distance of 434.43 feet;
2. N89°28'36"E, a distance of 488.94 feet;
3. S01°21'24"E, a distance of 700.04 feet, to the southeast corner of said parcel;

thence along the south line of said parcel, S89°28'38"W, a distance of 1,423.85 feet, to a point on said Airport overlay zoning line; thence along said Airport overlay zoning line, N01°00'21"W, a distance of 1,134.70 feet to the **POINT OF BEGINNING**.

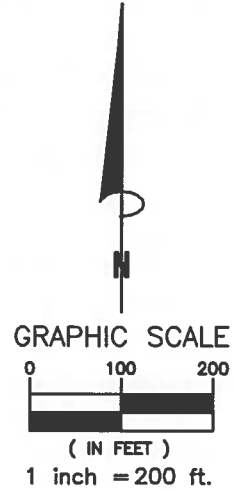
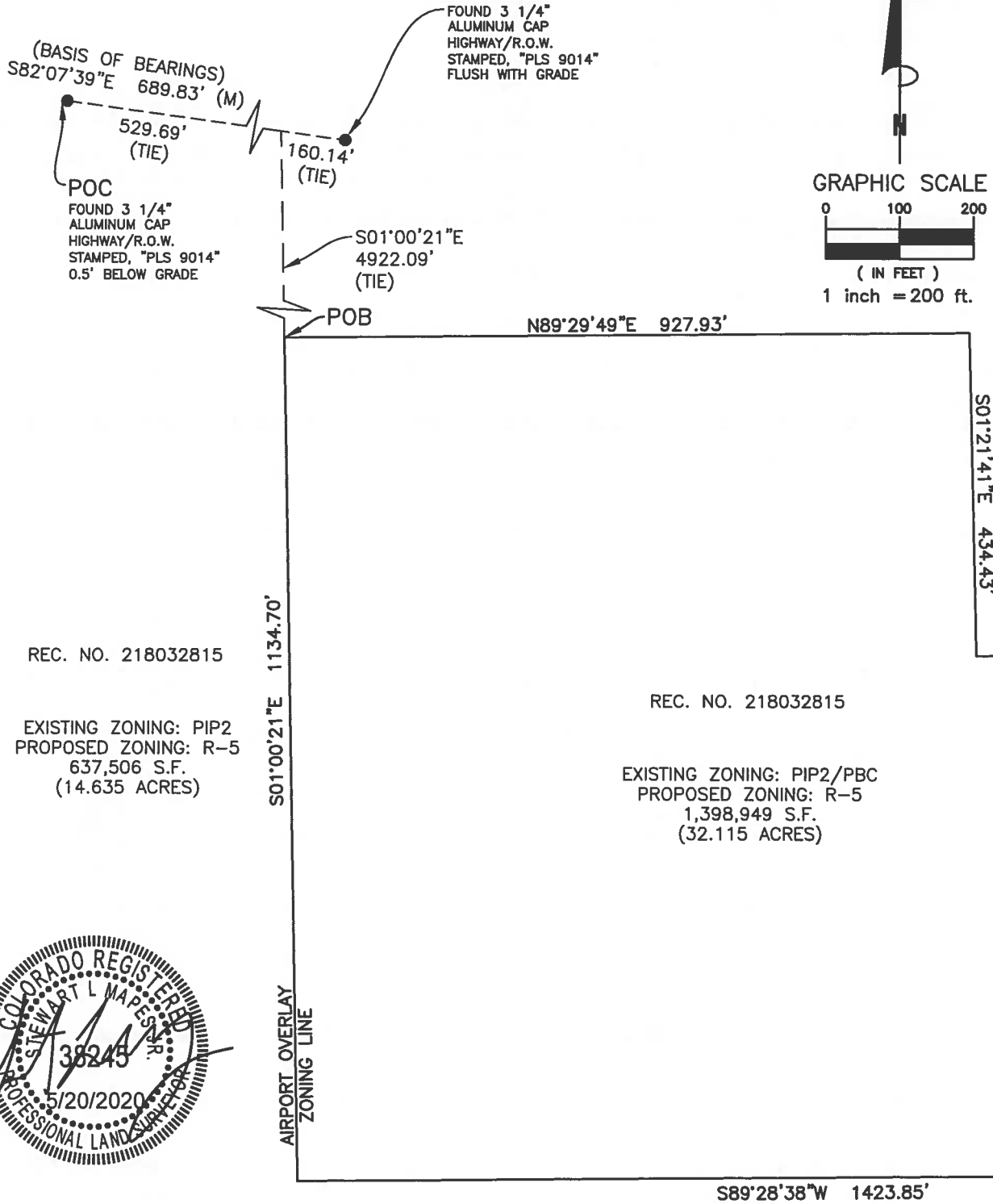
Containing 1,398,949 Sq. Ft. or 32.115 acres, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A

DEPICTION OF LEGAL DESCRIPTION



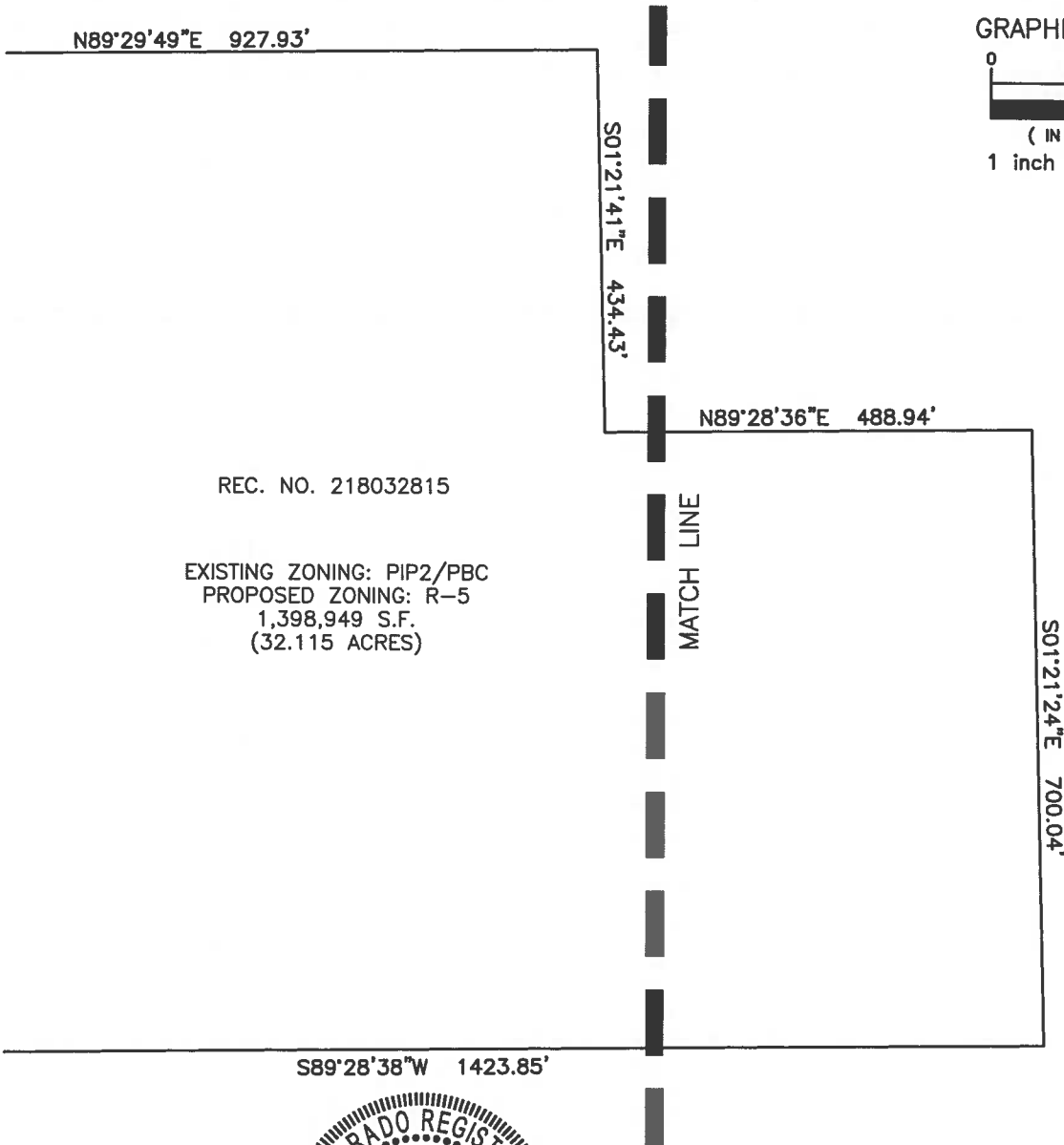
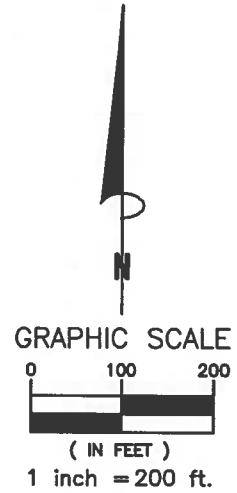
NOTE:
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Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 2 of 3
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Land Surveying, Inc.

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EXHIBIT A
DEPICTION OF LEGAL DESCRIPTION



REC. NO. 218032815
 EXISTING ZONING: PIP2/PBC
 PROPOSED ZONING: R-5
 1,398,949 S.F.
 (32.115 ACRES)



NOTE:
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

-Clark- 
 Land Surveying, Inc.
 177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719.582.1270
 www.clarkis.com

Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 3 of 3
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District No. 3 Legal Description

TRACT IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 14, RANGE 65, IN THE COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS: SD T RLY SLY OF HIGHWAY 94, WLY OF MARKSHEFFEL ROAD, NLY OF SPACE VILLAGE AVENUE, AND ELY AND NLY OF ABANDONED DENVER AND NEW ORLEANS RAILROAD, IDENTIFIED AS SCHEDULE NUMBER 5408000054 WITH THE EL PASO COUNTY ASSESSOR;

EXHIBIT A
Legal Description

May 20, 2020

A portion of that parcel described in Reception No. 218032766, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

COMMENCING at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence S01°00'21"E, along said Airport overlay zoning line, a distance of 1307.18 feet, to a point on the south right-of-way line of Space Village Avenue, being the **POINT OF BEGINNING**; thence S01°00'21"E, continuing along said Airport overlay zoning line, a distance of 886.60 feet, to a point on the south line of said parcel; thence S89°28'57"W, along said south line, a distance of 581.91 feet, to a point on said east right-of-way line of Marksheffel Road; thence along said east right-of-way line, N02°58'32"W, a distance of 60.30 feet; thence continuing along said east right-of-way line, along the arc of a curve to the right, with an arc length of 69.36 feet, a radius of 1,600.00 feet, a delta angle of 02°29'01"; thence continuing along said east right-of-way line, N00°29'30"W, a distance of 882.69 feet; thence continuing along said east right-of-way line, N44°30'30"E, a distance of 52.34 feet, to a point on said south right-of-way line; thence along said south right-of-way line, S71°11'03"E, a distance of 179.18 feet; thence continuing along said east right-of-way line, along the arc of a curve to the left having a radius of 2915.00 feet, a central angle of 07°35'34", a distance of 386.29 feet, to the **POINT OF BEGINNING**.

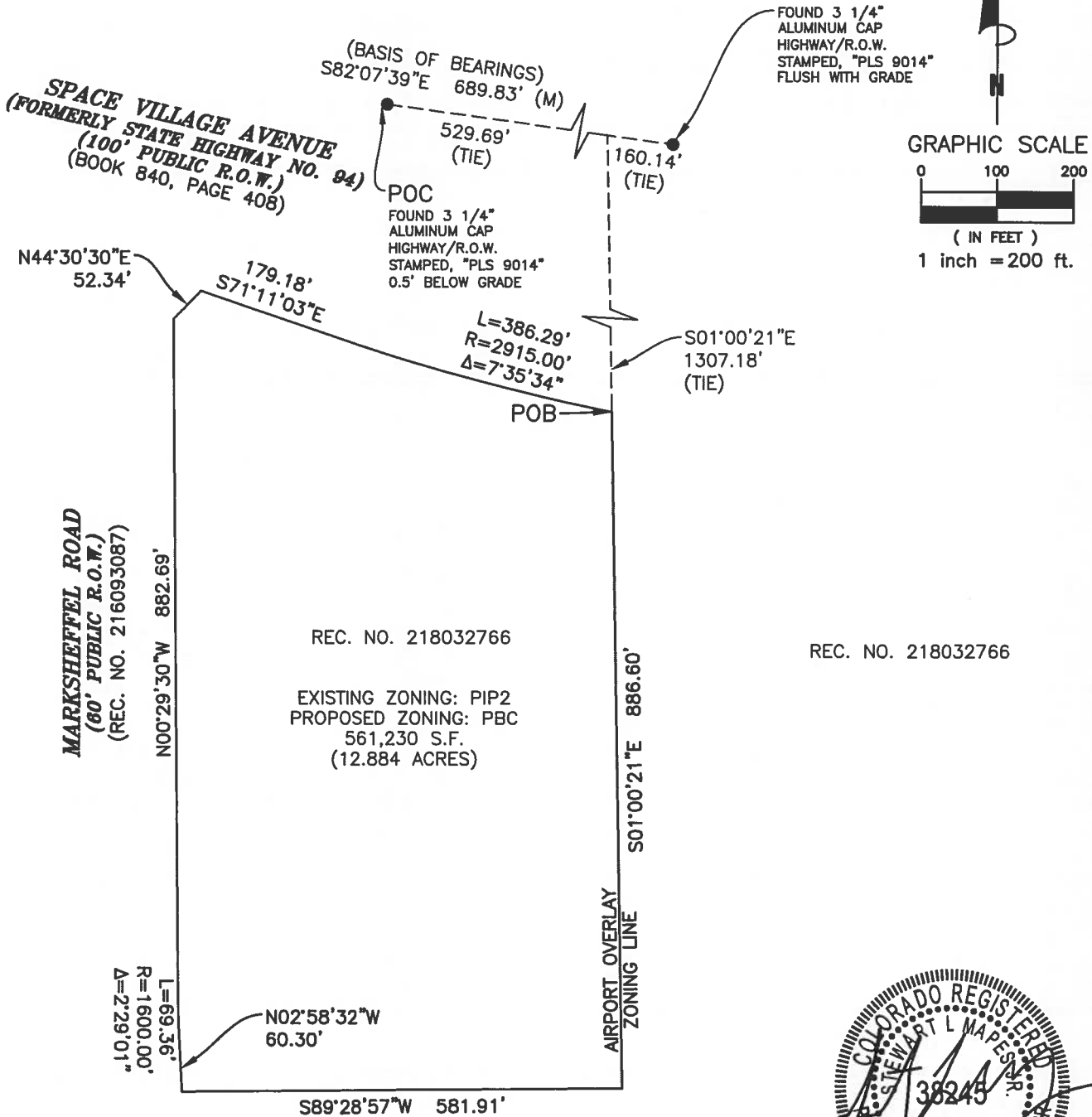
Containing 561,230 Sq. Ft. or 12.884 acres, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A

DEPICTION OF LEGAL DESCRIPTION



NOTE:
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Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 2 of 2

Clark

Land Surveying, Inc.

177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719.582.1270
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EXHIBIT A
Legal Description

May 20, 2020

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1. N00°30'20"W, a distance of 410.06 feet;
2. N02°22'05"E, a distance of 240.28 feet;
3. N00°31'32"W, a distance of 97.57 feet;
4. N89°02'42"E, a distance of 9.66 feet;
5. N06°13'39"E, a distance of 301.91 feet,

to the **POINT OF BEGINNING**.

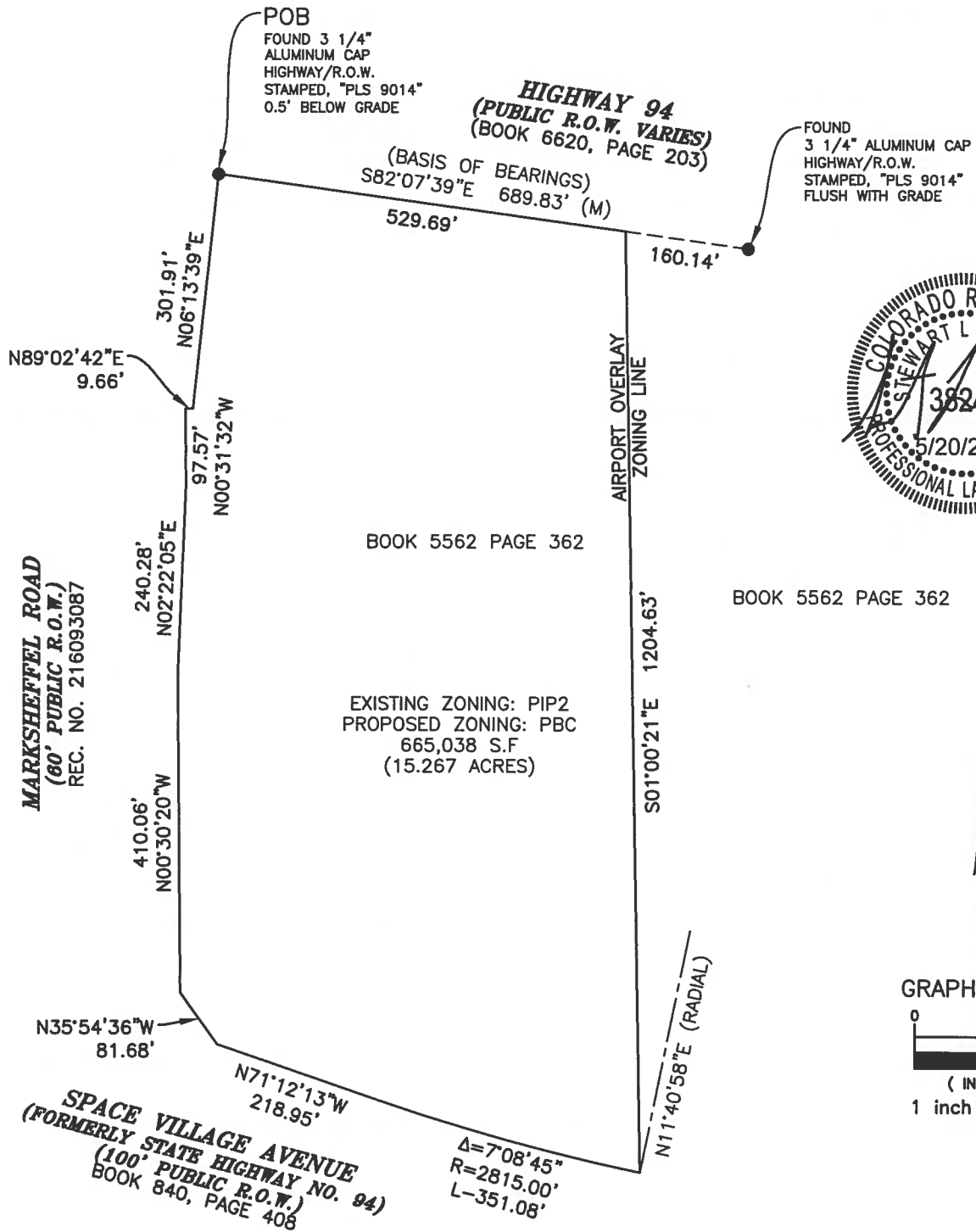
Containing 665,038 Sq. Ft. or 15.267 acres, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A

DEPICTION OF LEGAL DESCRIPTION



NOTE:
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 2 of 2

Clark

Land Surveying, Inc.

177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719 582 1270
 www.clarkids.com

EXHIBIT B

Colorado Springs Vicinity Map

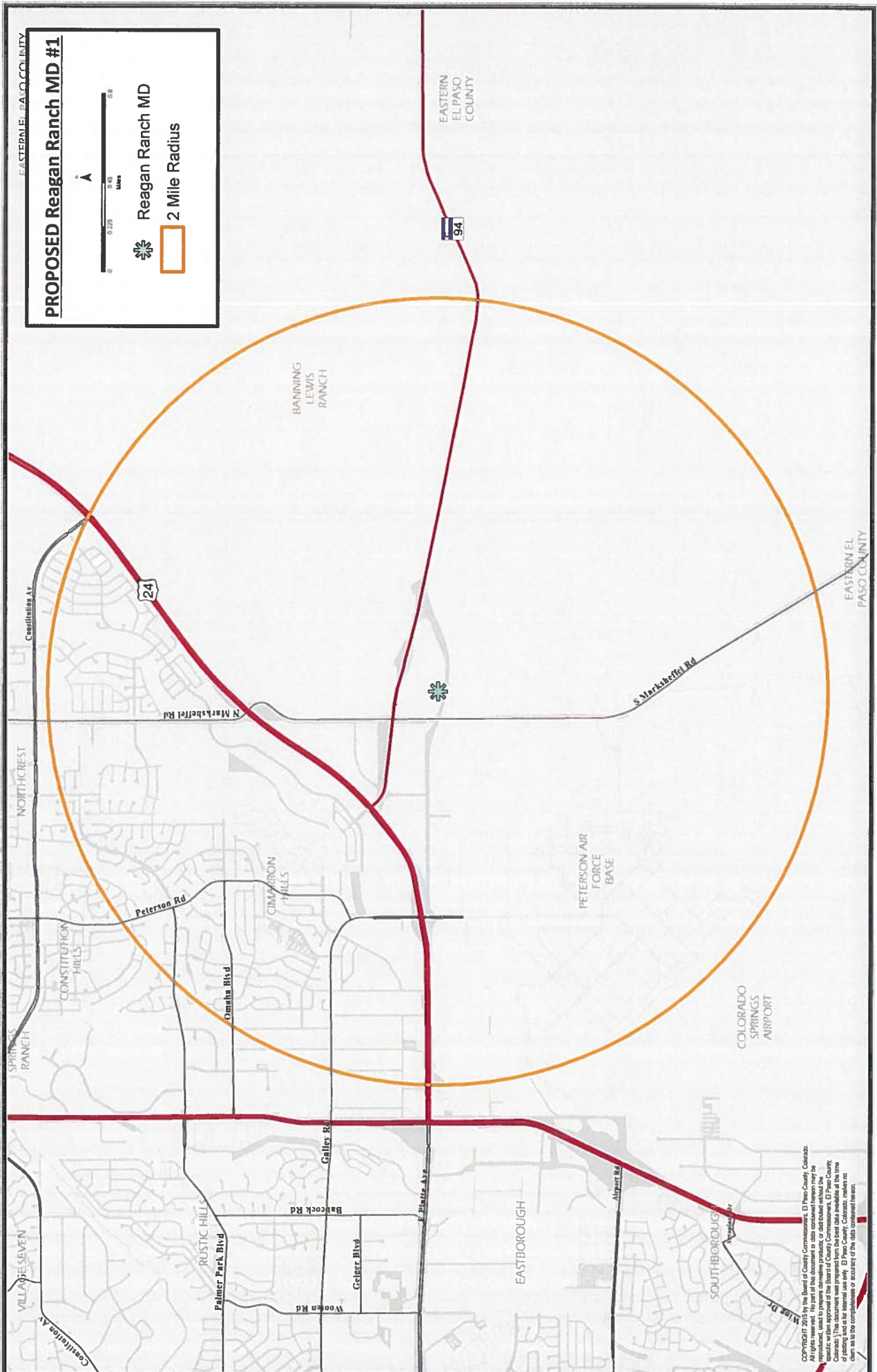
PROPOSED Reagan Ranch MD #1



Reagan Ranch MD

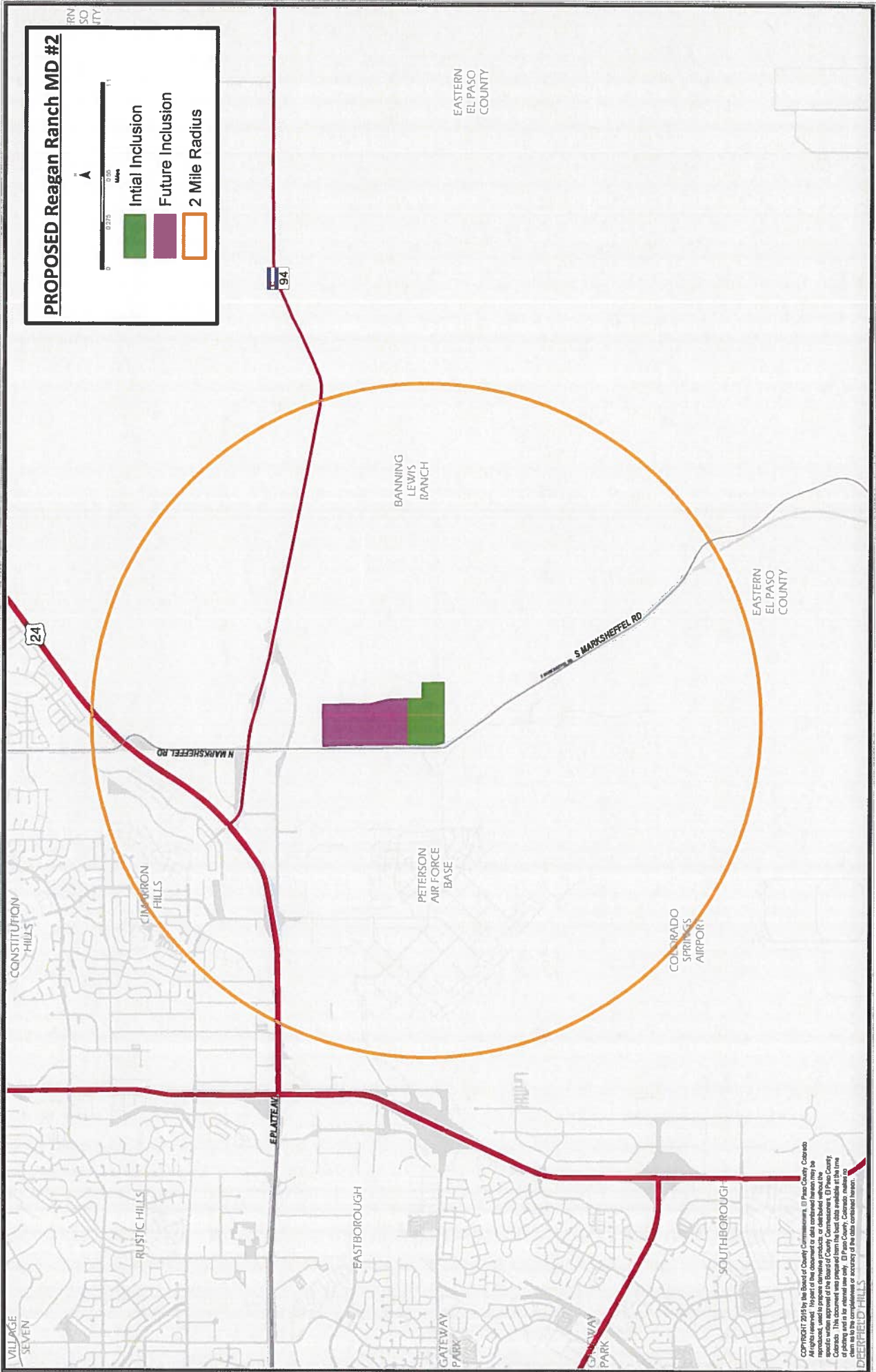
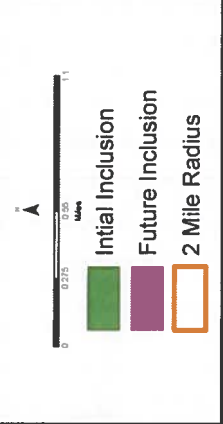


2 Mile Radius



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PROPOSED Reagan Ranch MD #2



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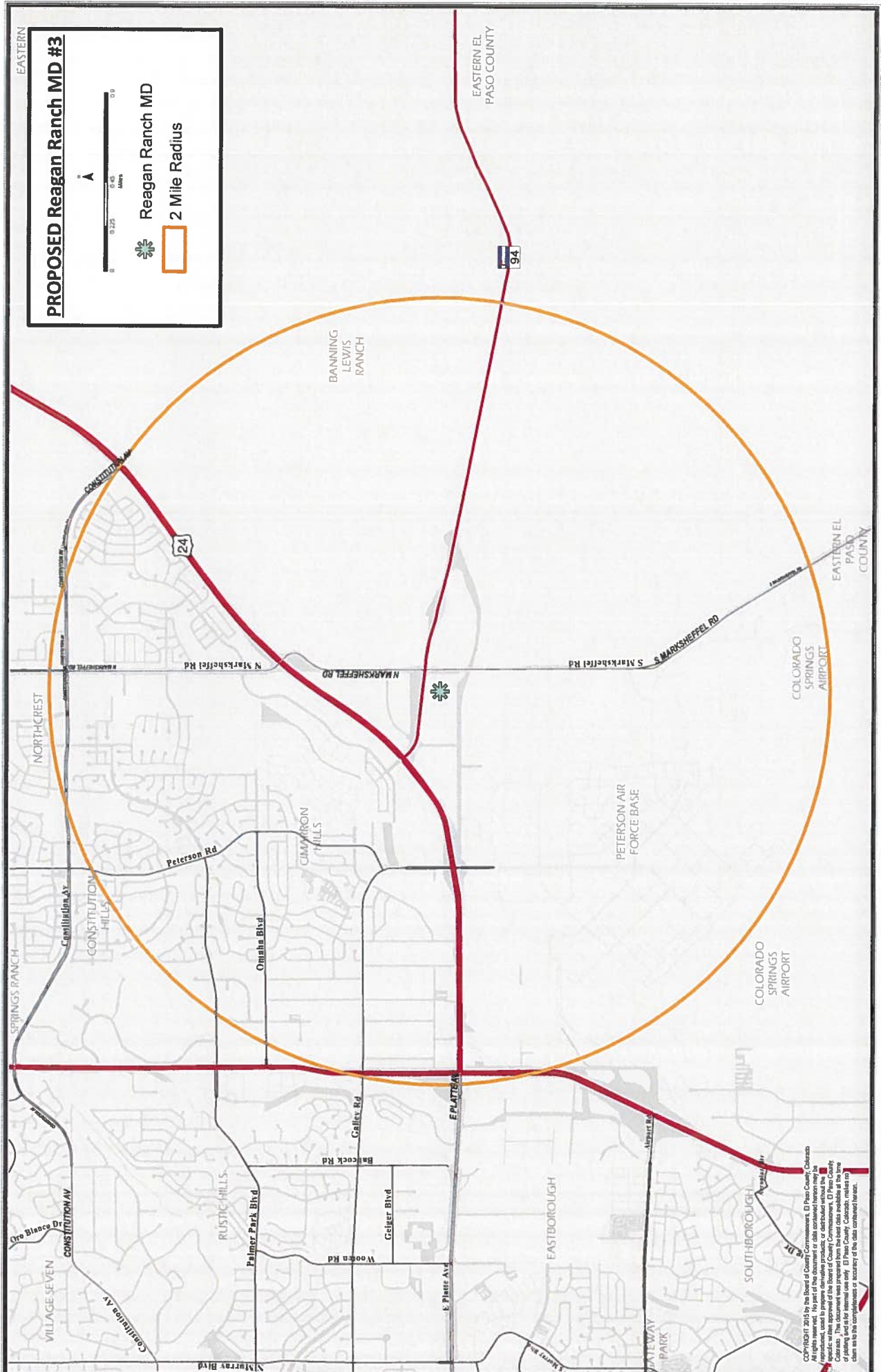
EASTERN

PROPOSED Reagan Ranch MD #3



Reagan Ranch MD

2 Mile Radius



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EXHIBIT C-1

Initial District Boundary Map

REAGAN RANCH METROPOLITAN DISTRICT NO. 1- 3 INITIAL INCLUSIONS & FUTURE INCLUSIONS

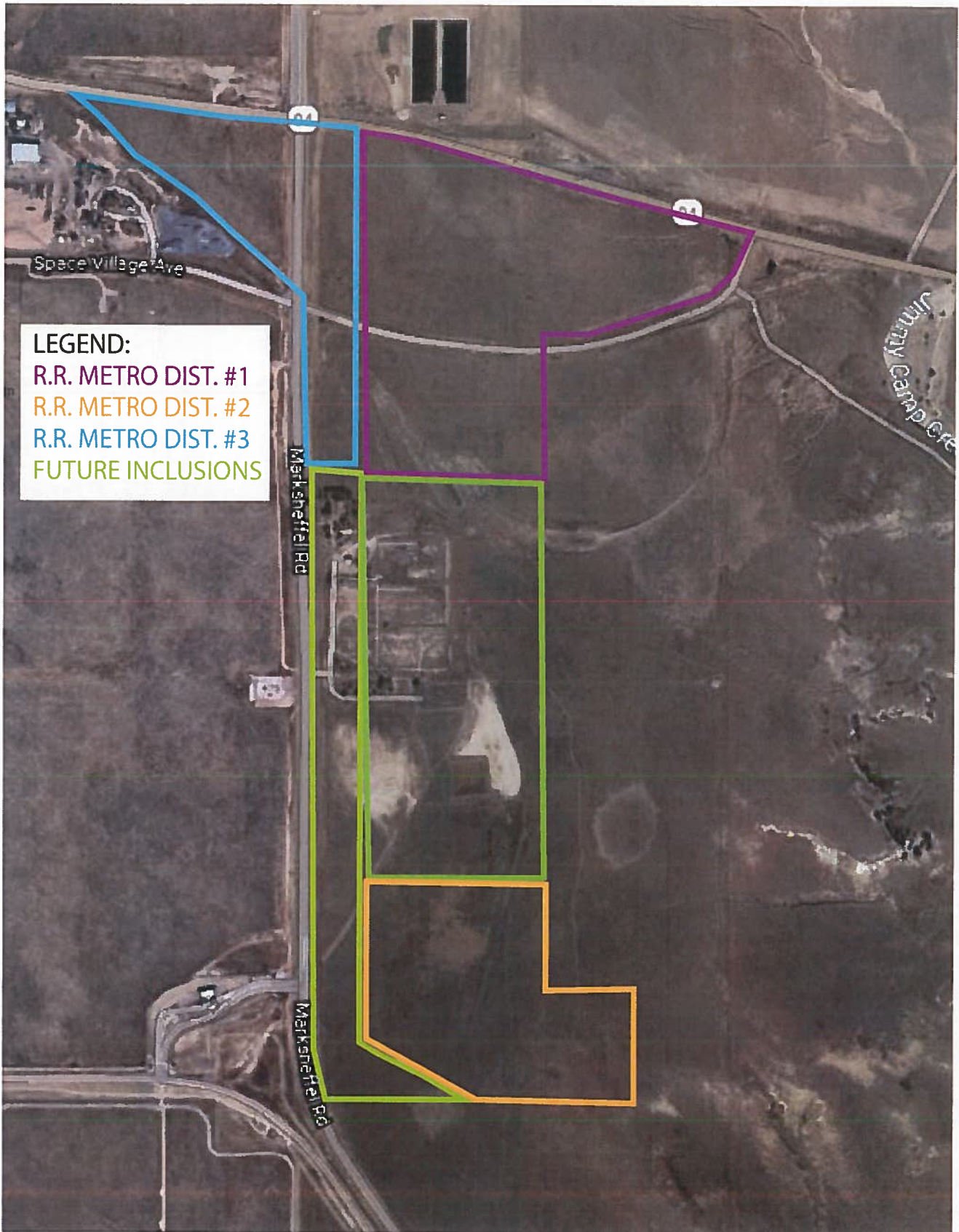
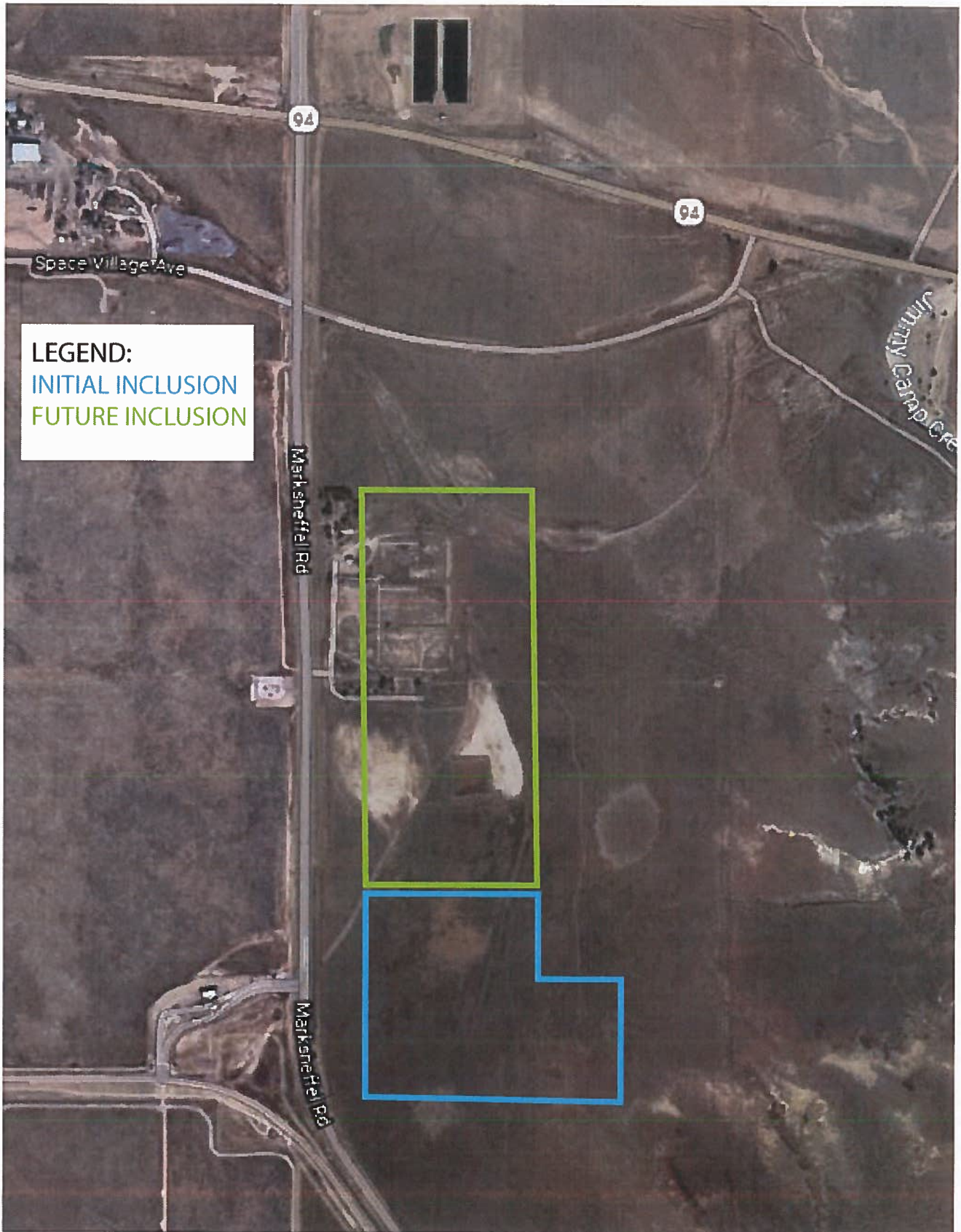


EXHIBIT C-2

Inclusion Area Boundary Map

REAGAN RANCH METROPOLITAN DISTRICT NO. 2 (RESIDENTIAL) INITIAL INCLUSION & FUTURE INCLUSION



REAGAN RANCH METROPOLITAN DISTRICT NO. 3 (COMMERCIAL) INITIAL INCLUSIONS & FUTURE INCLUSIONS

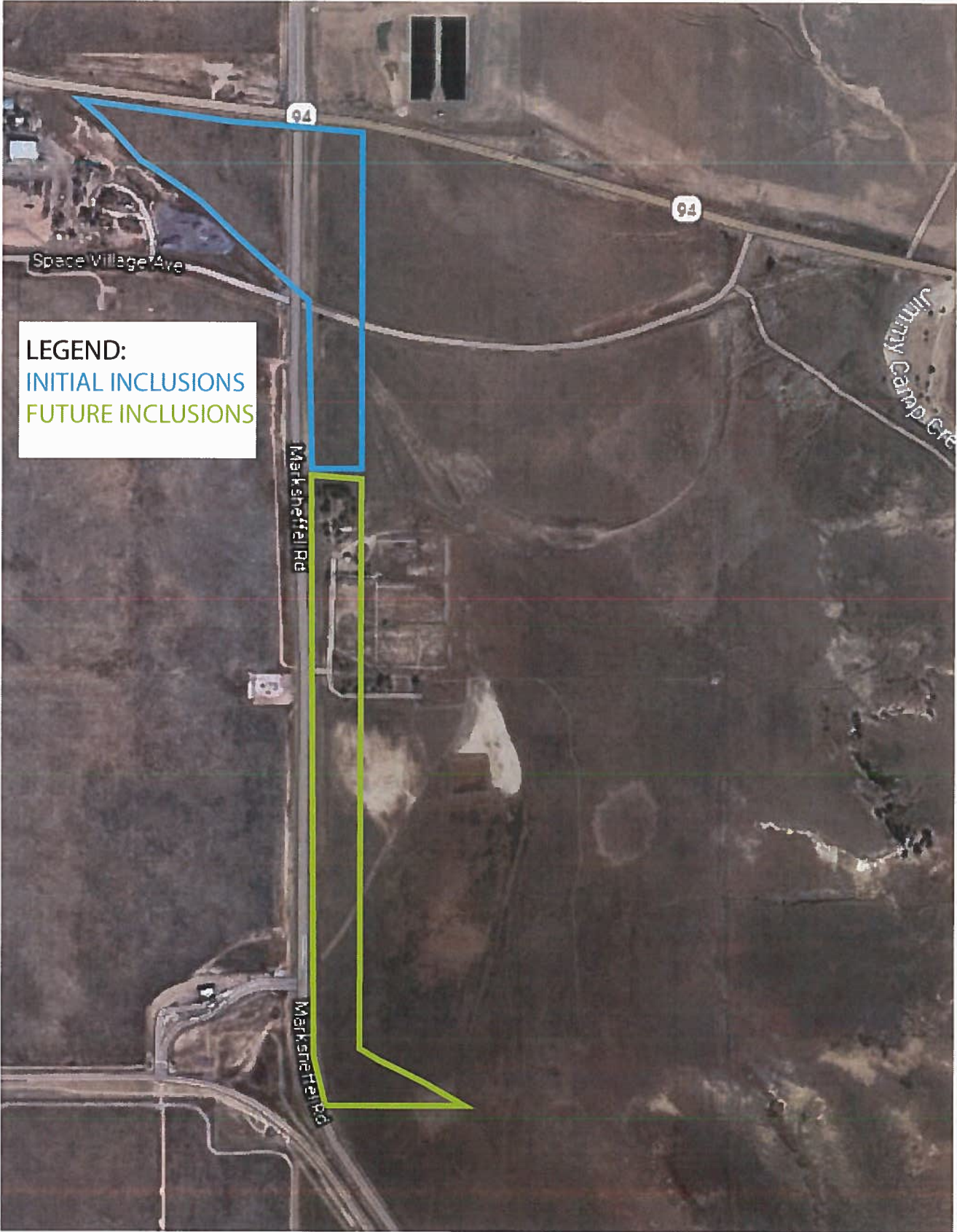


EXHIBIT D

Description of Permitted Services to be Provided by the Districts

Description of Services	IGA Required (Yes or No)
Operation and maintenance services related to landscaping, monumentation, stormwater facilities, and/or other improvements or property owned by the Districts	No
Operation and maintenance of parks and open space within the Districts	No
Operation and maintenance of community center and swimming pool facilities	No
Covenant Enforcement	No
Public Art Amenities	No
Sidewalk and Public Space Maintenance and Amenities	No
Streetscaping	No
Mosquito Control	No
Operation and Maintenance of lift stations located within the District boundaries	No

Exhibit E

NOTICE OF SPECIAL DISTRICT DISCLOSURE

(to be provided to every purchaser of real property within the boundaries of the District)

Name of Districts:	Reagan Ranch Metropolitan District Nos. 1-3
Contact Information for Districts:	c/o Spencer Fane LLP 1700 Lincoln Street, Suite 2000 Denver, CO 80203
Type of Districts: (i.e. if dual or three districts concept - insert language regarding limited rights of property owners)	Metropolitan districts organized pursuant to C.R.S. § 32-1-101, et seq. The Districts will provide operating and maintenance of certain Public Improvements within the Project.
Identify Districts Improvements Financed by Proposed Bonds (List by major categories, i.e. Roads – Powers Blvd):	Any and all improvements authorized to be planned, designed, acquired, constructed, installed, relocated, redeveloped, and financed as generally described in the Special District Act.
Identify Services/Facilities Operated/Maintained by Districts:	Operation and maintenance services related to landscaping, monumentation, stormwater facilities, and/or other improvements owned by the Districts; Operation and maintenance of parks and open space within the Districts; Operation and maintenance of community center and swimming pool facilities; Covenant Enforcement; Public Art Amenities; Sidewalk and Public Space Maintenance and Amenities; Streetscaping; Mosquito control; Operation and maintenance of lift stations

<p>Mill Levy Cap: (Describe Procedure for any Adjustments to Mill Levy Cap) <i>(Note: This District may or may not be certifying a mill levy at the time of your purchase. Please verify by contacting the District.)</i></p>	<p>Maximum Debt Mill Levy for Residential Districts: 30 mills Maximum Debt Mill Levy for Commercial District: 50 mills Maximum Operations and Maintenance Mill Levy: 10 mills If there are changes in the method of calculating assessed valuation or any constitutionally mandated tax credit, cut or abatement; the mill levy limitations set forth above may be increased or decreased to reflect such changes so that to the extent possible, the actual tax revenue generated by the mill levy, as adjusted for changes occurring after January 1, 2006, are neither diminished nor enhanced as a result of such changes.</p>
<p>Authorized Debt of the District(s) per Operating or Service Plan:</p>	<p>District No. 1: \$51,000,000 District No. 2: \$36,000,000 initially, \$57,000,000 upon inclusion of District No. 2 Inclusion Area Boundaries District No. 3: \$15,000,000 initially, \$28,000,000 upon inclusion of District No. 3 Inclusion Area Boundaries</p>
<p>Voter Authorized Debt per Election:</p>	<p>\$ _____</p>
<p>District Boundaries:</p>	<p>See attached map</p>

<p><u>Sample Calculation of Mill Levy Cap for a Residential Property</u></p> <p>Assumptions: Market value is \$450,000 Mill levy cap is 40 mills</p> <p>Calculation: \$450,000 x .0796 = \$35,820 (Assessed Valuation) \$35,820 x .040 mills = \$1,432.80 per year in taxes owed solely to the Special District</p>	<p><u>Sample Calculation of Mill Levy Cap for a Commercial, Office or Industrial Property</u></p> <p>Assumptions: Market value is \$750,000 Mill levy cap is 60 mills</p> <p>Calculation: \$750,000 x .29 = \$217,500 (Assessed Valuation) \$217,500 x .060 mills = \$13,050 per year in taxes owed solely to the Special District</p>
--	---

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
ELLCOTT METROPOLITAN DISTRICT
EL PASO COUNTY, COLORADO**

A RESOLUTION CONSENTING TO THE ADOPTION OF A SERVICE PLAN FOR
REAGAN RANCH METROPOLITAN DISTRICT NOS. 1-3, WHOSE BOUNDARIES AND
SERVICES WILL OVERLAP WITH THE BOUNDARIES AND SERVICES OF ELLICOTT
METROPOLITAN DISTRICT

WHEREAS, the Ellicott Metropolitan District (“Ellicott”) is a quasi-municipal corporation and political subdivision of the State of Colorado operating under Article 1 of Title 32, C.R.S.; and

WHEREAS, the boundaries of Ellicott overlap the boundaries of the (Proposed) Reagan Ranch Metropolitan District Nos. 1-3 (collectively, “Reagan Ranch”); and

WHEREAS, Section 32-1-107(2), C.R.S., provides generally that no special district may be organized wholly or partly within an existing special district providing the same service; and

WHEREAS, Section 32-1-107(3)(b)(IV), C.R.S., provides that an overlapping special district may be authorized to provide the same service as the existing special district if, among other requirements, the board of directors for the existing special district consents to the overlapping special district providing the same service; and

WHEREAS, Ellicott has received a request from the Petitioner of Reagan Ranch to permit the overlap of Reagan Ranch over certain property located within the boundaries of Ellicott pursuant to Section 32-1-107(3)(b)(IV), C.R.S.; and

WHEREAS, it is anticipated that upon formation, Reagan Ranch will be authorized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, as amended, and the District’s Service Plan to provide various public improvements and services, including but not limited to water, storm sewer, sanitation and wastewater treatment, street, transportation, traffic safety protection, television relay and translation, mosquito control, covenant enforcement, security, park and recreation, and fire protection improvements and services (collectively, the “Reagan Ranch Improvements and Services”) to support the development within Reagan Ranch’s proposed boundaries (the “Project”); and

WHEREAS, Ellicott provides certain park and recreation improvements and services, as authorized by the Special District Act, C.R.S. § 32-1-101, *et seq.*, and its Service Plan, however, Ellicott is not currently providing, nor does it intend to provide, public improvements or services that will duplicate or interfere with Reagan Ranch Improvements and Services to support the Project; and

WHEREAS, Reagan Ranch’s provision of improvements and services as provided in the Special District Act and the proposed Service Plan will not duplicate or interfere with any

improvements, facilities, or services Ellicott currently provides or that Ellicott may provide in the future; and

WHEREAS, Ellicott consents to the overlap of Reagan Ranch upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Ellicott Metropolitan District, County of El Paso, State of Colorado, that:

1. Pursuant to Section 32-1-107(3)(b)(IV), C.R.S., Ellicott hereby consents to the organization and overlapping of Reagan Ranch and to Reagan Ranch possessing the authority to provide the Reagan Ranch Improvements and Services provided that the Reagan Ranch Improvements and Services may not duplicate or interfere with any other improvements, facilities, or services existing or planned to be provided by Ellicott without the written consent of Ellicott.

2. Ellicott's consent is expressly conditioned on Reagan Ranch's compliance with the conditions stated herein. Failure by Reagan Ranch to comply with the express conditions stated herein shall nullify the consent of Ellicott to the formation and overlap of Reagan Ranch pursuant to Section 32-1-107, C.R.S. and shall entitle Ellicott to all legal and equitable remedies including recovery of damages, attorneys fees and expenses.

3. Neither Ellicott nor Reagan Ranch shall be deemed a partner, joint venture, or agent of the other.

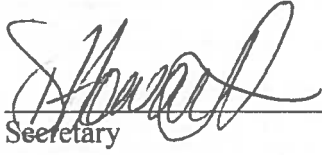
4. Ellicott's consent is also expressly conditioned on the following: Ellicott shall continue to be entitled to receive Conservation Trust Funds, Great Outdoors Colorado Funds or other funds and grants available from or through governmental or nonprofits entities which Ellicott is eligible to apply for (collectively "CTF/GoCo Funds") based upon all properties and population within Ellicott's boundaries, including without limitation all properties and population now or in the future within the boundaries of Reagan Ranch; the future population of Reagan Ranch shall be included in the Ellicott population census for CTF/GoCo Funds. Reagan Ranch shall not apply for or accept any CTF/GoCo Funds whatsoever, even if it provides park and recreational services within its boundaries. The provisions of this Resolution shall be incorporated into the Reagan Ranch Service Plan which shall not be amended, modified, changed or terminated, in whole or part, without the prior written consent of Ellicott. Reagan Ranch shall adopt a resolution approving this Resolution, shall provide Ellicott with written approval from CTF/GoCo of this Resolution and its provisions, and shall provide any other documentation and cooperation reasonably required by Ellicott to ratify, confirm or implement the provisions of this Resolution.

Dated this 10th day of August, 2020.

ELLICOTT METROPOLITAN DISTRICT

By: 
President

ATTEST:



A handwritten signature in black ink, appearing to read 'S. Howard', is written over a horizontal line.

Secretary

RESOLUTION 2020-15

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CHEROKEE METROPOLITAN DISTRICT
EL PASO COUNTY, COLORADO**

A RESOLUTION CONSENTING TO THE ADOPTION OF A SERVICE PLAN FOR REAGAN RANCH METROPOLITAN DISTRICT NOS. 1-3, WHOSE BOUNDARIES AND SERVICES WILL OVERLAP WITH THE BOUNDARIES AND SERVICES OF CHEROKEE METROPOLITAN DISTRICT

WHEREAS, the Cherokee Metropolitan District ("Cherokee") is a quasi-municipal corporation and political subdivision of the State of Colorado operating under Article 1 of Title 32, C.R.S.; and

WHEREAS, the boundaries of Cherokee overlap the boundaries of the (Proposed) Reagan Ranch Metropolitan District Nos. 1-3 (collectively, "Reagan Ranch"); the boundaries of Reagan Ranch are legally described and depicted in Exhibit A, attached hereto; and

WHEREAS, Section 32-1-107(2), C.R.S., provides generally that no special district may be organized wholly or partly within an existing special district providing the same service; and

WHEREAS, Section 32-1-107(3)(b)(IV), C.R.S., provides that an overlapping special district may be authorized to provide the same service as the existing special district if, among other requirements, the board of directors for the existing special district consents to the overlapping special district providing the same service; and

WHEREAS, Cherokee has received a request from the Petitioner of Reagan Ranch to permit the overlap of Reagan Ranch over certain property located within the boundaries of Cherokee pursuant to Section 32-1-107(3)(b)(IV), C.R.S.; and

WHEREAS, it is anticipated that upon formation, Reagan Ranch will be authorized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, as amended, and the District's Service Plan to provide various public improvements and services, including but not limited to water, storm sewer, sanitation and wastewater treatment, street, transportation, traffic safety protection, television relay and translation, mosquito control, covenant enforcement, security, park and recreation, and fire protection improvements and services (collectively, the "Reagan Ranch Improvements and Services") to support the development within Reagan Ranch's proposed boundaries (the "Project"); and

WHEREAS, Cherokee provides certain water, sanitation, street lighting, park and recreation improvements and services, as authorized by the Special District Act, C.R.S. § 32-1-101, *et seq.*, and its Service Plan, however, Cherokee is not currently providing, nor does it intend to provide, public improvements or services that will duplicate or interfere with Reagan Ranch Improvements and Services to support the Project; and

WHEREAS, Reagan Ranch's provision of improvements and services as provided in the Special District Act and the proposed Service Plan will not duplicate or interfere with any

improvements, facilities, or services Cherokee currently provides or that Cherokee may provide in the future; and

WHEREAS, Cherokee consents to the overlap of Reagan Ranch upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Cherokee Metropolitan District, County of El Paso, State of Colorado, that:

1. Pursuant to Section 32-1-107(3)(b)(IV), C.R.S., Cherokee hereby consents to the organization and overlapping of Reagan Ranch and to Reagan Ranch possessing the authority to provide the Reagan Ranch Improvements and Services provided that the Reagan Ranch Improvements and Services may not duplicate or interfere with any other improvements, facilities, or services existing or planned to be provided by Cherokee without the written consent of Cherokee.

2. Cherokee's consent is expressly conditioned on Reagan Ranch's compliance with the conditions stated herein. Failure by Reagan Ranch to comply with the express conditions stated herein shall nullify the consent of Cherokee to the formation and overlap of Reagan Ranch pursuant to Section 32-1-107, C.R.S.

3. Neither Cherokee nor Reagan Ranch shall be deemed a partner, joint venture, or agent of the other.

Dated this 18th day of August, 2020.

CHEROKEE METROPOLITAN DISTRICT

By: 
President

Steven J. Hasbrouck

ATTEST:

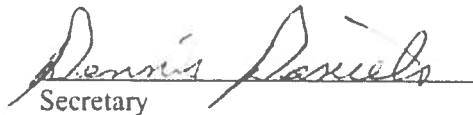

Secretary

EXHIBIT A

District No. 1 Legal Description

EXHIBIT A
Legal Description

May 20, 2020

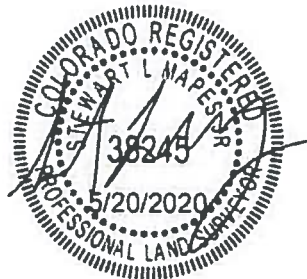
A portion of that parcel described in Reception No. 218032766, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

COMMENCING at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence along said Airport overlay zoning line, S01°00'21"E, a distance of 1307.18 feet to a point on the south right-of-way line of Space Village Avenue, also being the **POINT OF BEGINNING**; thence along said south right-of-way line the following three (3) courses:

1. along the arc of a non-tangent curve to the left whose center bears N11°13'11"E, having a radius of 2915.00 feet, a central angle of 07°12'28", a distance of 366.70 feet;
2. S85°28'55"E, a distance of 287.92 feet;
3. along the arc of a non-tangent curve to the left whose center bears N04°03'46"E, having a radius of 1960.35 feet, a central angle of 04°24'43", a distance of 151.52 feet, to the northeast corner of the subject parcel;

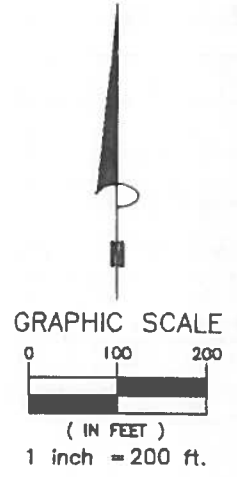
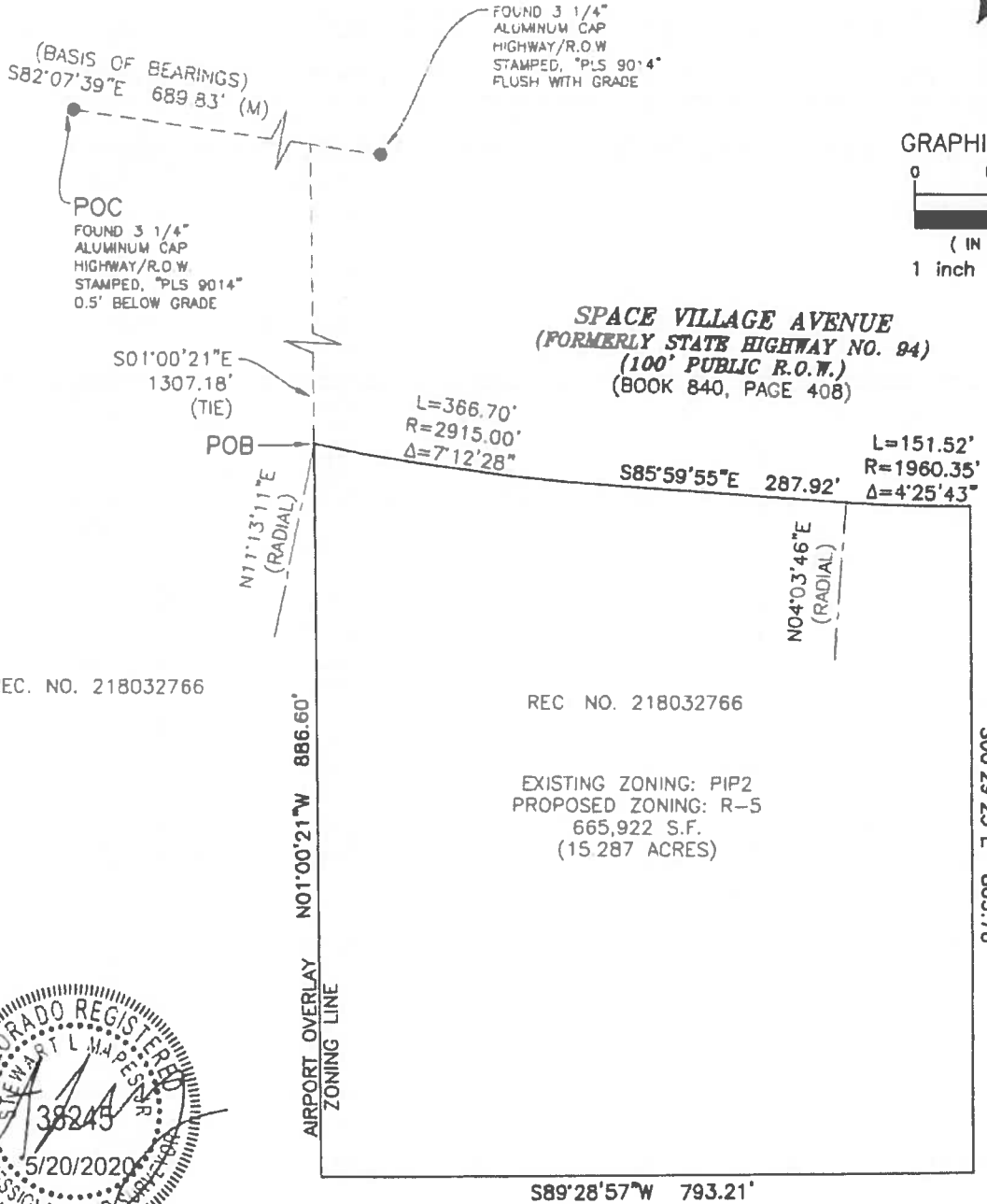
thence leaving said south right-of-way line, S00°29'25"E, along the east line of said parcel, a distance of 805.78 feet, to the southeast corner of said parcel; thence S89°28'57"W, along the south line of said parcel, a distance of 793.21 feet, to a point on said Airport overlay zoning line; thence leaving said south line, N01°00'21"W, along said Airport overlay zoning line, a distance of 886.60 feet, to the **POINT OF BEGINNING**.

Containing 665,922 Sq. Ft. or 15.287 acres, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A DEPICTION OF LEGAL DESCRIPTION



NOTE:
This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

-Clark-
Land Surveying, Inc.

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www.clarkscad.com

Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 2 of 2
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EXHIBIT A
Legal Description

May 20, 2020

A portion of that parcel described in Book 5562, Page 362, recorded October 5, 1988, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

COMMENCING at the northwest corner of said parcel, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line, and the **POINT OF BEGINNING**, thence continuing along said south right-of-way line the following nine (9) courses:

1. S82°07'39"E, a distance of 160.14 feet;
2. S25°57'26"E, a distance of 70.45 feet;
3. S69°31'45"E, a distance of 853.71 feet;
4. S75°00'32"E, a distance of 100.07 feet;
5. S83°32'50"E, a distance of 101.04 feet;
6. S89°01'45"E, a distance of 515.57 feet;
7. S67°14'51"E, a distance of 343.97 feet;
8. S15°23'33"W, a distance of 59.13 feet;
9. S75°19'43"E, a distance of 101.94 feet, to a point on the north right-of-way line of Space Village Avenue;

thence along said north right-of-way line the following eight (8) courses:

1. S11°45'54"W, a distance of 135.13 feet;
2. S49°02'42"W, a distance of 142.67 feet;
3. S14°51'08"W, a distance of 19.96 feet;
4. N74°00'26"W, a distance of 64.31 feet;
5. S67°57'22"W, a distance of 1079.89 feet;
6. along the arc of a non-tangent curve to the right, whose center bears N02°41'04"W, having a radius of 1860.00 feet, a central angle of 06°43'20", a distance of 218.22 feet;
7. N86°01'20"W, a distance of 288.27 feet;
8. along the arc of a curve to the right, having a radius of 2815.00 feet, a central angle of 07°38'54", a distance of 375.77 feet, to a point on said Airport overlay zoning line;

thence leaving said north right-of-way line, N01°00'21"W, along said airport overlay zoning line, a distance of 1204.63 feet, to the **POINT OF BEGINNING**.

Containing 1,658,139 Sq. Ft. or 38.066 acres, more or less.

Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

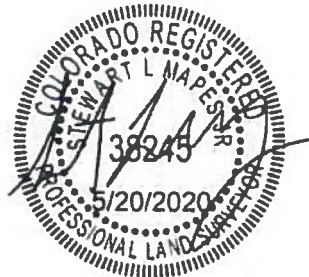


EXHIBIT A

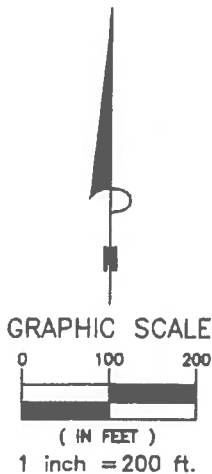
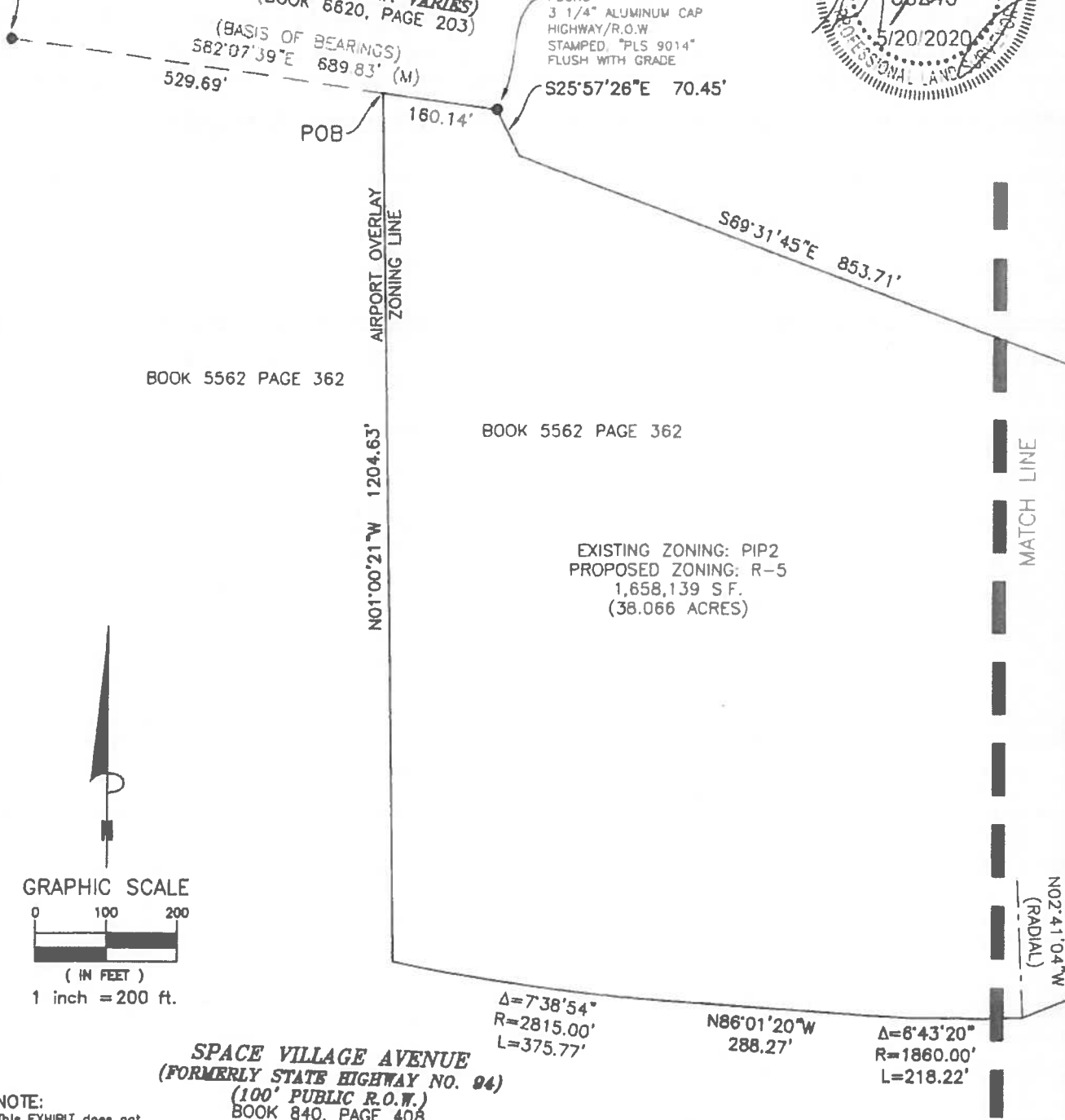
DEPICTION OF LEGAL DESCRIPTION



POB
 FOUND 3 1/4" ALUMINUM CAP
 HIGHWAY/R.O.W
 STAMPED, "PLS 9014"
 0.5' BELOW GRADE

HIGHWAY 94
 (PUBLIC R.O.W. VARIES)
 (BOOK 6620, PAGE 203)

FOUND
 3 1/4" ALUMINUM CAP
 HIGHWAY/R.O.W
 STAMPED, "PLS 9014"
 FLUSH WITH GRADE



SPACE VILLAGE AVENUE
 (FORMERLY STATE HIGHWAY NO. 94)
 (100' PUBLIC R.O.W.)
 BOOK 840, PAGE 408

NOTE:
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Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 2 of 3

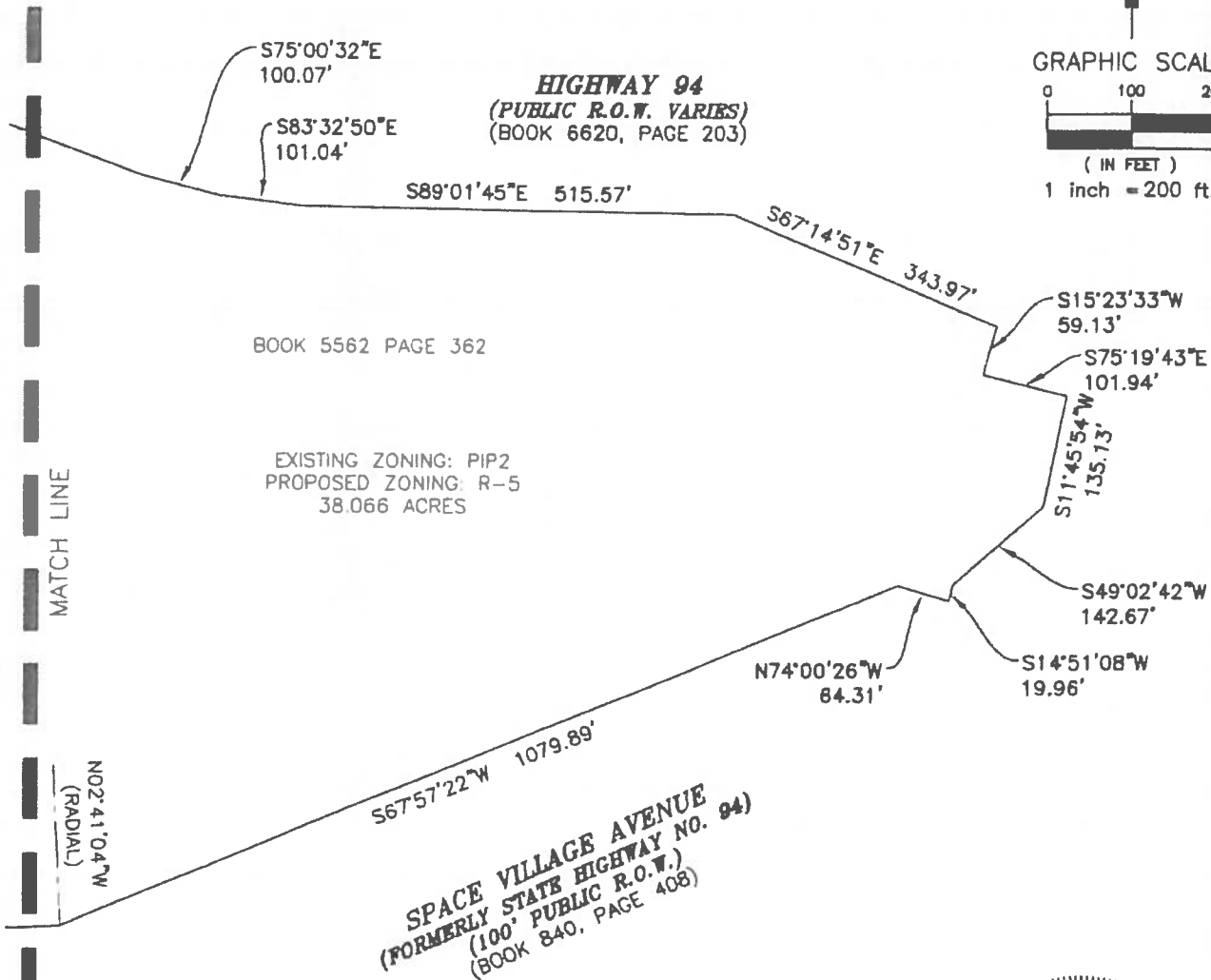
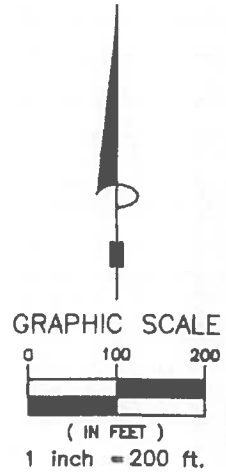
-Clark-

Land Surveying, Inc.

177 S. Tiffany Dr. Unit 1 • Pueblo West, CO 81007 • 719.582.1270
 www.clarkls.com

EXHIBIT A

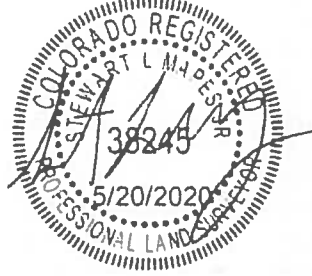
DEPICTION OF LEGAL DESCRIPTION



MATCH LINE

N02°41'04\"/>

SPACE VILLAGE AVENUE
 (FORMERLY STATE HIGHWAY NO. 94)
 (100' PUBLIC R.O.W.)
 (BOOK 840, PAGE 408)



NOTE:
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

Project No: 190980	Drawn: DWC Check: SLM	Date: 5/20/2020 Sheet 3 of 3
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Clark

Land Surveyors Inc.
 177 S. Tiffany Dr. Unit 1 • Pueblo West, CO 81007 • 719.582.1270
 www.clarksls.com

District No. 2 Legal Description

EXHIBIT A
Legal Description

May 20, 2020

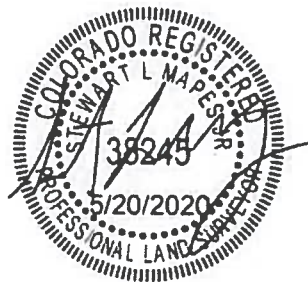
A portion of that parcel described in Reception No. 218032815, recorded March 23, 2018, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

COMMENCING at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence along said Airport overlay zoning line, S01°00'21"E, a distance of 4,922.09 feet to a point on the north line of said parcel, being the **POINT OF BEGINNING**; thence along said north line, N89°29'49"E, a distance of 927.93 feet, to the northeast corner of said parcel; thence along the east line of said parcel the following three (3) courses:

1. S01°21'41"E, a distance of 434.43 feet;
2. N89°28'36"E, a distance of 488.94 feet;
3. S01°21'24"E, a distance of 700.04 feet, to the southeast corner of said parcel;

thence along the south line of said parcel, S89°28'38"W, a distance of 1,423.85 feet, to a point on said Airport overlay zoning line; thence along said Airport overlay zoning line, N01°00'21"W, a distance of 1,134.70 feet to the **POINT OF BEGINNING**.

Containing 1,398,949 Sq. Ft. or 32.115 acres, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A

DEPICTION OF LEGAL DESCRIPTION

(BASIS OF BEARINGS)
 $S82^{\circ}07'39''E$ 689.83' (M)
 529.69' (TIE)
 160.14' (TIE)

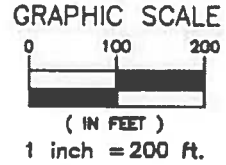
FOUND 3 1/4" ALUMNUM CAP HIGHWAY/R.O.W. STAMPED, "PLS 9014" FLUSH WITH GRADE

POC
 FOUND 3 1/4" ALUMNUM CAP HIGHWAY/R.O.W. STAMPED, "PLS 9014" 0.5' BELOW GRADE

$S01^{\circ}00'21''E$
 4922.09' (TIE)

POB

$N89^{\circ}29'49''E$ 927.93'



REC. NO. 218032815

EXISTING ZONING: PIP2
 PROPOSED ZONING: R-5
 637,506 S.F.
 (14.635 ACRES)

AIRPORT OVERLAY ZONING LINE

REC. NO. 218032815

EXISTING ZONING: PIP2/PBC
 PROPOSED ZONING: R-5
 1,398,949 S.F.
 (32.115 ACRES)

MATCH LINE

MATCH LINE



$S89^{\circ}28'38''W$ 1423.85'

NOTE:
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 2 of 3

Clark

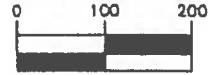
Land Surveying Inc

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EXHIBIT A
DEPICTION OF LEGAL DESCRIPTION

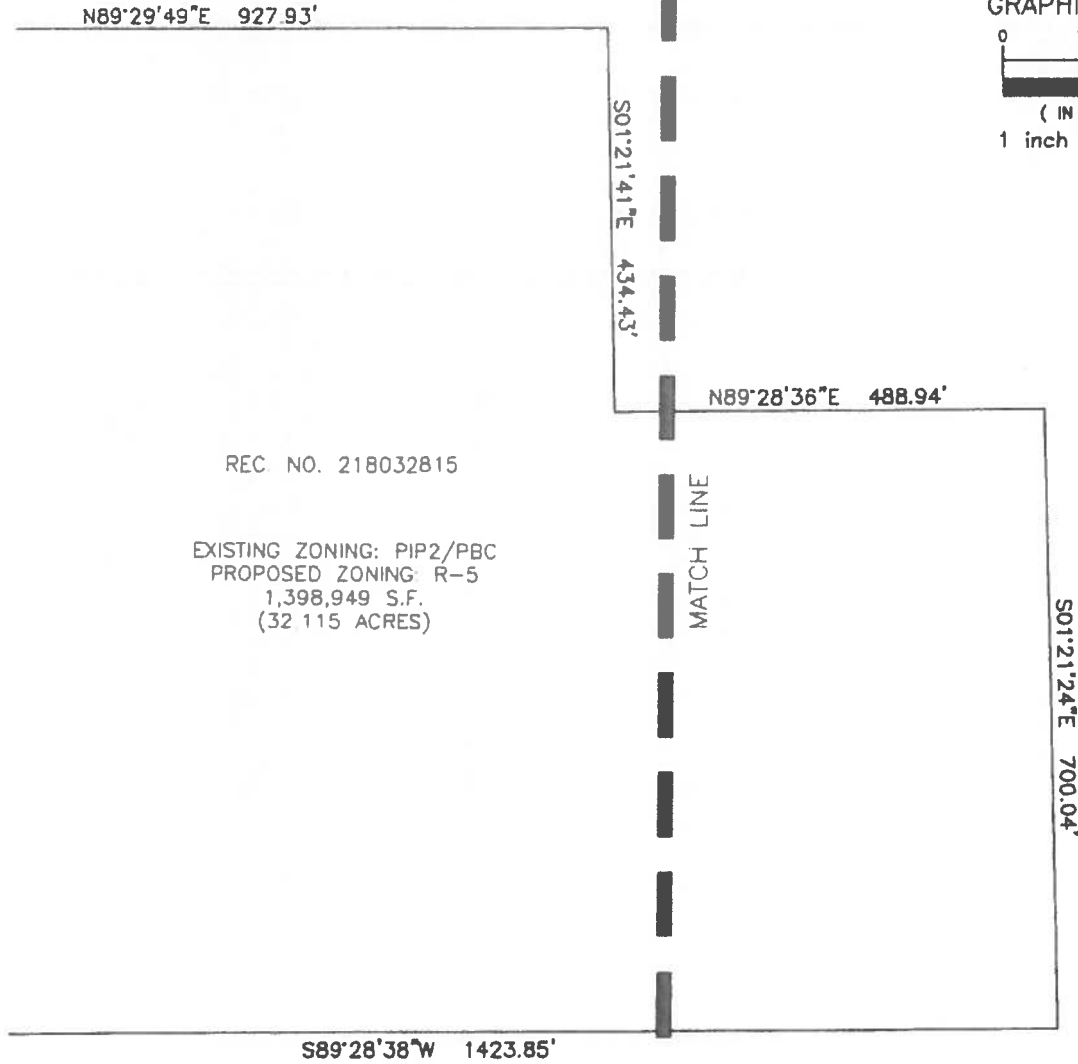


GRAPHIC SCALE



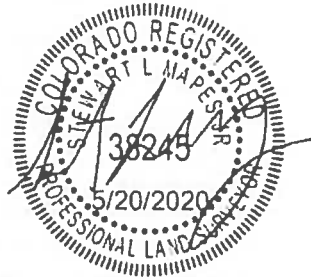
(IN FEET)

1 inch = 200 ft.



REC. NO. 218032815

EXISTING ZONING: PIP2/PBC
PROPOSED ZONING: R-5
1,398,949 S.F.
(32 115 ACRES)



NOTE:
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Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 3 of 3

District No. 3 Legal Description

TRACT IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 14, RANGE 65, IN THE COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS: SD T RLY SLY OF HIGHWAY 94, WLY OF MARKSHEFFEL ROAD, NLY OF SPACE VILLAGE AVENUE, AND ELY AND NLY OF ABANDONED DENVER AND NEW ORLEANS RAILROAD, IDENTIFIED AS SCHEDULE NUMBER 5408000054 WITH THE EL PASO COUNTY ASSESSOR;

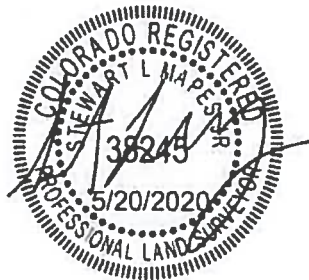
EXHIBIT A
Legal Description

May 20, 2020

A portion of that parcel described in Reception No. 218032766, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

COMMENCING at the northwest corner of that parcel described in Book 5562, Page 362, being a point on the south right-of-way line of Highway 94, and a point on the east right-of-way line of Marksheffel Road; thence along said south right-of-way line, S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence S01°00'21"E, along said Airport overlay zoning line, a distance of 1307.18 feet, to a point on the south right-of-way line of Space Village Avenue, being the **POINT OF BEGINNING**; thence S01°00'21"E, continuing along said Airport overlay zoning line, a distance of 886.60 feet, to a point on the south line of said parcel; thence S89°28'57"W, along said south line, a distance of 581.91 feet, to a point on said east right-of-way line of Marksheffel Road; thence along said east right-of-way line, N02°58'32"W, a distance of 60.30 feet; thence continuing along said east right-of-way line, along the arc of a curve to the right, with an arc length of 69.36 feet, a radius of 1,600.00 feet, a delta angle of 02°29'01"; thence continuing along said east right-of-way line, N00°29'30"W, a distance of 882.69 feet; thence continuing along said east right-of-way line, N44°30'30"E, a distance of 52.34 feet, to a point on said south right-of-way line; thence along said south right-of-way line, S71°11'03"E, a distance of 179.18 feet; thence continuing along said east right-of-way line, along the arc of a curve to the left having a radius of 2915.00 feet, a central angle of 07°35'34", a distance of 386.29 feet, to the **POINT OF BEGINNING**.

Containing 561,230 Sq. Ft. or 12.884 acres, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A

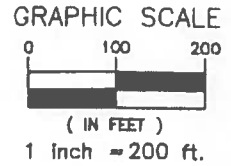
DEPICTION OF LEGAL DESCRIPTION

SPACE VILLAGE AVENUE
 (FORMERLY STATE HIGHWAY NO. 94)
 (100' PUBLIC R.O.W.)
 (BOOK 840, PAGE 408)

(BASIS OF BEARINGS)
 S82°07'39"E 689.83' (M)

POC
 FOUND 3 1/4"
 ALUMINUM CAP
 HIGHWAY/R.O.W.
 STAMPED, "PLS 9014"
 0.5' BELOW GRADE

FOUND 3 1/4"
 ALUMINUM CAP
 HIGHWAY/R.O.W.
 STAMPED, "PLS 9014"
 FLUSH WITH GRADE



N44°30'30"E
 52.34'

179.18'
 S71°11'03"E

L=386.29'
 R=2915.00'
 Δ=7°35'34"

S01°00'21"E
 1307.18'
 (TIE)

POB

MARKSHEFFEL ROAD
 (60' PUBLIC R.O.W.)
 (REC. NO. 218093087)

N00°29'30"W 882.69'

REC. NO. 218032766

EXISTING ZONING: PIP2
 PROPOSED ZONING: PBC
 561,230 S.F.
 (12.884 ACRES)

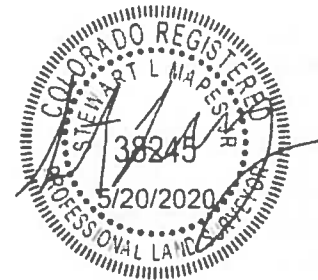
REC. NO. 218032766

AIRPORT OVERLAY
 ZONING LINE S01°00'21"E 886.60'

L=69.36'
 R=1600.00'
 Δ=2°29'01"

N02°58'32"W
 60.30'

S89°28'57"W 581.91'



NOTE:
 This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.



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	Check: SLM	Sheet 2 of 2

EXHIBIT A
Legal Description

May 20, 2020

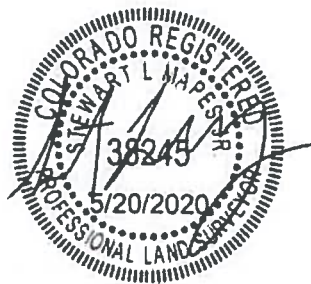
A portion of that parcel described in Book 5562, Page 362, recorded October 5, 1988, of the Official Public Records of El Paso County, Colorado, being more particularly described as follows:

BEGINNING at the northwest corner of said parcel, being a point on the south right-of-way line j south right-of-way line. S82°07'39"E (Bearings are based on a modified Colorado State Plane Central Zone. Basis of bearings is the south right-of-way line of Highway 94 with a record bearing of S82°07'53"E, a distance of 689.89 feet, being monumented at the west by a 3-1/4" aluminum cap stamped, "PLS 9014," 0.5 feet below grade and at the east by a 3-1/4" aluminum cap stamped, "PLS 9014," flush with grade, and measured to bear S82°07'39"E, a distance of 689.83 feet), a distance of 529.69 feet, to a point on the Airport overlay zoning line; thence leaving said south right-of-way line, S01°00'21"E, along said zoning line, a distance of 1204.63 feet, to a point on the north right-of-way line of Space Village Avenue; thence along said north right-of-way line, along the arc of a non-tangent curve to the right, whose center bears N11°40'58"E, having a radius of 2815.00 feet, a central angle of 7°08'45", a distance of 351.08 feet; thence continuing along said north right-of-way line, N71°12'13"W, a distance of 218.95 feet; thence continuing along said north right-of-way line, transitioning to said east right-of-way line, N35°54'36"W, a distance of 81.68 feet, to a point on said east right-of-way line; thence along said east right-of-way line the following five (5) courses;

1. N00°30'20"W, a distance of 410.06 feet;
2. N02°22'05"E, a distance of 240.28 feet;
3. N00°31'32"W, a distance of 97.57 feet;
4. N89°02'42"E, a distance of 9.66 feet;
5. N06°13'39"E, a distance of 301.91 feet,

to the **POINT OF BEGINNING**.

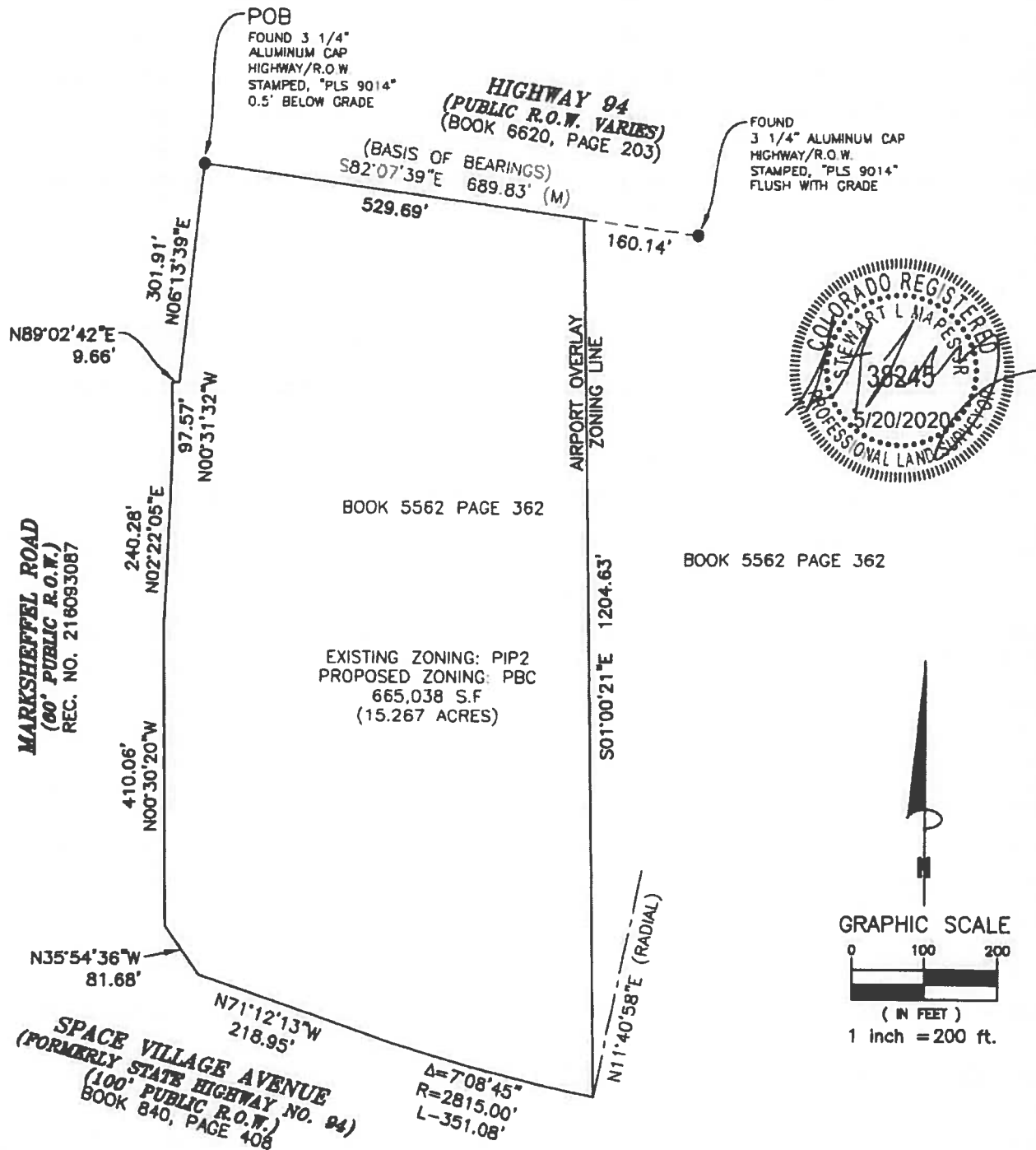
Containing 665,038 Sq. Ft. or 15.267 acres, more or less.



Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

EXHIBIT A

DEPICTION OF LEGAL DESCRIPTION



NOTE:
This EXHIBIT does not represent a monumented land survey, and is only intended to depict the attached LEGAL DESCRIPTION.

Project No: 190980	Drawn: DWC	Date: 5/20/2020
	Check: SLM	Sheet 2 of 2

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