



SpencerFane[®]

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File No. 5300105-0216

JULY 9, 2018

VIA U.S. MAIL AND EMAIL

City Clerk's Office
City of Colorado Springs
P.O. Box 1575
30 S. Nevada Ave., Suite 101
Colorado Springs, CO 80901
CityClerk@SpringsGov.com

Re: Amended and Restated Service Plan Submittal for Banning Lewis Ranch Regional Metropolitan District No. 2 (a/k/a Banning Lewis Ranch Metropolitan District No. 7)

Dear Clerk,

Our firm represents Banning Lewis Ranch Metropolitan District No. 7 (the "District"). We have previously submitted to the City for consideration and approval by the City Council of the City of Colorado Springs the proposed Amended and Restated Service Plan for the District (the "Service Plan"), which Service Plan, among other things, will change the name of the District to the Banning Lewis Ranch Regional Metropolitan District No. 2.

Enclosed with this letter please find a copy of the City of Colorado Springs Title 32 Special District Transmittal Form. A check for \$3,500 for the City's Required Filing Fee has previously been submitted to your office.

The Service Plan amends and restates the consolidated Amended and Restated Service Plan for Banning Lewis Ranch Metropolitan District Nos. 1-5 and 7 (the "Consolidated Service Plan"), as such Consolidated Service Plan pertains to Banning Lewis Ranch Metropolitan District No. 7 only. The Service Plan does not alter or amend the Consolidated Service Plan in regards to any other district.

The purpose of the Service Plan is to change the name of Banning Lewis Ranch Metropolitan District No. 7 to Banning Lewis Ranch Regional Metropolitan District No. 2, to modify the District's boundaries and Service Area, and to repurpose the District's powers and authority from that of a standard metropolitan district to a regional metropolitan district.

Pursuant to the Consolidated Service Plan, the District was intended to include only commercial property and was subject to a maximum debt mill levy of 50 mills as described therein. As further set forth in the Service Plan, the District is now intended to provide public

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improvements of a regional scope only and will be subject to a lower maximum debt mill levy of 9 mills, subject to adjustment as described therein.

The purpose, need and structure of the District are similar to that of the Banning Lewis Ranch Regional Metropolitan District, but the boundaries of the two regional metropolitan districts will not overlap and their public improvements and services will not duplicate or interfere with each other; rather, the improvements and services will coordinate with each other's and those of the City and Springs Utilities.

Please do not hesitate to contact us if you have any questions or require additional information.

Sincerely,
/s/ Thomas N. George
Tom George

Enclosure

City of Colorado Springs Titles 31 and 32 Special District Transmittal Form

Date plan received (to be filled in by City):
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Petitioner: Clayton Properties Group II, Inc., d/b/a Oakwood Homes

District name(s): Banning Lewis Ranch Regional Metropolitan District No. 2

District location: Banning Lewis Ranch

District size (acres): 3.58 acres (initial district boundaries)

Metropolitan District	Business Improvement District	General Improvement District
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial	N/A- Commercial Only	<input type="checkbox"/> Residential <input type="checkbox"/> Commercial
<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended/restated: Does current metro district have existing residents? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> New <input type="checkbox"/> Amended/restated:	N/A
<input checked="" type="checkbox"/> Single District Service Plan <input type="checkbox"/> Multiple District Service Plan	N/A	N/A

Requested City Council hearing date (not less than 60 days from submittal): July 24, 2018

Please attach a transmittal letter which includes the following summary information:

1. Justification for petitioner's request to City Council to approve this district.
2. A general description of future development plans, if known.
3. Identify any deviation from the Model Plan(s) and provide an explanation/justification for each one.

**City of Colorado Springs Titles 31 and 32 Special District
Application Process and Transmittal Form**

1. Filing of proposed plan(s)

- (a) **Compliance with model plan(s).** The proposed Metropolitan service plan(s) shall substantially comply with the form and content of the Model Plan(s) current at the time. Other plans shall conform to the state statutes.
- (b) **Copies.** Submit fifteen (15) hardcopy sets of the proposed plan and an electronic version (compatible with Microsoft Office- Word 2003). Service Plans must be submitted, in both a "clean" version of proposed service plan and a "redlined" version, showing any changes to the Model Plan(s) (exclusive of filling in blanks), using this format: additions shown in underline, deletions shown in strikethrough. Exhibits A through D should be excluded from the redline version, but Exhibit E should be included.
- (c) **Fee.** At the time of filing the proposed or amended plan, petitioners shall pay a nonrefundable application fee made payable to the "City of Colorado Springs" in the following amounts, depending on request:

Metropolitan District	\$3,500
Business Improvement District	\$1,000
General Improvement District	\$1,000
All Other Districts under Titles 31 and 32	\$2,000

Additionally, petitioners shall pay all costs that the city may reasonably incur in retaining an outside consultant or consultants for the purpose of reviewing any proposed plan or amended service plan that does not comply with the form and content of the Model Plan(s).

- (d) **Transmittal form.** The attached transmittal form shall accompany the plan submittal.

2. Schedule for proposed plan review

Date	Action
60 days before hearing date	Deadline for plan submittal
45 days before hearing date	City confirms compliance
30 days before hearing date	Staff schedules City Council hearing date. All documents must be in final form
Hearing date	Consideration for adoption by City Council

3. Proposed plans shall be submitted to:

Fifteen hardcopies (clean & redline):
City Clerk's Office
PO Box 1575
30 S. Nevada Ave., Suite 101
Colorado Springs, Colorado 80901
(719) 385-5901

Electronic submittal (clean & redline):
CityClerk@SpringsGov.com