

RESOLUTION NO. ___ - ___

**A RESOLUTION OF THE CITY OF COLORADO SPRINGS
AUTHORIZING THE INCLUSION OF CERTAIN REAL
PROPERTY WITHIN PEAK METROPOLITAN DISTRICT NO. 2
AND AUTHORIZING THE EXECUTION AND DELIVERY OF ALL DOCUMENTS
IN CONNECTION THEREWITH**

WHEREAS, City Council of the City of Colorado Springs (“**City Council**”) approved the Consolidated Service Plan for Peak Metropolitan District Nos. 1, 2, and 3 (the “**Service Plan**”) pursuant to Resolution No. 95-18 adopted on August 28, 2018; and

WHEREAS, Peak Metropolitan District Nos, 1, 2, and 3 (the “**Districts**”) are anticipated to serve the “Peak Innovation Park” at the City of Colorado Springs Airport in accordance with the Service Plan; and

WHEREAS, the Districts are authorized to include property within and from their respective boundaries and have the authority to provide services to areas located within and without the Service Area (as defined in the Service Plan) pursuant to C.R.S. §§ 32-1-401, *et seq.*; and

WHEREAS, the City of Colorado Springs, by and through its enterprise, the Colorado Springs Municipal Airport (collectively the “**City**”) is the fee owner of certain real property described and depicted on the plat known as COLORADO SPRINGS AIRPORT FILING NO. 1C *A Colorado Springs Airport Filing No. 1C, a Replat of Lot 2, Colorado Springs Airport Filing No. 1, Located In A Portion of Sections 4, 5 and 6 of Township 15 South, Range 65 West, All Of The 6th Principal Meridian, Located In The City Of Colorado Springs, County of El Paso, State of Colorado* recorded January 31, 2019, Reception No. 219714274 (the “**Replat**”).

WHEREAS, Lot 1 of the Replat, consisting of approximately 18.74 acres of land, is located within the Service Area of the Districts and the City desires to include Lot 1 into the boundaries of Peak Metropolitan District No. 2 (“**District No. 2**”), said Lot 1 being more particularly described in **EXHIBIT A** attached hereto; and

WHEREAS, Tract A of the Replat, consisting of approximately .183 acres of land, is located within the Service Area of the Districts and the City desires to include Tract A into the boundaries of District No. 2, said Tract A being more particularly described in **EXHIBIT A** attached hereto; and

WHEREAS, the City desires to petition District No. 2 to include Lot 1 and Tract A of the Replat (collectively, the “**Property**”) into District No. 2’s boundaries pursuant to a Petition to for Inclusion, substantially in the form attached hereto as **EXHIBIT B** (the “**Petition for Inclusion**”).

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 finding and determination of the City Council.

Section 2. The City Council of the City of Colorado Springs, as the owner of the Property, hereby desires the inclusion of the Property into the boundaries of District No. 2 and authorizes the execution and delivery of the Petition for Inclusion and all documents in connection therewith.

Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

DATED at Colorado Springs, Colorado this ____ day of _____, 2019.

Council President

ATTEST:

Sarah B. Johnson, City Clerk