

RESOLUTION NO. _____-18

A RESOLUTION APPROVING A SECOND AMENDED AND
RESTATED SERVICE PLAN FOR THE BANNING LEWIS
RANCH REGIONAL METROPOLITAN DISTRICT

WHEREAS, Section 32-1-207, C.R.S., provides that no special district may materially modify its service plan except upon petition to the governing body of the municipality within which the special district lies and adoption of a resolution of approval by such governing body; and

WHEREAS, pursuant to the provisions of Title 32, Colorado Revised Statutes, and pursuant to proper notice having been provided as required by law, the City Council held a public hearing and approved an Amended and Restated Service Plan (the "First Amended and Restated Service Plan") for the Banning Lewis Ranch Regional Metropolitan District (the "District") (by Resolution No. 100-10); and

WHEREAS, the District has petitioned the City to approve a Second Amended and Restated Service Plan for Banning Lewis Ranch Regional Metropolitan District ("Second Amended and Restated Service Plan") in light of the Amended and Restated Banning Lewis Ranch Annexation Agreement being considered by City Council concurrent with this Resolution; and

WHEREAS, the District submitted for review and City Council reviewed the Second Amended and Restated Service Plan; and

WHEREAS, City Council considered the Second Amended and Restated Service Plan, as well as all other testimony and evidence presented at a properly noticed and duly held public hearing on April 24, 2018, to determine whether to approve the District's proposed Second Amended and Restated 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. Council hereby finds that approval of the Second Amended and Restated Service Plan is in the best interests of the City and the District.

Section 3. The Second Amended and Restated Service Plan as attached in Exhibit 1 hereto and incorporated by reference herein is hereby approved. Such

approval shall be effective forty-five (45) days from the date the City Council approves an Amended and Restated Banning Lewis Ranch Annexation Agreement by Resolution.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2018.

Council President

ATTEST:

Sarah B. Johnson, City Clerk