

GARY R. WHITE
KRISTEN D. BEAR
WILLIAM P. ANKELE, JR.
JENNIFER GRUBER TANAKA
CLINT C. WALDRON
KRISTIN BOWERS TOMPKINS
ROBERT G. ROGERS

OF COUNSEL:
BLAIR M. DICKHONER



SEAN ALLEN
ZACHARY P. WHITE
CASEY K. LEKAHAL
TRISHA K. HARRIS
HEATHER L. HARTUNG
MEGAN J. MURPHY
KRISTIN J. SCHLEDORN
SILVIA FEJKA
BRADLEY T. NEIMAN
EVE M. GRINA

February 9, 2018

VIA EMAIL

City of Colorado Springs
Attn: Carl Schueler, Comprehensive Planning Manager
City Administrative Building, Suite 502
cschueler@springsgov.com

RE: City Council Consent to Inclusion of Property into Canyon Creek MD Nos. 1-3

Dear Mr. Schueler:

Our firm serves as general legal counsel to the Canyon Creek Metropolitan District Nos. 1-3 (the “Districts”). Our engagement as legal counsel to the Districts began on February 6, 2017. Prior to our engagement, the Districts received legal services from another law firm.

Pursuant to Article V.7 of the Districts’ Consolidated Service Plan, as approved by the Colorado Springs City Council on October 14, 2008 (the “Service Plan”), property located outside of the Districts’ Service Area (as defined in the Service Plan) may not be included within the Districts without obtaining written consent from the City Council. Within the past couple months, you brought to our attention that certain property was included into the Districts without obtaining City Council consent. Our subsequent review of this specific property determined that several additional properties were also included into the Districts without obtaining City Council consent, as listed on Exhibit A of this letter (collectively, the “Properties”). The failure to obtain City Council consent was an oversight that took place prior to our involvement with the Districts and something we would like to rectify immediately.

Enclosed with this letter is a map depicting the Properties that have been identified as being located outside of the Service Area, and that have been previously included into the Districts without City Council consent. You have specifically asked about the benefit that the property located at 0 West Ramona Avenue will receive as this property is not directly contiguous with the rest of the project. This specific property will benefit from the Cheyenne Boulevard streetscape improvements that are being made throughout the project. Cheyenne Boulevard is the southern border of this property and will be uniformly improved throughout the project. This specific property will benefit from approximately three-hundred feet (300’) of landscape, streetscape and sidewalk improvements along Cheyenne Boulevard. Additionally, upgrades will be made along Cheyenne Creek, which runs adjacent to this property and will benefit the residents of 0 West Ramona Avenue.

We regret that this oversight occurred but request that this issue be resolved as expeditiously as possible. As you know, the Colorado Springs Urban Renewal Authority (“CSURA”) is in the process of issuing bonds next month. The Districts will be entering into a Pledge Agreement whereby they will agree to pledge certain revenue to the repayment of the CSURA bonds. The Properties that are the subject of this letter are currently within the boundaries of CSURA and will be subject to the Districts’ mill levy that will generate the pledged revenue. Delaying consent to the inclusion of the Properties could jeopardize the issuance of the CSURA bonds. Any efforts that can be made to resolve this matter as quickly as possible are greatly appreciated.

Please let me know if you have any questions or concerns regarding this request, or if you need any additional explanatory materials.

Sincerely,

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

A handwritten signature in black ink, appearing to read 'Blair M. Dickhoner', with a long horizontal flourish extending to the right.

Blair M. Dickhoner

Enclosure

CC: CCMD Boards of Directors
Megan J. Murphy

EXHIBIT A

EXHIBIT A

(Included Properties Requiring Consent)

0 W. Ramona Avenue	Schedule No. 6430207036
7 E. Ramona Avenue	Schedule No. 6430209011
11 E. Ramona Avenue	Schedule No. 6430209027
15 E. Ramona Avenue	Schedule No. 6430209028
96 Cheyenne Blvd.	Schedule No. 6430207010
94 Cheyenne Blvd.	Schedule No. 6430207032
90 Cheyenne Blvd.	Schedule No. 6430207031
86 Cheyenne Blvd.	Schedule No. 6430207030
82 Cheyenne Blvd.	Schedule No. 6430207029
78 Cheyenne Blvd.	Schedule No. 6430207028
74 Cheyenne Blvd.	Schedule No. 6430207027
70 Cheyenne Blvd.	Schedule No. 6430207026
66 Cheyenne Blvd.	Schedule No. 6430207025
62 Cheyenne Blvd.	Schedule No. 6430207024
58 Cheyenne Blvd.	Schedule No. 6430207023
54 Cheyenne Blvd.	Schedule No. 6430207022
50 Cheyenne Blvd.	Schedule No. 6430207021
46 Cheyenne Blvd.	Schedule No. 6430207020
42 Cheyenne Blvd.	Schedule No. 6430207019
38 Cheyenne Blvd.	Schedule No. 6430207018
34 Cheyenne Blvd.	Schedule No. 6430207017
30 Cheyenne Blvd.	Schedule No. 6430207033
26 Cheyenne Blvd.	Schedule No. 6430207034
22 Cheyenne Blvd.	Schedule No. 6430207035